THE CITY CHARTER

OF THE

CITY OF SOUTH LYON

OAKLAND COUNTY

MICHIGAN

As Adopted by a Vote of the People
Effective October 5, 1970
As Amended by a Vote of the People 11/2/04
As Amended by a Vote of the People 11/3/09

CHARTER
CITY OF SOUTH LYON
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CHARTER

CITY OF SOUTH LYON

PREAMBLE

We, the people of the City of South Lyon, grateful to Almighty God for the blessings of freedom, and pursuant to authority granted by the Constitution and Laws of the State of Michigan, in order to secure the benefits of self-government, and to provide for the public peace, and health and for safety of persons and property, do hereby ordain and establish this Charter for the City of South Lyon.

CHAPTER 1

NAME AND BOUNDARIES

NAME AND BOUNDARIES:

Section 1.1

(a) The municipal corporation now existing and known as the City of South Lyon shall continue as a body corporate and shall include the territory constituting the City of South Lyon on the effective date of this Charter, together with all territories that may be annexed thereto and less any detachments therefrom that may be made in a manner prescribed by law.

(b) The Clerk shall maintain and keep available in his office for public inspection, the official description and map of the current boundaries of the City.

WARDS:

Section 1.2 The City shall consist of and constitute one single ward.

CHAPTER 2

MUNICIPAL POWERS

GENERAL POWERS:

Section 2.1 The City and its officers shall have the power to manage and control its finances, rights, interest, buildings and property, to enter into contracts, to do any act to advance the interest, good government and prosperity of the City and its inhabitants, to protect the public peace, health, safety and general welfare, and to prevent and restrain crime and vice. In the exercise of such powers, the City may enact ordinances, rules and regulations and take such other action as may be required, not inconsistent with law. The power of the City shall include but shall not be limited to the following:

(a) To declare as a hazard or nuisance any act or condition upon public or private property, or both, including, but not limited to, the accumulation of rubbish and the growing of noxious weeds, which is, or may be dangerous to the health, safety or welfare of the inhabitants of the City; to provide for the abatement thereof, and to provide that cost of such abatement shall be charged as a special assessment against the real property on which the hazard or nuisance is located.

(b) To provide for the public welfare by:

(1) Regulating trades, occupations and amusements within the City, and prohibiting trades, occupations and amusements which are detrimental to the safety, health or welfare of its inhabitants;

(2) Regulating the preparation, storage, transportation and sale of foods, drugs and beverages for human consumption;

(3) Collecting and disposing of garbage and rubbish and liquid waste disposal;

(4) Licensing and regulating the number of vehicles, which carry persons or property for hire, fixing the rates of fare and charges and determining the location of stands for such vehicles;

(5) Licensing and regulating billboards and advertising signs and locations thereof;

(6) Regulating the construction, erection, alteration, equipment, repair, moving, removal and demolition of buildings and structures and their appurtenances and service equipment;

(7) Regulating the location, height and type of fences abutting public or between private properties;

(8) Establishing zones within the City and regulating therein the use and occupancy of lands or structures; the height, area, size and location of buildings; the required open space for light and ventilation of buildings and the density of population;

(9) Regulating, limiting and prohibiting the construction and use of buildings and lands in order to promote the public safety and to prevent fires;

(10) Regulating and controlling the use of streams, waters and water courses within the City in any manner consistent with the provisions of law;

(c) Power to establish and reasonably control streets, alleys, bridges and public places, and the space above and beneath them, and the use thereof by,

(1) Creating and vacating the same and acquiring and disposing of land, or any interest in land, required therefore, including any surplus land which may be incidental to or necessary for the purchase of land required;

(2) Providing a plan of streets and alleys within and for a distance beyond the limits of the City as permitted by law;

(3) Requiring the owners of real property to build and maintain public sidewalks according to plan in the area of streets immediately adjacent to such property, and upon failure of any owner to do so, construct and maintain such sidewalks and assess the cost thereof against such property as a special assessment;

(4) Compelling all persons to keep sidewalks, which are in the area of streets immediately adjacent to the premises owned, controlled or occupied by them, free from snow, ice, dirt, wood, shrubbery or any other object which obstructs such sidewalks, or which makes the same hazardous or offensive to the public health or safety, and upon failure of such persons to do so, to cut and remove such weeds or to remove such objects, and to assess the cost thereof against such property as a special assessment;

(5) Compelling all persons to care for the untraveled portions of the streets lying between the traveled portion and the property line which abut upon premises owned, controlled or occupied by them, and to keep the same free from weeds and from objects which are offensive or hazardous to public health and safety, and upon failure to do so, cutting and removing such weeds and removing such objects and assessing the cost thereof against such adjoining property as a special assessment;

(6) Providing for the grade of streets and requiring public utility users of streets and other public places to conform thereto with respect to their tracks, lines or facilities located on, above or under the streets or alleys, requiring railroads to keep their tracks and the street surface between the tracks and for the legally required distance on each side of them, in reasonable repair at all times, but in any case, at least one and one-half feet on each side of the tracks;

(7) Regulating the speed of vehicles, trains and locomotives upon or across the streets within the provisions and limitations of law, and the stopping and parking of the same upon the streets and at street crossings;

(8) Providing for and regulating the lighting of streets and alleys, whether such lights be located on public or private property;

(9) Preventing and abating the encumbering of streets and alleys or any part thereof;

(10) Regulating the location of buildings and structures and of trees, shrubbery or signs at or near street corners and street intersections with alleys and driveways so as to provide for the public safety and welfare in the use of streets and alleys;

(11) Providing for and regulating the numbering of buildings upon property abutting the streets and alleys and compelling the owners and occupants thereof to affix numbers thereto;

(12) Providing for the use by other than the owner, of property located on, above or under the streets, alleys, and public places, in the operation of a utility, upon the payment of reasonable compensation therefore to the owner thereof;

(13) Providing for the planting and general care and protection of trees and shrubbery within the streets and public places of the City and preventing the cutting of limbs and branches for the placing and maintenance of utility wires without the consent of the designated officer or agency of the City;

(14) Providing for the control over all trees, shrubs and plants in the public streets, highways, parks or other public places in the City, all dead and diseased trees on private property and the trees on private property overhanging the street, sidewalk or public places, including the removal thereof and assessing the cost thereof against the abutting property as a special assessment;

(15) Regulating the use, occupancy, sanitation and parking of house trailers or mobile homes within the City, and the right of the City to so regulate them shall not be abrogated thereof because of any detachment from wheels or because of placing them on, or attaching them to the ground by means of any temporary or permanent foundation or in any manner whatsoever.

(d) To undertake any public work or make any public improvement or any repair or replacement thereof, either directly or by contract with public bodies or private persons; and to participate in any public work or public improvement under any lawful plan by which the whole or partial support of such work or improvement is provided by another governmental unit or agency.

(e) To construct, provide, maintain, extend, operate and improve;

(1) Within the City, a City Hall, City office buildings, police and fire stations, civic auditoriums, public libraries, and polling places; and,

(2) Either within or without the corporate limits of the City or of the County; Public Parks, recreation grounds, zoological gardens, museums, airports and land fields and facilities for the landing of helicopters and air vehicles having like characteristics, cemeteries, levees, embankments, and structures for flood control and other purposes related to the public health, safety, welfare; electric light and power plants and systems, public hearing systems and plants, gas plants and systems, water works and water treatment plants and systems, storm sewers, garbage and rubbish collection and disposal facilities, market buildings and market places, facilities for the storage and parking of

vehicles, hospitals, and any other structure or facility which is devoted to or intended for public purposes within the scope of the powers of the City

(f) To acquire by purchase, gift, condemnation, lease or otherwise real and personal property, and interests in property, either within or without the corporate limits of the City or of the County, for any public purpose or use within the scope of its powers, including, but not by way of limitations, the uses and purposes set forth in this section.

