

## **ARTICLE III. DEPARTMENTS**

### *DIVISION 1. GENERALLY*

**Secs. 2-100—2-126. Reserved.**

### *DIVISION 2. DEPARTMENT OF PUBLIC SERVICES*

**Sec. 2-127. Created.**

There is hereby created a department of the city to be known as the department of public services, which shall be in the charge of a director of public services to be appointed and to hold office as provided in this division.

(Code 1975, § 1-7-1)

**Sec. 2-128. Organization.**

The director of public services shall be appointed by the city administrator, receive compensation and carry out the director's responsibilities in the manner provided by the Charter. The director of public services shall recommend to the city administrator the employment of such employees as deemed necessary to efficiently carry out the responsibilities of the department of public services within the limits of the current budget, and shall further recommend to the city administrator the discharge of any of such employees without confirmation by the city council in accordance with the Charter.

(Code 1975, § 1-7-2)

**Sec. 2-129. Jurisdiction and responsibilities.**

- (a) The department of public services shall have jurisdiction over and responsibility for, among other things, but not limited to, the following divisions:
- (1) Public works division. The public works division of the department of public services shall be headed by the director of public services, or his designated representative, who shall be responsible for the following:
    - a. Construction, maintenance and repair of all present and future physical and tangible properties and assets of the city.
    - b. Water mains and water distribution system.
    - c. Stormwater structures and pumping stations.
    - d. Sanitary sewer system.
    - e. Streets, alleys, sidewalks, curbs, gutters, sewers, drains, buildings, parking meters, municipal parking lots.

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- f. Operation and maintenance of the refuse collection system.
  - g. Operation and maintenance of the rolling stock and mechanical equipment of the city.
  - h. Investigation of any alleged violation of local ordinances and the Code of the city pertaining to public works and any other applicable rules and regulations.
  - i. Control and regulation of the planting of trees, shrubs, flowers.
  - j. Planning, development, maintenance, management and operation of all playgrounds and public medians.
  - k. Maintenance schedules for all trees and lawn areas located on public land.
  - l. Coordinating reforestation and landscape projects.
  - m. Investigation of any alleged violation of local ordinances and the Code of the city pertaining to forestry and any other applicable rule and regulations.

~~(2) Community center division. The community center division shall be headed by the director of public services, or his designated representative, who shall be responsible for the following:~~

- ~~a. Providing cultural, educational, recreational and social activities for residents of the city.~~
- ~~b. All matters relating to the management, maintenance and operation of the community center.~~
- ~~c. Investigation of any alleged violation of local ordinances and the Code of the city pertaining to the community center and any other applicable rules and regulations.~~

~~(3) Parks and recreation division. The parks and recreation division shall be headed by the director of public services, or his designated representative, who shall be responsible for the following:~~

- ~~a. Recreational services for all recreation areas and facilities.~~
- ~~b. All matters relating to the management, maintenance and operation of the municipal parks.~~
- ~~c. Investigation of any alleged violation of local ordinances and the Code of the city pertaining to parks and recreation and any other applicable rules and regulations.~~

- (b) The city administrator may be the director of public services.
- (c) The director of public services may appoint and designate a person to be known as the assistant director of public services, who shall perform such duties as shall be delegated to him by the director of public services.
- (d) The director of public services shall plan, schedule, correlated and supervise all departmental activities and the use of personnel and equipment in connection with the various functions described in subsection (a) of this section.
- (e) The director of public services shall keep such records, documents, files and materials and shall prepare such reports as requested by the city administrator.
- (f) The director of public services may encumber funds and authorize services, labor and materials according to established procedures. The director shall make all purchases through the city purchasing agent as required and shall not obligate the city except through established procedures.
- (g) The director of public services shall perform such other duties as may be prescribed by the city administrator or by provisions of this Code.
- (h) Notwithstanding anything to the contrary contained in this division, the jurisdiction and responsibilities set forth in this section shall be subject to and shall be controlled by the provisions of the city Charter.

(Code 1975, § 1-7-3)

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**Sec. 2-130. Additional rules and regulations.**

The director of public services is hereby given permission to make such reasonable rules and regulations as may be necessary, expedient and advisable for the carrying out of the terms and provisions of this division or for the proper operating and maintaining of the department of public services.

(Code 1975, § 1-7-4)

**Secs. 2-131—2-158. Reserved.**

*DIVISION 3. PARKS AND RECREATION ~~DIVISION~~DEPARTMENT*

**Sec. 2-159. Created.**

There is hereby created a parks and recreation ~~division~~department, which shall be in the charge of the director of ~~public services parks and recreation~~, or his designated representative, to be appointed by the city administrator and to hold office as provided in section 2-128.

