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**TO:** Detroit City Council

**FROM:** David Whitaker, Director  
Legislative Policy Division 

**DATE:** April 24, 2026

**RE: ORDINANCE AMENDMENT TO LIMIT THE AUDITOR GENERAL'S CLAIM  
AWARD AUTHORITY TO \$5,000.00**

The Legislative Policy Division (LPD) has been requested by Council President James Tate to provide an ordinance amendment limiting the Attorney General's claim award authority to \$5,000.00.

If we can be of further assistance, please call upon us.

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## SUMMARY

**AN ORDINANCE** to amend Chapter 17 of the 2019 Detroit City Code, *Finance*; Article VIII, *Liability and Surety Bonds*; Division 2, *Claims Against City*; by amending Section 17-8-23, *Process of claims in excess of \$50.00.*; to provide that the Auditor General's awards for claims may not exceed \$5,000.

1 AN ORDINANCE to amend Chapter 17 of the 2019 Detroit City Code, *Finance*; Article VIII,  
2 *Liability and Surety Bonds*; Division 2, *Claims Against City*; by amending Section 17-8-23, *Process of*  
3 *claims in excess of \$50.00.*; to provide that the Auditor General's awards for claims may not exceed \$5,000.

4 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:**

5 Chapter 17 of the 2019 Detroit City Code, *Finance*; Article VIII, *Liability and Surety Bonds*;  
6 Division 2, *Claims Against City*; Section 17-8-23, *Process of claims in excess of \$50.00.*, to read as follows:

7 **CHAPTER 17,**

8 **FINANCE**

9 **ARTICLE VIII,**

10 **LIABILITY AND SURETY BONDS**

11 **DIVISION 2,**  
12 **CLAIMS AGAINST CITY**

13 **Section 1.**

14 **Section 17-8-23. - Process of claims in excess of \$50.00. Properly submitted claims, as defined in**  
15 **Section 17-8-21 of this Code against the City in excess of \$50.00, shall be processed as follows:**

16 (1) The Law Department shall investigate the facts and applicable law as to the proper  
17 disposition of such claim and shall approve and disapprove the payment of such claim.

18 (2) The Law Department shall promptly notify, by mail, the claimant at the claimant's  
19 last known address, of the Law Department's decision. In the event the claim is denied, in whole or part,  
20 such notice also shall inform the claimant of the claimant's right to appeal such decision of the Law  
21 Department to the Auditor General.

22 (3) The claimant shall indicate to the Law Department within 20 days of the mailing of  
23 such notice to the claimant, in a form provided by the Law Department and included in the mailing,  
24 whether the claimant wishes to appeal the decision of the Law Department to the Auditor General.

25 (4) If the claimant decides to accept the decision of the Law Department, the Law  
26 Department shall prepare all necessary instruments, including a voucher for payment, and a written release  
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1 of all claims to be executed by the claimant, if required, and upon obtaining a properly executed written  
2 release from the claimant, if required, the Law Department shall forward to the Chief Financial Officer a  
3 voucher for payment, which voucher shall be honored by the Chief Financial Officer.

4 (5) Upon written notification from the claimant to appeal the decision of the Law  
5 Department, the Law Department shall promptly inform and submit such claim to the Auditor General. On  
6 each such appeal, the Auditor General shall review the City's record of such claim and make such  
7 additional inquiries as to the facts and circumstances as the auditor general deems appropriate.

8 (6) The Auditor General, or the Auditor General's designated representative upon  
9 receipt of notice from the Law Department of the claimant's decision to appeal the decision of the Law  
10 Department, shall hold a hearing as to such disputed claim within 45 days of the receipt of notice from the  
11 Law Department.

12 (7) The Auditor General shall send the claimant notice of the hearing by certified mail  
13 addressed to the claimant at the claimant's last known address at least ten days before the scheduled date  
14 of such hearing. At such hearing, the Auditor General may call and examine persons under oath, and the  
15 Auditor General may keep a record of such proceedings in whatever form deemed appropriate.

16 (8) The Auditor General shall make a determination, within 15 days after the  
17 completion of such hearing, on such disputed claim. **The Auditor General's award authority shall not**  
18 **exceed \$5,000.00 per claim.** The determination by the Auditor General shall be final. Any appeals from  
19 such determination shall be brought only in the court provided by law.

20 (9) The Auditor General shall notify in writing the claimant and the Law Department of  
21 such determination. The Law Department shall promptly prepare all necessary instruments as herein stated  
22 in Subsection (4) of this section.

23 **Section 2.** All ordinances or parts of ordinances in conflict with this ordinance are repealed.

24 **Section 3.** This ordinance is declared necessary for the preservation of the public peace, health,  
25 safety, and welfare of the people of the City of Detroit.

26 **Section 4.** If this ordinance is passed by a two-thirds (2/3) majority of City Council members

1 serving, it shall be given immediate effect and shall become effective upon publication in accordance with  
2 Section 4-118 of the 2012 Detroit City Charter; if passed by less than a two-thirds (2/3) majority of City  
3 Council members serving, it shall become effective no later than thirty (30) days after publication in  
4 accordance with Section 4-118 of the 2012 Detroit City Charter; if this ordinance specifies a certain date to  
5 become effective, it shall become effective in accordance with the date.

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7 Approved as to form:

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9 Conrad L. Mallett, Jr.  
10 Corporation Counsel

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