(g) To join any municipal corporation or with any other unit or agency of government, whether local, state or federal or with any number or combination thereof, by contract or otherwise, as many be permitted by law, in the ownership, operation, or performance, jointly or by one or more on behalf of all, of any property, facility or service which each would have the power to own, operate or perform separately.

CHAPTER 3

ELECTIONS

QUALIFICATIONS OF ELECTORS:

Section 3.1 The residents of the City having qualifications of electors in the State of Michigan shall be eligible to vote in the City when duly registered.

ELECTION PROCEDURE:

Section 3.2 The election of all City officers shall be on a non-partisan basis. The general election statutes shall apply and control all procedures relating to City elections, including qualifications of electors, establishment of precincts, verification of petitions, registration of voters and voting hours. The Clerk shall give public notice of each City election in the same manner as is required by law for the giving of public notice of general elections in the State.

PRECINCTS:

Section 3.3 The election precincts of the City shall remain as they existed on the effective date of this Charter unless altered by the Election Commission according to Statute. The Council shall establish convenient election precincts in accordance with this Charter and Statutes.

ELECTION COMMISSION:

Section 3.4 An Election Commission is hereby created consisting of the City Clerk as Chairman, the City Attorney and the City Assessor. The Election Commission shall appoint the Board of Election Inspectors of each precinct and have charge of all activities and duties required of it by law relating to the conduct of elections in the City. The compensation of the election personnel shall be determined, in advance, by the Council.

REGULAR CITY ELECTION:

Section 3.5 A regular City election shall be held on the first Tuesday in November in each odd numbered year.

SPECIAL ELECTIONS:

Section 3.6 Special elections shall be held when called by resolution of the Council at least forty-nine (49) days in advance of such election or when required by law. Any resolution calling a special election shall set forth the purpose of such election.

ELECTIVE OFFICERS AND TERMS OF OFFICE:

Section 3.7

(a) The elective officers of the City shall be a Mayor and four Councilmen.

~~(b) At each regular City election there shall be elected at large a Mayor and two Councilmen. The term of office of the Mayor shall be for two years and the term of office of the~~

~~Councilmen shall be for four years with all terms commencing at eight o'clock p.m. local time on the Monday next following the regular City election at which they were elected.~~

(b) At each regular election there shall be elected at large a Mayor and three Councilpersons. The term of office of the Mayor shall be for two years and the term of office of the Councilmen shall be for four years with all terms commencing at eight o'clock p.m. local time on the Monday next following the regular City election at which they were elected.

***Section 3.7 (b) Amended by the electorate at the November 2, 2004 General Election.

NOMINATIONS:

~~Section 3.8 The candidates for elective office shall be nominated from the City at large by petitions, blanks for which shall be furnished by the City Clerk. Each such petition shall be signed by not less than twenty-five (25) nor more than fifty (50) registered electors of the City and shall be filed with the Clerks office before four o'clock in the afternoon, local time, on the forty-ninth (49th) day preceding each election. Each elector signing shall add his residential street and number and the date of signature. No electors shall sign petitions for more candidates for any office than the number to be elected to such office, and should he do so, the signatures bearing the most recent date shall be invalidated. No petition shall be left for signatures in any public place. When a petition is filed by persons other than the person whose name appears thereon as a candidate, it may be accepted only when accompanied by the written consent of the candidate.~~

Section 3.8 The candidates for elective office shall be nominated from the City at large by petitions, blanks for which shall be furnished by the City Clerk. Each such petition shall be signed by not less than twenty-five (25) nor more than fifty (50) registered electors of the City and shall be filed with the Clerk's office before four o'clock in the afternoon, local time, on the fourth (4th) Tuesday in the month of August preceding each election. Each Elector signing shall add his residential street and number and the date of signature. No electors shall sign petitions for more candidates for any office than the number to be elected to such office, and should he do so, the signatures bearing the most recent date shall be invalidated. No petition shall be left for signatures in any public place. When a petition is filed by persons other than the person whose name appears thereon as a candidate, it may be accepted only when accompanied by the written consent of the candidate.

***Section 3.8 Amended by the electorate at the November 3, 2009 General Election.

APPROVAL OF PETITIONS:

Section 3.9 The Clerk shall accept only nomination petitions which conform substantially with the forms provided by him and which contain the required number of valid signatures for candidates having these qualifications required for the respective elective City offices as set forth in the Charter. The Clerk shall forthwith after the filing of the petitions, notify in writing any candidate whose petition is then known not to meet the requirements of this section, but the failure to so notify any candidate shall in no way prevent a final determination that the petition does not meet such requirements. Within three days after the last date for filing petitions, the Clerk shall make his final determinations as to the validity and sufficiency of each petition and whether or not the candidate has the qualifications required for his respective elective City office, and shall write his determinations thereof on the face of the petition, and shall notify immediately in writing the candidate whose name appears thereon of his determinations. Any candidate whose petitions are

found insufficient may file an amended petition not later than the fortieth (40th) day prior to the election. Thereafter no further petitions may be filed. Withdrawal of a candidates name from consideration on the ballot must be made in writing and in conformance with the time allowed by Statute.

FORM OF BALLOT:

Section 3.10 The ballots for all elections under this Charter shall conform to the printing and number of ballots as required by Statute, except that no party designation or emblem shall appear on any City ballot.

CANVASS OF VOTES:

Section 3.11 The Board of Canvassers designated by Statute as being permitted to Cities for canvass of votes on candidates and issues, shall canvass the votes of all City elections following each regular or special City election at a time and place designated by Statue. The Clerk shall notify in writing the successful candidates of their election and do so immediately upon receipt of the results from the Board of Canvassers.

TIE VOTE:

Section 3.12 If at any City election there shall be no choice between candidates by reason of two or more persons having received an equal number of votes, then the determination of the election of such candidates shall be by lot as provided by Statute.

CHAPTER 4

THE COUNCIL

COUNCIL LEGISLATION

~~Section 4.1 The legislative power of the City, except as reserved by this Charter shall be vested in a Council consisting of five Councilmen. The Council shall have power and authority to adopt such ordinances and resolutions as it shall deem proper in the exercise of its powers.~~

Section 4.1 The legislative power of the City, except as reserved by this Charter shall be vested in a Council consisting of seven (7) Councilpersons. The Council shall have power and authority to adopt such ordinances and resolutions as it shall deem proper in the exercise of its powers.

***Section 4.1 Amended by the electorate at the November 2, 2004 General Election.

MAYOR AND MAYOR PRO TEM:

Section 4.2

(a) At the first meeting of the Council following each City election, the Council shall organize and elect one of its members to the office of Mayor Pro Tem.

(b) The Mayor shall preside at all meetings of the Council and shall be a full voting member of the Council. He shall be the Chief Executive Officer of the City insofar as required by law, and shall have the powers conferred by law in times of emergency to suppress disorder, preserve the public peace and health and safety of persons and property. He shall authenticate, by his signature, such instruments as may be required, under provisions of law, and shall do all acts required of him by law.

(c) The Mayor Pro Tem shall act in the stead of the Mayor in the case of the Mayor's absence or disability to act. He shall succeed to the office of Mayor in the case of a vacancy in that office, thereby creating a vacancy in the office of Mayor Pro Tem. The Council shall fill any vacancy in the office of Mayor Pro Tem, but until such vacancy is filled, the senior member of the Council, from the standpoint of continuous service, shall act as Mayor Pro Tem. As between persons of equal seniority, the person who received the highest number of votes at the time of his last election shall act.