(Code 1975, § 1-5-1)

**Sec. 2-160. Organization.**

The director of ~~public services parks and recreation~~, or his designated representative, shall recommend to the city administrator the employment of such employees as such director deems necessary to efficiently carry out the responsibilities of the parks and recreation ~~division~~department within the limits of the current budget, and shall further recommend to the city administrator the discharge of any such employees without confirmation by the council in accordance with the Charter.

(Code 1975, § 1-5-2)

**Sec. 2-161. Jurisdiction and responsibilities.**

- (a) The parks and recreation ~~division~~department shall have jurisdiction over and responsibility for, among other things, but not limited to, the following:
  - (1) Preparation and supervision of all recreational programs and activities within the city and its parks.
  - (2) All rolling stock and mechanical equipment, recreational supplies and equipment purchased or acquired for the parks and recreation ~~division~~department.
  - (3) Arranging for and coordinating, through the department of public services, the necessary care and maintenance of all parks and playgrounds, including all facilities and buildings used by or under the control and jurisdiction of the parks and recreation ~~division~~department.
- (b) The director of ~~public services parks and recreation~~, or his designated representative, may designate one of the parks and recreation employees as supervisor of parks and recreation, who shall perform all duties and services as required ~~of a department head~~ and such other duties as may be delegated to such supervisor by the director of ~~public services parks and recreation~~.
- (c) The director of ~~public services parks and recreation~~, or his designated representative, shall plan, schedule, correlate and supervise all recreational activities which are a part of the city's recreational program.

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- (d) The director of ~~public services~~**parks and recreation**, or his designated representative, shall arrange and coordinate with other city departments to have recreation areas, fields, parks and playgrounds, including board of education facilities, maintained and repaired by the department of public services, other than where such maintenance and repair is provided by the board of education.
  - (e) The director of ~~public services~~**parks and recreation**, or his designated representative, shall keep such records, documents, files and materials and shall prepare such reports as are requested by the city administrator.
  - (f) The director of ~~public services~~**parks and recreation**, or his designated representative, may encumber funds and authorize services, labor and materials according to established procedures. The director of ~~public services~~**parks and recreation**, or his designated representative, shall make all purchases through the purchasing agent as required and shall not obligate the city except through established procedures.
  - (g) The director of ~~public services~~**parks and recreation**, or his designated representative, shall perform such other duties as may be prescribed by the city administrator or by this Code.
  - (h) Notwithstanding anything to the contrary, the jurisdiction and responsibilities set forth in this section shall be subject to and shall be controlled by the provisions of section 4.5 of the Charter of the city.

(Code 1975, § 1-5-3)

**Sec. 2-162. Additional regulations.**

The director of ~~parks and recreation~~**public services**, or his designated representative, is hereby authorized to make such reasonable rules and regulations as may be necessary, expedient and advisable for the carrying out of the terms and provisions of this division, or for the proper operating and maintaining of the parks and recreation division.

(Code 1975, § 1-5-4)

**Secs. 2-163—2-175. Reserved.**

*DIVISION 4. PUBLIC WORKS DIVISION*

**Sec. 2-176. Created.**

There is hereby created a public works division which shall be in the charge of the director of public services, or his designated representative, to be appointed and to hold office as provided in section 2-128 et seq.

**Sec. 2-177. Organization.**

The director of public services, or his designated representative, shall recommend to the city administrator the employment of such employees as such director deems necessary to efficiently carry out the responsibilities of the public works division within the limits of the current budget and shall further recommend to the city administrator the discharge of any such employees without conformation by the council in accordance with the Charter.

**Sec. 2-178. Jurisdiction and responsibilities.**

- (a) The public works division shall have jurisdiction over and responsibility for, among other things, but not limited to, the following:

