City of Allen Park, County of Wayne,
State of Michigan

ORDER No. 2014-043

AN ORDER PROVIDING FOR THE SUSPENSION OF OPERATIONS OF AND THE CONTINUED SUSPENSION OF THE CITY OF ALLEN PARK GENERAL EMPLOYEES CIVIL SERVICE COMMISSION RULES OF PROCEDURE AND PERSONNEL RULES AND THE SUSPENSION OF THE PUBLIC SAFETY COMMISSION AND THE SUSPENSION OF THE POLICE AND FIRE CIVIL SERVICE COMMISSION

WHEREAS, under Local Government Fiscal Responsibility Act, Act 72, Public Acts of Michigan, 1990, as amended ("Act 72") and as superseded by the Local Financial Stability and Choice Act, Act 436, Public Acts of Michigan, 2012 ("Act 436"), as well as any successor Acts, and a Contract (the "Contract") dated October 25, 2012 between the State of Michigan and Joyce A. Parker, Joyce A. Parker has been appointed as the Emergency Manager (the "EM") of the City of Allen Park, County of Wayne, Michigan (the "City") and is thereby charged with the power and authority to take all actions necessary to develop and implement financial and operational plans, to regulate expenditures, investments, ensure compliance with federal, state and local laws, regulations, rules, local laws and make provisions for services essential to the public health, safety, and welfare of the City of Allen Park, including the power to exercise the authority and responsibilities of the Mayor, the Chief Administrative Officer of the City, and of the City Council, as the governing body of the City, concerning the adoption and enforcement of ordinances and resolutions affecting the financial condition of the City as provided in the Home Rule City Act, Act 279, Public Acts of Michigan, 1909, as amended ("Act 279"); and

WHEREAS, pursuant to Act 436 and specifically MCL 141.1552(1)(dd) and (ee) an emergency manager has the power and authority to exercise, on behalf of the local government, all authority and responsibilities of the governing body including enforcement of ordinances and resolutions as provided under the Home Rule City Act, 1909 PA 279, and take any other action or exercise any power or authority of any officer, employee, board, and commission, recognizing that the power of the emergency manager shall be superior to and supersede the power of any of the aforementioned officers or entities;

WHEREAS, this ORDER is necessary in order to carry out the duties and responsibilities required of the Emergency Manager as set forth in Public Act 436, the Contract and the emergency financial plan;

RESOLVED, NOW THEREFORE, IT IS HEREBY ORDERED BY THE EMERGENCY MANAGER OF THE CITY OF ALLEN PARK, PURSUANT TO PUBLIC ACT 436 of 2013, THE CONTRACT, AND ALL OTHER RELEVANT LEGAL MANDATES THAT:

1) The operation of the City of Allen Park General Employees Civil Service Commission is suspended and the applicability and implementation of the City of Allen Park General Employees Civil Service Commission Rules of Procedure continues to be suspended pursuant to this ORDER and continues until such time as the financial emergency in Allen Park is lifted or terminated by the Governor; and

2) The applicability and implementation of the City of Allen Park General Employees Civil Service Commission Personnel Rules continues to be suspended pursuant to this ORDER and until such time as the financial emergency in Allen Park is lifted or terminated by the Governor; and

3) The operation of the City of Allen Park Public Safety Commission is suspended and the applicability and implementation of the City of Allen Park Public Safety Commission Rules of Procedure are suspended as of the date this ORDER is signed and until such time as the financial emergency in Allen Park is lifted or terminated by the Governor; and

4) By the 5th business day of each Month the Police Department through its Police Chief or his designee and the Fire Department through its Fire Chief or his designee shall provide to the City Administrator a written report on the preceding month's public safety issues and operations; and

5) The operation of the City of Allen Park Police and Fire Civil Service Commission is suspended and the applicability and implementation of the City of Allen Park Police and Fire Civil Service Commission Rules of Procedure are suspended as of the date this ORDER is signed and until such time as the financial emergency in Allen Park is lifted or terminated by the Governor; and

6) Repeal. All ORDERS of the Emergency Manager, resolutions of the Allen Park City Council and parts of resolutions, orders or contracts in conflict with this ORDER are hereby repealed to the extent of such conflict.

IT IS SO ORDERED THIS 24th DAY OF SEPTEMBER, 2014

JOYCE A. PARKER
EMERGENCY MANAGER
CITY OF ALLEN PARK