COMPENSATION OF MAYOR AND COUNCILMEN:

Section 4.3 The compensation for the Mayor and members of the Council shall be on an hourly basis subject to the following rates and limitations:

(a) Each Councilman shall be paid four dollars ($4.00) per hour and the Mayor shall be paid five dollars ($5.00) per hour for actual hours attended at regular or special meetings of the Council. Any member in attendance for less than one hour at a meeting where official business was transacted shall be paid for one hours' time.

(b) For the first two (2) years after the effective date of this Charter, the paid hours to each member shall not exceed one hundred (100) hours per year. Beginning with the third year, the paid hours may be increased by not more than 10% per year, providing that the Council

minutes prove that the meeting time of the prior year was fully utilized or exceeded, and further, that 90% of all regular or special meetings were fully attended by all members of the Council, except for those who had been excused by the remainder of the Council, and so recorded in the minutes. Such compensation shall be made by Council resolution.

(c) The Mayor and Councilmen shall receive their actual and necessary expenses incurred in the performance of their duties of office.

MEETINGS OF COUNCIL:

Section 4.4 The Council shall hold at least one regular meeting each month at such time and place within the City as it shall prescribe by ordinance. Special meetings may be called by the Mayor, City Manager, or by any two Councilmen on at least twelve hours actual notice given to each Councilman and the Mayor or by written notice left at their respective residences by the Clerk after he has received the request from those authorized. All regular and special meetings of the Council shall be open to the public and citizens shall have reasonable opportunity to be heard.

QUORUM:

Section 4.5 Three members of the Council shall be a quorum for the transaction of business at all meetings of the Council, but in the absence of a quorum, and number of members less than a quorum may adjourn any regular or special meeting to a later date.

RULES OF COUNCIL:

Section 4.6 The Council shall determine the rules of its proceedings subject to the following provisions:

(a) A journal of the proceedings of each meeting shall be kept by the Clerk, in the English language, which shall be signed by the Mayor and Clerk.

(b) The vote upon passage of all ordinances, and upon the adoption of all resolutions shall be by a "Yes" or "No" vote and entered upon the record, except that where the vote is unanimous, it shall be necessary to so state. The people shall have access to the minutes and records of all regular and special meetings of the Council at all reasonable times.

(c) No Councilman shall vote on any question in which he is financially interested or on any question concerning his own official conduct; but on all other questions every Councilman present shall vote unless excused by unanimous consent of the remaining members present.

(d) The Council may be a majority vote of its members compel the attendance of its members and other officers of the City at its meetings and enforce orderly conduct and procedure therein. A police officer designated by the presiding officer of the Council may serve as Sergeant At Arms in the enforcement of the provisions of this section.

(e) There shall be no standing committees of the Council.

(f) The Council shall not make any contract with or give any official position to any person who is in default to the City.

PRIOR ORDINANCES AND REGULATIONS:

Section 4.7 All ordinances, resolutions, rules and regulations of the City, which are not inconsistent with this Charter and which are in force and effect on the effective date of this Charter, shall continue in full fore and effect until repealed or amended.

ORDINANCES AND RESOLUTIONS:

Section 4.8 All official action of the Council shall be by ordinance or resolution, motion or order. Action by resolution, motion or order shall be limited to matters required or permitted by this Charter or by State or Federal law pertaining to the internal affairs or concerns of the City government. All other acts of the Council, and all acts carrying a penalty for the violation thereof, shall be by ordinance. The style of all ordinances shall be: "The City of South Lyon Ordains:".

ENACTMENT, AMENDMENT, REPEAL, AND EFFECTIVE DATE OF ORDINANCES:

Section 4.9

(a) Each ordinance, after adoption, shall be identified by number. An ordinance or a part of an ordinance may be repealed or amended only by an ordinance passed in the manner provided in this section. An ordinance may be repealed by reference to its number only.

(b) If a section of an ordinance is amended, the section shall be re-enacted and published at length. This requirement shall not apply to the schedule of stop streets, parking limitations or other regulations contained in any traffic ordinance or vehicular traffic regulating portion of the City's ordinance code.

(c) Each Ordinance shall be recorded by the Clerk forthwith in the Ordinance Book, and the enactment of such ordinance and the effective date thereof shall be certified by him therein.

(d) The ordinances of the City shall be set forth in code form within two (2) years after the effective date of this Charter.

(e) Each proposed ordinance shall be introduced in written form. No ordinance shall be finally passed by the Council at the same meeting at which it is introduced.

PUBLICATION OF ORDINANCES:

Section 4.10

(a) Before an ordinance may become operative, it shall be published in at least one newspaper, which is of general circulation in the City. The effective date of an ordinance shall be stated therein, but shall not be less than ten (10) days after its adoption nor before publication thereof. It is provided, however, that an ordinance, which is declared therein to be immediately necessary because of emergency affecting the public peace, health or safety, may be given earlier effect than otherwise provided herein. In the case of such emergency ordinance, the requirements for publication before such ordinance becomes operative may be met by posting copies thereof in five conspicuous locations in public places in the City; and the Clerk shall immediately after such posting enter in the ordinance book under the record of the ordinance a certificate under his hand stating the time and places of such publication by posting, which certificate shall be prima facie evidence of such publication by posting. Such ordinance shall also be published in accordance with the requirements for publication

of other ordinances but not as requirement for the effectiveness thereof. The publication of an ordinance in full as a part of the published proceedings of the Council shall constitute publication as required herein.

(b) All codes and other ordinance subject matter, which are or may be permitted by law to be adopted by reference, shall be adopted and published in the manner permitted and required by law.

(c) When the ordinances of the City are codified, the deposit of a number of copies as provided by law in the office of the Clerk, available for public inspection and sale at cost, shall constitute publication thereof.

PENALTIES:

Section 4.11 The Council shall provide in each ordinance for the punishment of violations thereof, but unless permitted by law, no such punishment, excluding the costs charged, shall exceed a fine of five hundred dollars ($500.00) or imprisonment for not more than ninety (90) days, or both, in the discretion of the Court. Imprisonment for violations of ordinances may be in the City or County jail.

INITIATIVE AND REFERENDUM:

Section 4.12 An ordinance may be initiated by petition, or a referendum on an ordinance may be had by petition as hereinafter provided.

INITIATORY AD REFERENDARY PETITIONS:

Section 4.13 An initiatory or a referendary petition shall be signed by not less than twenty-five percent (25%) of the registered electors of the City as of the date of filing the petition, and all signatures on said petition shall be obtained within 30 days before the date of filing the petition with the Clerk. Any such petition shall be addressed to the Council. No such petition need be on one paper, but may be the aggregate of two or more petition papers identical as to contents. An initiatory petition shall set forth in full the ordinance it proposes to initiate, and petition shall propose to initiate more than one ordinance. A referendary petition shall identify the ordinance it proposes to have repealed.

Each signer of a petition shall sign his name and shall place thereon after his name the date and his place of residence by street and number or by other customary designation. To each petition paper there shall be attached a sworn affidavit by the circulator thereof stating the number of signers thereof and that each signature thereon is the genuine signature of the person whose name it purports to be and that it was made in the presence of the affiant. Such petition shall be filed with the Clerk, who shall, within fifteen days, canvass the signatures thereon. If a petition does not contain a sufficient number of signatures of registered electors of the City, the Clerk shall notify forthwith the person filing such petition, and fifteen days from such notification, shall be allowed for the filing of supplemental petition papers. When a petition with sufficient signatures is filed within the time allowed by this section, the Clerk shall present the petition to the Council at its next regular meeting.

CHAPTER 5

GENERAL PROVISIONS REGARDING OFFICERS AND PERSONNEL OF THE CITY

ELIGIBILITY FOR OFFICE IN CITY:

Section 5.1

(a) No person shall hold any elective office of the City, unless he was a resident of the City for at least six (6) months immediately prior to the date of the election at which he is a candidate. He must also have been a registered elector on the last day for filing nominating petitions for such office or prior to his appointment to fill a vacancy.