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- (1) Construction, maintenance and repair of all present and future physical and tangible properties and assets of the city; water mains and water distribution system; stormwater structures and pumping stations; sanitary sewer system; streets, alleys, sidewalks, curbs, gutters, sewers, drains, buildings, parking meters, municipal parking lots.
  - (2) All rolling stock and mechanical equipment, recreational supplies and equipment purchased or acquired for the public works division.
  - (3) Arranging for, and coordinating, through the department of public services, the necessary care and maintenance of all facilities and buildings used by or under the control and jurisdiction of the public works division.
  - (4) Operation and maintenance of the refuse collection system.
- (b) The director of public services, or his designated representative, may designate one of the public works division employees as supervisor of the public works division, who shall perform all duties and services of a department head and such other duties as may be delegated to such supervisor by the director of public services.
  - (c) The director of public services, or his designated representative, shall keep such records, documents, files and materials and shall prepare such reports as are requested by the city administrator.
  - (d) The director of public services, or his designated representative, may encumber funds and authorize services, labor and materials according to established procedures. The director of public services, or his designated representative, shall make all purchases through the purchasing agent as required and shall not obligate the city except through established procedures.
  - (e) The director of public services, or his designated representative, shall perform such other duties as may be prescribed by the city administrator or by this Code.
  - (f) Notwithstanding anything to the contrary, the jurisdiction and responsibilities set forth in this section shall be subject to and shall be controlled by the provisions of section 4.5 of the Charter of the city.

**Sec. 2-179. Additional regulations.**

The director of public services, or his designated representative, is hereby authorized to make such reasonable rules and regulations, subject to council approval, as may be necessary, expedient and advisable for the carrying out of the terms and provisions of this division, or for the proper operating and maintaining of the public works division.

**Secs. 2-180—2-192. Reserved.**

*DIVISION 5. COMMUNITY CENTER DIVISION*

**Sec. 2-193. Created.**

There is hereby created a community center division which shall be in the charge of the director of ~~public services~~public services parks and recreation, or his designated representative, to be appointed and to hold office as provided in section 2-128 et seq.

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**Sec. 2-194. Organization.**

The director of ~~public services~~public services parks and recreation, or his designated representative, shall recommend to the city administrator the employment of such employees as such director deems necessary to efficiently carry out the responsibilities of the community center division within the limits of the current budget and shall further recommend to the city administrator the discharge of any such employees without confirmation by the council in accordance with the Charter.

**Sec. 2-195. Jurisdiction and responsibilities.**

- (a) The community center division shall have jurisdiction over and responsibility for, among other things, but not limited to, the following:
  - (1) All rolling stock and mechanical equipment, recreational supplies and equipment purchased or acquired for the community center division.
  - (2) Arranging for, and coordinating, through the department of public services, the necessary care and maintenance of all facilities and buildings used by or under the control and jurisdiction of the community center division.
- (b) The director of ~~public services~~public services parks and recreation, or his designated representative, may designate one of the community center employees as supervisor of community center, who shall perform all duties and services ~~of a department head and such other duties~~ as may be delegated to such supervisor by the director of ~~public services~~public services parks and recreation.
- (c) The director of ~~public services~~public services parks and recreation, or his designated representative, shall plan, schedule, correlate and supervise all cultural, educational, recreational and social activities for residents of the city which are a part of the community center programs.
- (d) The director of ~~public services~~public services parks and recreation, or his designated representative, shall keep such records, documents, files and materials and shall prepare such reports as are requested by the city administrator.
- (e) The director of ~~public services~~public services parks and recreation, or his designated representative, may encumber funds and authorize services, labor and materials according to established procedures. The director of ~~public services~~public services parks and recreation, or his designated representative, shall make all purchases through the purchasing agent as required and shall not obligate the city except through established procedures.
- (f) The director of ~~public services~~public services parks and recreation, or his designated representative, shall perform such other duties as may be prescribed by the city administrator or by this Code.
- (g) Notwithstanding anything to the contrary, the jurisdiction and responsibilities set forth in this section shall be subject to and shall be controlled by the provisions of section 4.5 of the Charter of the city.

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**Sec. 2-196. Additional regulations.**

The director of ~~public services~~public services parks and recreation, or his designated representative, is hereby authorized to make such reasonable rules and regulations as may be necessary, expedient and advisable for the carrying out of the terms and provisions of this division, or for the proper operating and maintaining of the community center division.

**Secs. 2-197—2-215. Reserved.**

*DIVISION 6. DEPARTMENT OF PUBLIC SAFETY*

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**Sec. 2-216. Authority and duties generally.**

The department of public safety shall be charged with the performance of those duties which:

- (1) Enforce city codes and ordinances, state statutes and federal laws;
- (2) Preserve order;
- (3) Protect life, persons and property against fire;
- (4) Perform building safety inspections;
- (5) Provide other public services of an emergency nature; and
- (6) Perform all other duties as may be assigned by the city administrator.

(Code 1975, § 1-10-1; Code 1997, § 2-421)

**Sec. 2-217. Director of public safety—Appointment; removal.**

- (a) The director of public safety shall head the department of public safety. The director shall be appointed by the city administrator for a term of indefinite duration.
- (b) The director of public safety may be removed from office by the city administrator at any time that the director's conduct of the activities and operations of the department becomes unsatisfactory.

(Code 1975, § 1-10-2; Code 1997, § 2-422)

**Sec. 2-218. Same—Powers and duties.**

The director of public safety shall be responsible to the city administrator for the proper administration of the activities and operations of the department of public safety pursuant to statutes of the state and ordinances and codes of the city, with powers and duties as follows:

- (1) To supervise and direct the activities of the members of the department of public safety.
- (2) To recommend that the city administrator appoint new members to the department of public safety whenever the director deems such action necessary or desirable for the good of the department.
- (3) To demote, suspend or remove any member of the department subject to the provisions of any labor contract last in effect whenever the director deems such action necessary or desirable for the good of the department.
- (4) To analyze and present problems pertaining to the department which require policy decisions to the city administrator, and keep the city administrator advised concerning developments pertaining to department administration, business and affairs, and to make recommendations for improving the quality and efficiency of the services performed by the department.
- (5) To prepare annually and submit to the city administrator a recommended financial budget of anticipated expenditures of the department for the ensuing fiscal year and to supervise the expenditures of money and the administration of such budget as adopted.
- (6) To formulate and promulgate such general rules and regulations for the conduct of the department as the director deems necessary.
- (7) To supervise and control all mobile and other equipment of the department and be responsible for its proper maintenance.

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- (8) To maintain or cause to be maintained complete and detailed records of all public safety activities in which the department engages.
  - (9) To perform such other duties as may from time to time be delegated to the director by the city administrator.

(Code 1975, § 1-10-3; Code 1997, § 2-423)

#### **Sec. 2-219. Acting director of public safety.**

In the event of the absence or incapacity of the director of public safety, the director's powers and duties shall be assumed by the individual specified as acting director, who shall be appointed by the director and approved by the city administrator. If no specific individual is designated, the senior ranking public safety officer shall assume the powers and duties of the position of director.

(Code 1975, § 1-10-4; Code 1997, § 2-424)

#### **Sec. 2-220. Public safety officers—Performance of police and fire duties.**

Public safety officers shall perform such duties as shall be prescribed by the director of public safety. There shall be no distinction between police duties and fire duties, these duties being combined and made a part of the duties of public safety officers.

(Code 1975, § 1-10-5; Code 1997, § 2-425)

#### **Sec. 2-221. Same—Powers and duties.**

The director of public safety and all public safety officers shall possess the powers, enjoy the privileges and be subjected to the liabilities conferred and imposed by laws upon police officers and firefighters. The director of public safety and all public safety officers shall have full power and authority; and it shall be the duty of each such individual to:

- (1) Familiarize himself with state statutes, federal laws and the codes and ordinances of the city and attend to the enforcement of such statutes, laws, codes and ordinances by all lawful means.
- (2) Prevent crimes and violations of state, federal and city laws and ordinances and protect the health, safety, public peace and order of the city and its inhabitants.
- (3) Engage in fire prevention, the fighting and extinguishing of fires and the preparation and submission of all reports relative thereto.
- (4) Perform other administrative or emergency duties as directed by the city administrator, the director of public safety or their duly authorized representative.

(Code 1975, § 1-10-6; Code 1997, § 2-426)

#### **Sec. 2-222. Definitions; law enforcement authority.**

- (a) *Definitions.* The following words, terms and phrases, as used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:



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*Law enforcement officer* means any legally appointed police officer or public safety officer of the cities of Grosse Pointe, Grosse Pointe Farms, Grosse Pointe Park, Grosse Pointe Woods, Harper Woods and the Village of Grosse Pointe Shores, Wayne County, Michigan.

*Police mutual aid agreement* means that agreement entered into between the cities of Grosse Pointe, Grosse Pointe Farms, Grosse Pointe Park, Grosse Pointe Woods, Harper Woods and the Village of Grosse Pointe Shores, Wayne County, Michigan, which agreement shall be the current existing agreement between such communities which pertains to law enforcement mutual assistance.

- (b) *Authority.* Any law enforcement officer, when acting in any of the communities that are signatories of the police mutual aid agreement by direction of their superiors and in accordance with the plans and procedures of the police operational planning board established under the provisions of the police mutual aid agreement, shall have the same law enforcement authority when acting in such communities as the law enforcement officers of the community in which they are operating.

(Code 1975, §§ 1-11-1, 1-11-2; Code 1997, §§ 2-427, 2-428)

State law reference(s)—Mutual police assistance agreements, MCL 123.811 et seq.

**Secs. 2-223—2-252. Reserved.**