(b) No person shall be eligible for any elective or appointive City office who is in default to the City. The holding of office by any person who is in such default shall create a vacancy unless such default shall be eliminated within thirty (30) days after written notice thereof has been served at his last known place of residence, according to the records of the City, by the City Clerk upon the direction of the Council, or unless the officer contests his liability for the default in a court of competent jurisdiction.

(c) No person who holds or has held the office of Mayor or Councilman shall be eligible to hold any appointive office in the City until one year has elapsed following the expiration of the term of office for which he was elected. This provision would not apply to such appointments as the Board of Review, Planning Commission, or the Zoning Board of Appeals where nominal compensation may be paid.

(d) No appointive City officer or employee shall seek an elective office of the City unless he resigns from his position with the City.

(e) The Council shall be the sole judge of the election and qualification of its own members.

FINANCIAL INTERESTS PROHIBITED:

Section 5.2 No person holding any elective or appointive office under the City government shall take any official action on any contract with the City or other matter in which he is financially interested, or be a bondsman or surety on any contract or bond given to the City. Any member of the Council or other officer found guilty of violating the provisions of this section may be punished by a fine of not to exceed five hundred dollars ($500.00) or be imprisoned for not more than ninety (90) days or both within the discretion of the court. The conviction of any Councilman or officer under this section shall operate in itself to forfeit his office.

SURETY BONDS:

Section 5.3 Except as otherwise provided in this Charter, the Council may require any officer or employee of the City to give a bond to be approved by the Council, conditioned upon the faithful and proper performance of the duties of the office or employment concerned, in such sums as the Council may determine. All such officers or employees who receive, distribute, or are responsible for City funds or investments shall be bonded. The resignation, removal or discharge of any office or employee, or appointment of another person to such office or employment, shall not exonerate such officer or employee or any sureties of such officers or employee from any liability incurred by

such officer, employee or sureties. All official bonds shall be corporate surety bonds and the premiums thereon shall be paid by the City. Bonds required by this section shall not be renewed upon the expiration of the terms for which issued, but in each case, a new bond shall be furnished. No official bond shall be issued for a term exceeding three years, unless the term of the officers concerned exceeds three years. The bonds of all officers and employees shall be filed with the Clerk, except that the Clerk's bond (unless he is covered within the scope of a blanket surety bond) shall be filed with the Treasurer. The requirements of this section may be met by the purchase of one or more blanket corporate surety bonds covering all or any group or groups of the officers and employments of the City. Any officer or employee who is covered by a blanket surety bond need not be bonded individually for the purpose of qualifying for office.

DELIVERY OF OFFICE:

Section 5.4 Whenever any officer or employee shall cease to hold such office or employment for any reason whatsoever, he shall within ten days, and sooner on demand, deliver to his successor in office or to his superior, all the books, papers, money and effects in his custody as such officer or employee. Any officer violating this provision may be proceeded against in the same manner as public officers generally for a like offense under Statute. Any employee found guilty of violating this provision by a court of competent jurisdiction may be punished by a fine of not to exceed five hundred dollars ($500.00), or imprisonment for not to exceed ninety (90) days, or both, in the discretion of the Court.

VACANCIES IN OFFICE:

Section 5.5 After notice and hearing, any elective City office shall be declared vacant by the Council upon the occurrence of one or more of the following events:

(a) For any reason specified by Statute or this Charter as creating a vacancy in office and for any reason specified by Statute for removal of City officers by the Governor;

(b) If the officer shall absent himself continuously from the City for more than sixty (60) consecutive days in any one year without permission of the Council;

(c) In the case of the Mayor and Councilmen, if such officer shall miss three consecutive regular meetings of the Council, or four of such meetings in any fiscal year, unless such absences shall be excused by the Council and the reason thereof entered in the proceedings of the Council at the time of each absence;

(d) If the officer shall be found guilty of any act constituting misconduct in office under the provisions of this Charter, either by a Court or by a vote of the majority of the remaining members of the Council, at or following a hearing.

FILLING VACANCIES:

Section 5.6

(a) If a vacancy occurs in any elective office, it shall be filled within thirty (30) days by a majority of the remaining members of the Council. Such appointee shall hold office until the next regular City election taking place more than sixty (60) days after such vacancy occurs, at which election a successor shall be elected for the unexpired term of the member in whose

office the vacancy occurs. Provided, however, that the term of no members of the Council shall be lengthened by his resignation and subsequent appointment.

(b) If a vacancy occurs in any appointive office, it shall be filled in the manner provided for making the original appointment. In the case of members of Boards and Commissions appointed for a definite term, such appointment shall be for the unexpired term.

OATH OF OFFICE:

Section 5.7 Every officer, elected or appointed, before entering upon the duties of his office, shall take the oath of office prescribed by the Michigan Constitution and shall file the same with the Clerk, together with any bond required by this Charter or by the Council. In the case of failure to comply with the provisions of this section within ten (10) days from the date of his election or appointment, such officer shall be deemed to have declined the office and such office shall thereon be vacant, unless the Council shall, by resolution, extend the time in which such officer may qualify as set forth above.

INCREASE OR DECREASE IN COMPENSATION:

Section 5.8 The Council shall not grant or authorize extra compensation to any City officer, elective or appointive, or to any employee, agent or contractor, after the service has been rendered or the contract entered into. Nor shall the salary of any officer, elective or appointive, be increased or decreased after his election or appointment during any fixed term for which he was elected or appointed.

CHAPTER 6

THE ADMINISTRATIVE SERVICE

CITY MANAGER:

Section 6.1

(a) On or before July 1, 1973, the Mayor and City Council shall appoint a City Manager in accordance with the provisions of this Charter. For the period prior to the effective date of this provision, the Mayor with the approval of the Council, shall designate certain of the appointive City employees or officials to carry out the duties as prescribed for the several offices as outlined in this Charter, excluding the position of City Manager.

(b) In the event that the Mayor and Council determine to appoint a City Manager under the provisions of this Charter, and previous to July 1, 1973, they may do so by a majority vote of the Council elect, thereby establishing the position of City Manager as outlined in this Charter just as if the date of July 1, 1973 had been reached and provisions herein made effective and conclusive.

~~(c) The City Manager shall be the Chief Administrative officer of the City government. He shall be selected by the Council on the basis of training and ability. He shall serve at the pleasure of, and be subject to removal by the Council, but he shall not be removed from office during a period of sixty (60) days following any regular City election except by the affirmative vote of four members of the Council. His compensation shall be set by the Council.~~

(c) The City Manager shall be the Chief Administrative officer of the City government. The Council on the basis of training and ability shall select him. He shall serve at the pleasure of, and be subject to removal by the Council, but he shall not be removed from office during a period of sixty (60) days following any regular City election except by the affirmative vote of six (6) members of the Council. The Council shall set his compensation.

***Section 6.1 (c) Amended by the electorate at the November 2, 2004 General Election.

(d) The Council shall appoint a City manager within ninety (90) days after any vacancy exists in such position or they may appoint an Acting Manager during the period of a vacancy in the office, or the City Manager, with the consent and approval of the Council, may designate an administrative officer or employee of the City to act as City Manager if he is temporarily absent from the City or unable to perform the duties of his office.

FUNCTIONS AND DUTIES:

Section 6.2

(a) The City Manager shall be responsible to the Council for the proper administration of the affairs of the City, and to that end, shall make all appointments and removals of those appointed, except he shall receive the approval of a majority of the Council for the appointment of the Clerk, Treasurer, Assessor, and the Finance Officer, if a separate office is ever created by the Council in accordance with Section 6.7 of this Charter. He shall set employees compensation in accordance with budget appropriations, and supervise and

coordinate the work of the administrative officers and departments of the City except the work of the City Clerk in keeping the Council records and as the clerical official of the Council.

(b) The City Manager shall see that all laws and ordinances are enforced. He shall prepare and administer the annual budget under policies formulated by the Council and he shall keep the Council advised as to the financial condition and needs of the City. He shall furnish the Council with information concerning City affairs and prepare and submit such reports as may be required or which the Council may request, including an annual report which shall include the work of the several departments. Subject to any employment ordinance of the City, he shall employ or be responsible for the employment of all City employees and supervise and coordinate the personnel policies and practices of the City. He shall establish and maintain a central purchasing service for the City and he or his authorized representative to be the purchasing agent for the City.

(c) The City Manager shall attend all meetings of the Council with the right to be heard in all Council proceedings but without the right to vote. He shall possess such other powers and perform such additional duties as may be granted to or required of him by the Council, so far as may be consistent with the provisions of law. He shall establish procedures necessary to carry out any of the foregoing duties.

CITY CLERK:

Section 6.3

(a) The Clerk shall be the Clerk and clerical officer of the Council and shall keep its journal. He shall keep a record of all actions of the Council at its regular and special meetings. He shall certify all ordinances and resolutions adopted by the Council.

(b) The Clerk shall have the power to administer all oaths required by law and by the ordinances of the City. He shall be the custodian of the City seal, and shall affix the same to documents required to be sealed. He shall be the custodian of all papers, documents, and records pertaining to the City, the custody of which is not otherwise provided by this Chapter. He shall give the proper officials ample notice of the expiration or termination of any official bonds, franchises, contracts or agreements to which the City is a part and he shall notify the Council of the failure of any officer or employee required to take an oath of office or furnish any bond required of him.

(c) The Clerk shall perform such other duties in connection with his office as may be required of him by law, the ordinances or resolutions of the Council, or by the City Manager.

CITY TREASURER:

Section 6.4

(a) The Treasurer shall have the custody of all moneys of the City, the Clerk's bond and all evidences of value or indebtedness belonging to or held in trust by the City. He shall keep and deposit all moneys or funds in such manner and only in such places as the Council may determine, and shall report the same to the City Manager.

(b) The Treasurer shall have such powers, duties and prerogatives in regard to the collection and custody of State, County, school district and City taxes and monies as are provided by law.

(c) He shall perform such other duties in connection with his office as may be required of him by law, the ordinances and resolutions of the Council, or by the City Manager.

CITY ASSESSOR:

Section 6.5

(a) The Assessor shall possess all the power vested in and shall be charged with the duties imposed upon assessing officers by law. He shall make and prepare all regular and special assessment rolls in the manner prescribed by law or ordinances of the City.

(b) He shall perform such other duties as may be prescribed by law or the ordinances of the City or by the City Manager.

CITY ATTORNEY:

Section 6.6

(a) The City Attorney shall be legal advisor and counsel for the City and for all the officers and departments thereof in all matters relating to their official duties and shall file with the City a copy of all written opinions given by him. He shall prepare or review all ordinances, regulations, contracts, bonds, and other such instruments as may be required by this Charter, the Council, or the City Manger, and shall promptly give his opinion as to the legality thereof.

(b) He shall prosecute ordinance violations and shall represent the City in cases before the courts and other tribunals. In such instances as the Council shall direct, he shall defend officers and employees of the City in civil actions arising out of the performance of their official duties.

(c) Upon the City Attorney's recommendation, or upon its own initiative, the Council may retain special legal counsel to handle any matter in which the City has interest, or to assist the City Attorney.

(d) He shall perform such other duties in connection with his office as may be prescribed for him by this Charter, the Council or the City Manger.

FINANCE OFFICER:

Section 6.7

(a) The City Manager shall designate a person to act as a finance officer from among the administrative officers of the City. However, when the Council feels that a separate official is required, they may so designate by ordinance, and the official will be an appointment of and under the supervision of the City Manager with the approval of a majority of the Council.

(b) The Finance Officer shall be the general accountant of the City, shall keep the books of account of the assets, receipts, ad expenditures of the City, and shall keep the Council and City Manager informed as to the financial affairs of the City. The system of accounts of the City shall conform to such uniform systems as may be required by law.

(c) He shall balance all the books of account of the City at the end of each calendar month, and he shall make a report thereon, as soon as practical, to the City Manager. He shall, upon direction of the City Manager, examine and audit all books of account kept by any official or department of the City.

ADDITIONAL ADMINISTRATIVE POWERS AND DUTIES:

Section 6.8 The Council shall by ordinance establish departments of City government and determine and prescribe the functions and duties of each department. Upon recommendation of the City Manager, the Council may by ordinance prescribe additional powers and duties and diminish any powers and duties in a manner not inconsistent with this Charter to be exercised and administered by appropriate officials and departments of the City.

CITY PLANNING:

Section 6.9 The Council shall provide for and maintain a City Planning Commission which shall possess all of the powers and perform the functions of planning commissions as set forth by State Statute. The citizen members of the Planning Commission shall be appointed by the Mayor subject to confirmation by the Council. The members of the commission shall serve without compensation except for necessary expenses in connection with their work.

ZONING BOARD OF APPEALS:

Section 6.10 A zoning Board of Appeals shall be appointed by the Mayor with the approval of the Council. The Board shall have such powers and duties as are authorized by Statute.

MERIT SYSTEM OF PERSONNEL MANAGEMENT:

Section 6.11 The Council may provide by ordinance for a merit system of personnel management for the City.

COMPENSATION AND EMPLOYEE BENEFITS:

Section 6.12

(a) All Administrative officers of the City shall be appointed for an indefinite term.

(b) The City Council shall have the power to make available to the administrative officers and employees of the City and its departments, an actuarial pension plan by ordinance, and any recognized group plan of life, hospital, health, or accident and income protection insurance or any one or more thereof.

VIOLATIONS BUREAU:

Section 6.13 The Council shall have the power and authority to establish by ordinance a Traffic Violation Bureau, as provided by law, for the handling of such violations of ordinances and regulations of the City, or parts thereof, as prescribed in the ordinance establishing such bureau. Any person who has received any notice to appear to a charge of violating any of such ordinances, may within the time specified in the notice of such charge, answer at the Violations Bureau to the charges set forth in such notice by paying a fine, in writing pleading guilty of the charge, waiving a

hearing in court and giving power of attorney to make such plea and pay such fine in court. Acceptance of the prescribed fine and power of attorney by the Bureau shall be deemed to be complete satisfaction for the violation, and the violator shall be given a receipt, which so states. The creation of such a bureau shall not operate as to deprive any person of a full and impartial hearing in Court should a person so choose.

CHAPTER 7

TAXATION

FISCAL YEAR:

Section 7.1 The fiscal year of the City shall begin on the first day of July of each year.

POWER TO TAX:
TAX LIMIT:

Section 7.2 The City shall have the power to assess taxes and levy and collect rents, tolls and excises. Exclusive of any levies authorized by statute to be made beyond charter tax rate limitations, the annual ad valorem tax levy shall not exceed two percent of the assessed value of real and personal property subject to taxation in the City. Except as otherwise provided by this charter, city taxes shall be levied, collected and returned in the manner provided by statute.

SUBJECTS OF TAXATION:
TAXATION:

Section 7.3 The subjects of ad valorem taxation for municipal purposes shall be the same as for state, county and school purposes under the general law.

TAX DAY:

Section 7.4 Subject to the exceptions provided or permitted by law, the taxable status of persons and property shall be determined as of the thirty-first day of December, or such other date as may subsequently be required by law, which shall be deemed the tax day.

PREPARATION OF THE ASSESSMENT ROLL:

Section 7.5

(a) On or before the first Monday in March in each year, the Assessor shall prepare and certify an assessment roll of all property in the City. Such roll shall be prepared as required by the general property tax act. Values shall be estimated according to recognized methods of systematic assessment.

(b) On or before the first Monday in March the Assessor shall give, by first class mail, a notice of any increase from the previous year in the assessed value of any property or of the addition of any property to the roll to the owner as shown by such assessment roll. The failure to give any such notice or of the owner to receive it shall not invalidate any assessment roll or assessment thereon.

BOARD OF REVIEW:

Section 7.6 the Board of Review shall be composed of three freeholders who are qualified and registered electors of the City but not officers or employees of the City nor candidates for office. One member of the Board shall be appointed by the Council annually in January for a term of three years. The Board shall constitute a Board of Review for all tax assessments. The Assessor shall be Clerk of the board, shall keep a record of its proceedings and may be heard at its meetings, but shall

have no vote. The Council shall fix the compensation of the members of the Board of Review each year previous to the first meeting of the Board. The Board shall annually in February select its own Chairman for the ensuing year. A majority of the members of the Board shall constitute a quorum.

DUTIES AND FUNCTIONS OF THE BOARD OF REVIEW:

Section 7.7 For the purpose of revising and correcting assessments, the Board of Review shall have the same powers and perform like duties in all respects as are conferred by law upon and required of Boards of Review. It shall hear the complaints of all persons considering themselves aggrieved by assessments and if it shall appear that any person or property has been wrongfully assessed or omitted from the roll, the Board shall correct the roll in such a manner as it deems just. In all cases the roll shall be reviewed according to the facts existing on the tax day, and no change in status of any property after that day shall be considered by the Board in making its decisions.

MEETINGS OF THE BOARD OF REVIEW:

Section 7.8

(a) The Board of Review shall convene in its first session as provided by law each year for the purpose of considering and correcting the roll. The City Council shall designate the time and place for the public sessions and shall designate the hours during which the Board must remain in session. Notice of such meetings shall be published by the Assessor at least one week prior to each session of the Board. Should any assessments be increased from the amount shown on the assessment roll as prepared by the Assessor or any property added to the roll by the Board, or the Board has resolved to consider at its second session an increase to certain property or adding any property to such roll, the Assessor may give notice thereof to the owner as sown by such roll, by first class mail, mailed not later than the third day following the end of the first session of the Board. Such notice shall state the date, time and place and purpose of the second session of the Board. The failure of any such notice to be given or the owner to receive it shall not invalidate any assessment roll or assessment thereon.

(b) The Board of Review shall meet in its second session as provided by law each year and shall continue in session until all interested person have had an opportunity to be heard.

CERTIFICATION OF ROLL:

Section 7.9 On or before the first Monday in April, the Board shall complete its review of the roll and a majority of its members shall endorse thereon and sign a statement to the effect that the same is the assessment roll of the City for the year in which it has been prepared, but the omission of such endorsement shall not affect the validity of such roll.

CLERK TO CERTIFY TAX LEVY:

Section 7.10 Within three days after the Council has adopted the budget for the ensuing year, the Clerk shall certify to the Assessor the total amount which the Council determines shall be raised by the general ad valorem tax. He shall also certify all amounts of current or delinquent special assessments and all other amounts, which the Council requires to be assessed, reassessed, or charged upon the said roll against any property or any person in accordance with the provisions of this charter or any ordinance of the City.

CITY TAX ROLL:

Section 7.11 After the Board of Review has completed its review of the assessment roll, the Assessor shall prepare a copy of the assessment roll to be known as the "City Tax Roll", and upon receiving the certification of the several amounts to be raised, as provided in Section 7.10, the Assessor shall spread upon said tax roll the several amounts determined by the Council to be charged, assessed, or reassessed against persons or property. He shall also spread thereon the amounts of the general ad valorem City tax according to and in proportion to the several valuations set forth in said assessment roll. To avoid fractions in computation of any tax roll, the Assessor may add to the amount of the several taxes to be raised not more than the amount prescribed by law. Any excess created thereby on any tax roll shall belong to the City.

TAX ROLL CERTIFIED FOR COLLECTION:

Section 7.12 After spreading the taxes, the Assessor shall certify the tax roll and attach his warrant thereto directing and requiring the City Treasurer to collect prior to the date required by Statute, from the several persons named in said roll the several sums mentioned therein opposite their respective names as a tax or assessment and granting to him, for the purpose of collecting the taxes, assessments and charges on such roll, all the statutory powers and immunities possessed by township treasurers for the collection of taxes. The tax roll shall be delivered to the Treasurer for collection on or before the first day of June.

TAX LIEN:

Section 7.13 On July first, the taxes thus assessed shall become a debt due to the City from the persons to whom assessed, and the amounts assessed on any interest in real property shall become a lien upon such real property for such amounts and for all interest and charges thereon, and all personal taxes shall become a first lien on all personal property of such persons so assessed. Such lien shall take precedence over all other claims, encumbrances, and liens to the extent provided by law and shall continue until such taxes, interest and charges are paid.

TAXES DUE
NOTIFICATION THEREOF:

Section 7.14 City taxes shall be due and payable on the first day of July of each year. The Treasurer shall not be required to call upon the persons named in the tax roll, nor to make personal demand for the payment for taxes, but he shall publish notice of the time when said taxes will be due for collection and of the penalties and fees for the late payment thereof, and mail a tax bill to each person named in said roll. In cases of multiple ownership of property, only one bill need be mailed. Failure on the part of the Treasurer to publish said notice or mail such bills shall not invalidate the taxes on said tax roll nor release the person or property assessed from the penalties and fees provided in this Charter in case of late payment or non-payment of the same.

COLLECTION CHARGES ON LATE PAYMENT OF TAXES:

Section 7.15 All taxes paid on or before September 30th of each year, shall be collected without penalty by the Treasurer. On the first day of October, he shall add to all taxes paid thereafter a penalty of three percent of the amount of said taxes and on the first day of October and of each succeeding month he shall add an additional one-half of one percent as interest on all unpaid municipal taxes until paid or returned to the County Treasurer. Such collection fees, penalties and

interest shall belong to the City and constitute a charge and shall be a lien against the property to which the taxes themselves apply, collectible in the same manner as the taxes to which they are added.

FAILURE OR REFUSAL TO PAY PERSONAL PROPERTY:

Section 7.16 If any person, firm or corporation shall neglect or refuse to pay any tax assessed to him or them, the Treasurer shall collect the same by seizing the personal property of such person, firm or corporation, to an amount sufficient to pay such tax, fees and charges for subsequent sale, wherever the same may be found in the Sate, and from which seizure no property shall be exempt. He may sell the property seized to the amount sufficient to pay the taxes and all charges in accordance with Statute. The Treasurer may, if otherwise unable to collect a tax on personal property, sue the person, firm or corporation to whom it is assessed in accordance with Statute.

COLLECTION OF DELINQUENT TAXES:

Section 7.17 All City taxes on real property remaining uncollected by the Treasurer on the first day of March following the date when said roll was received by him, shall be returned to the County Treasurer in the same manner and with like effect as returns by township treasurers of township, school and county taxes. Such returns shall be made upon a delinquent tax roll to be prepared by the Treasurer and shall include all the additional charges and assessments hereinbefore provided, which charges shall, in such return, be added to the amount assessed in said tax roll against each description. The taxes thus returned shall be collected in the same manner as other taxes returned to the County Treasurer are collected under provisions of the General Laws of the State and shall be and remain a lien upon the property against which they are assessed, until paid.

STATE, COUNTY AND SCHOOL TAXES:

Section 7.18 The levy, collection and return of State, County and School taxes shall be in conformity with the General laws of the State.

CHAPTER 8

GENERAL FINANCE

BUDGET PROCEDURE:

Section 8.1 On or before the second Monday in March of each year, each officer, department and board of the City shall submit to the City Manager an itemized estimate of its expected income, if any, and expenditures for the next fiscal year, for the department or activities under its control. The City Manager shall compile and review such budget requests and shall then prepare his budgetary recommendations and submit them to the Council at its meeting nearest the third Monday in April of each year.

BUDGET DOCUMENT:

Section 8.2 The budget document shall present a complete financial plan for the ensuing year. It shall include at least the following information:

(1) A brief and concise budget summary showing the estimated receipts and expenditures of each fund and the total of all funds.

(2) A statement of the detailed estimates of all proposed expenditures for each fund itemized for each department and activity by objects of expenditure and showing in parallel columns, the expenditures for the preceding year, the appropriation and expenditures for the current year and the recommendations of the City Manager as to the appropriations to be made for the ensuing year, including any appropriation for contingencies. Expenditures for the current year shall be computed as the actual expenditures to the last day of February, or the last day of the month preceding this for which he has a financial statement available, plus the estimated expenditures from that date to the end of the current fiscal year,

(3) Detailed statements of estimates of all anticipated income of the City from taxes and sources other than current taxes and borrowing, compared with the amounts received by the City from each of the same or similar sources for the last preceding year, and for the current year.

(4) A statement of the estimated financial condition of each City fund reflecting the estimated surplus or deficit in each such fund and showing all the transfers made from each such fund.

(5) A statement of the bonded or other indebtedness of the City showing the amount required in the ensuing year for retirement on the debt and necessary interest requirements.

(6) An estimate of the amount of money to be raised by taxation and the amount to be raised by bond issues, which together with estimated income from other sources will be necessary to meet the proposed expenditures.

(7) Such other information as may be required by the Council.

BUDGET HEARING:

Section 8.3 A public hearing on the budget proposal shall be held before its final adoption. Notice of the time and place of holding such hearing shall be published by the Clerk at least a

week in advance thereof. A copy of the proposed budget shall be on file and available to the public during office hours at the office of the Clerk for a period of not less than one week prior to such public hearing.

ADOPTION OF BUDGET:

Section 8.4 At a meeting held not later than the second regular meeting in May, the Council shall by resolution, adopt a budget for the next fiscal year and make appropriation of the money needed therefore. Such resolution shall designate the sum to be raised by taxation for the general purposes of the City and for the payments of principal and interest on its indebtedness. Failure to adopt such resolution within the time herein set shall not invalidate either the budget or the tax levy therefore.

BUDGET CONTROL:

Section 8.5

(a) Except for purposes which are to be financed by the issuance of bonds or by special assessment or for other purposes not chargeable to a budget appropriation, no money shall be drawn from the treasury of the City except in accordance with an appropriation thereof for such specific purposes, nor shall any obligation for the expenditure of money be incurred without an appropriation covering all payments which will be due under such obligation in the current fiscal year. The Council, by resolution, may transfer any unencumbered appropriation balance, or any portion thereof, from one account, department, fund or agency to another.

(b) The Council may make additional appropriations during the fiscal year for unanticipated expenditures required by the City, but such additional appropriations shall not exceed the amount by which actual and anticipated revenues of the year are exceeding the revenues as estimated in the budget, unless the appropriations are necessary to relieve an emergency endangering the public health, peace or safety.

(c) Except in those cases where there is no other logical account to which expenditures can be charged, expenditures shall not be charged directly to the contingency fund (or other similar fund). Instead, the necessary part of the appropriation from the contingency fund (or other similar fund) shall be transferred to the logical account, and the expenditure charged to such account.

(d) At the beginning of each quarterly period during the fiscal year, and more often if required by the Council, the City Manager shall submit to the Council, data showing the relation between the estimated and actual revenues and expenditures to date; and if it shall appear that the revenues are less than anticipated, the Council may reduce appropriations except amounts required for debt and interest charges, to such a degree as may be necessary to keep expenditures within the revenues.

(e) The balance in any budget appropriation, which has not been encumbered at the end of the fiscal year shall, subject to restrictions imposed or permitted by law, revert to the general fund.

INDEPENDENT AUDIT:
ANNUAL REPORT:

Section 8.6 An independent audit shall be made of all accounts of the City government at least annually and more frequently if deemed necessary by the Council. Such audits shall be made by a qualified public accountant experienced in municipal accounting selected by the Council. An annual report of the City business shall be made available for distribution to the public by the City Manager in such printed form as will disclose pertinent facts concerning the activities of the City government. The Council shall provide the funds to defray the cost of the annual audit and the report herein required in each annual budget of the City.

COLLECTION AND DEPOSIT OF MONIES:

Section 8.7 The Council shall designate the depositories for City funds and shall provide for the regular deposit of all monies.

CHAPTER 9

SPECIAL ASSESSMENT

SPECIAL ASSESSMENTS:
GENERAL POWERS:

Section 9.1 The Council shall have the power to determine that the whole of any part of the cost of any public improvement shall be defrayed by special assessment upon property in a special district and shall so declare by resolution or resolutions shall state the estimated cost of the improvement, what proportion of the cost thereof shall be paid by special assessment, and what part, if any, shall be a general obligation of the City, the number of installments in which assessments shall be levied and whether the assessment shall be based upon special benefits, frontage, area, valuation or other factors permitted by law, or a combination thereof. The Council shall also have the power of reassessment with respect to any such public improvement.

SPECIAL ASSESSMENT
PROCEDURE FIXED BY ORDINANCE:

Section 9.2 the Council shall prescribe by ordinance the complete special assessment or reassessment procedure governing the initiation of projects, preparation of plans and cost estimates, notice of hearing on necessity and on confirmation of the assessment roll, and making and confirming of the assessment rolls, correction of errors, the collection of special assessments, and any other matters concerning the make and financing of improvements by special assessment.

CONTEST OF ASSESSMENT:
Section 9.3 No suit or action of any kind shall be instituted or maintained for the purpose of contesting or enjoining the collection of any special assessment or reassessment (a) unless, within thirty (30) days after confirmation of the special assessment roll, written notice is given to the Clerk for attention of the Council indicating an intention to file such suit or action and stating the grounds on which it is claimed such assessment is illegal and (b) unless such suit or action shall be commenced within sixty (60) days after the confirmation of the roll. If the City Attorney submits a written opinion finding said roll illegal, in whole or in part, the Council may revoke its confirmation, correct the illegality, if possible, and reconfirm same as amended, provided that no property which is not involved in the illegality shall be assessed more than was imposed upon the original confirmation without further notice and hearing thereon.

IMPLEMENTATION OF THIS CHAPTER:

Section 9.4 The City Council shall have and is hereby given the power to pass ordinances implementing the provisions of this Chapter and detailing the procedures relative thereto.

CHAPTER 10

BORROWING AUTHORITY

GRANT OF AUTHORITY TO BORROW:

Section 10.1 Subject to applicable provisions of law and this Charter, the Council may by ordinance or resolution authorize the borrowing of money for any purpose within the scope of powers vested in the City and permitted by law and may authorize the issuance of bonds or other evidence of indebtedness therefore. Such bonds or other evidences of indebtedness shall include but not be limited to the following types:

(a) General obligation bonds, which pledge the full faith, credit and resources of the City for payment of such obligations;

(b) Notes issued in anticipation of the collection of taxes, but the proceeds of such notes may be spent only in accordance with appropriations as provided in Section 8.5;

(c) In case of fire, flood, wind storm or other calamity, emergency loans due in no more than five years for the relief of inhabitants of the City and for the preservation of municipal property;

(d) Special assessment bonds issued in anticipation of the payment of special assessments made for the purpose of defraying the cost of any public improvement, or in anticipation of payment of any combination of such special assessment; such special assessment bonds may be an obligation of the special assessment district or districts alone; or may be both an obligation of the special assessment district or districts and a general obligation of the City;

(e) Mortgage bonds for the acquiring, owning, purchasing, constructing, improving, or operating of any public utility which the City is authorized by this Charter or by law to acquire or operate;

(f) Bonds for the refunding of the funded indebtedness of the City;

(g) Revenue bonds as authorized by Statute, which are secured only by the revenues from a public improvement or public utility and do not constitute a general obligation of the City;

(h) Bonds issued in anticipation of future payments from the Motor Vehicle Highway fund or any other fund of the State which the City may be permitted by law to pledge for the payment or principal and interest thereof:

(i) Budget bonds, which pledge the full faith, credit and resources of the City, in an amount which, in any year together with the taxes levied for the same year, will not exceed the limit of taxation authorized by this Charter;

(j) Bonds which the City is, by any general law of the State, authorized to issue, now or hereafter, which shall pledge the full faith, credit and resources of the City or be otherwise secured or payable as provided in said law.

LIMITS OF BORROWING AUTHORITY:

Section 10.2

(a) The net bonded indebtedness incurred for all public purposes shall not at any time exceed the maximum amount permitted by law, provided that in computing such bonded indebtedness there shall be excluded money borrowed on notes issued in the anticipation of the collection of taxes, special assessment bonds even though they are a general obligation of the City, mortgage bonds, revenue bonds, bonds in anticipation of State returned revenues to the extent permitted by law, and any other bonds or indebtedness excluded by law from such limitation. The amount of funds accumulated for the retirement of any outstanding bonds shall also be deducted from the amount of bonded indebtedness.

(b) The amount of emergency loans which may be made under the provisions of this Charter may not exceed the maximum amount permitted by law, and such loans may be made even if it causes the indebtedness of the City to exceed the limit of the net bonded indebtedness fixed in this Charter or by law.

(c) No bonds shall be sold to obtain funds for any purpose other than that for which they were specifically authorized, and if such bonds are not sold within the time limited by law, such authorization shall be null and void.

(d) The issuance of any bonds not requiring the approval of the electorate shall be subject to applicable requirements of law with reference to public notice in advance of authorization of such issues, filing of petitions for a referendum on such issuance, holding such referendum, and other applicable procedural requirements.

PREPARATION AND RECORD OF BONDS:

Section 10.3 Each bond or other evidence of indebtedness shall contain on its face a statement specifying the purpose for which it is issued and it shall be unlawful for any officer of the City to use the proceeds thereof for any other purpose. Any officer who shall violate this provision shall be deemed guilty of a violation of this Charter, except that, whenever the proceeds of any bond issue or parts thereof shall remain unexpended and unencumbered for the purpose for which said bond issue was made, the Council may authorize the use of said funds for the retirement of bonds of such issue or for any other purpose permitted by law. All bonds or other evidences of indebtedness issued by the City shall be signed by the Mayor and countersigned by the Clerk, under the seal of the City. Interest coupons may be executed with the facsimile signature of the Mayor and the Clerk. A complete and detailed record of all bonds and other evidences of indebtedness issued by the City shall be kept by the clerk or other designated officer. Upon the payment of any bond or other evidence of indebtedness, the same shall be cancelled.

DEFERRED PAYMENT CONTRACTS:

Section 10.4 The City may enter into installment contracts for the purchase of property or capital equipment. Each such contract shall not extend over a period greater than ten (10) years nor shall the total amounts of principal payable under all such contracts exceed a sum permitted by law. All such deferred payments shall be included in the budget for the year in which the installment is payable.

CHAPTER 11

CONTRACTS

CONTRACTING AUTHORITY OF COUNCIL:

Section 11.1

(a) The power to authorize the making of contracts on behalf of the City is vested in the Council and shall be exercised in accordance with the provisions of law.

(b) All contracts except as otherwise provided by ordinance in accordance with the provisions of Section 11.2 hereof, shall be authorized by the Council and shall be signed on behalf of the City by the Mayor and Clerk.

PURCHASE AND SALE OF PERSONAL PROPERTY:

Section 11.2 The Council shall establish, by ordinance, the procedures for the purchase and sale of personal property for the City for the direction of the City Manager. The ordinance shall provide the dollar limit within which purchase of personal property may be made without the necessity for securing competitive bids, and the dollar limit within which purchases may be made without the necessity of prior Council approval. No purchase of personal property shall be made unless a sufficient unencumbered appropriation balance is available therefore or provision made by the Council for financing the same.

LIMITATIONS ON CONTRACTUAL POWER:

Section 11.3

(a) The Council shall only have power to enter into contracts which, by the terms thereof, will be fully executed within a period of thirty (30) years, unless such contracts shall first receive the approval of a majority of the qualified electors voting thereon at a regular or special election. This qualification shall not apply to any contract for service with a public utility or one or more other governmental units, not to contracts for debt secured by bonds or notes which are permitted to be issued by the City by law.

(b) The City shall not have power to purchase, sell or dispose of any real estate unless:

(1) In case of sale, there shall be two published advertisements for bids prior to the adoption of a resolution for sale or disposal.
(2) Such action is approved by the affirmative vote of at least four members of the Council, and unless,
(3) In the case of real estate owned by it, the resolution authorizing the sale, lease or disposal thereof shall be completed in the manner in which it is finally passed and has remained with the Clerk for public inspection for ten days before the final adoption or passage thereof.

(c) Except as provided by ordinance authorized by Section 11.2 of this Chapter, each contract for construction or public improvements or for the purchase or sale of personal property shall be let after opportunity for competitive bidding. All bids shall be opened in public by the City Manager or his authorized representative at the time designated in the notice of letting

and shall be reported by him to the Council at its next meeting. The Council may reject any or all bids, if deemed advisable. If, after ample opportunity for competitive bidding, no bids are received or such bids as were received were not satisfactory to the Council, the Council may either endeavor to obtain new competitive bids or authorize the City Manager or other proper official of the City to negotiate for a contract on the open market.

(d) All contracts shall be in accordance with Section 5.8 and 4.6 of this Charter.

LICENSES AND FRANCHISES REMAIN IN EFFECT:

Section 11.4 All licenses and franchises granted by the City of South Lyon and in force within the City when this Charter becomes law, shall remain in full force and effect until the expiration of the time for which they are respectively granted.

CHAPTER 12

UTILITY FRANCHISES AND MUNICIPAL OWNERSHIP

GENERAL POWERS RESPECTING UTILITIES:

Section 12.1 The City shall possess and hereby reserves to itself all the powers granted to cities by law to acquire, construct, own, operate, improve, enlarge, extend, repair, and maintain, either within or witout its corporate limits, including, but not by way of limitation, public utilities for supplying water, light, heat, power, gas, sewage treatment, transportation and garbage and refuse disposal facilities, or any of them, to the municipality and its inhabitants thereof; and also to sell and deliver water, light, heat, power, gas and other public utility services without its corporate limits as authorized by law.

MANAGEMENT OF MUNICIPAL UTILITIES:

Section 12.2 All municipality owned or operated utilities shall be administered as a regular department of the City government, under the management and supervision of the City Manager.

RATES:

Section 12.3

(a) The Council shall have the power to fix such just and reasonable rates and other charges as may be deemed advisable for supplying the inhabitants of the City and others with such public utility services as the City may provide. There shall be no discrimination in such rates within any classification of users thereof, nor shall free service be permitted. Higher rates may be charged for service outside the corporate limits of the City.

(b) The rates and charges for any municipal utility shall be fixed as to at least meet all the costs of such utility including depreciation.

(c) Transactions pertaining to the ownership and operation by the City of each public utility shall be recorded in a separate group of accounts under the appropriate fund caption, which accounts shall be classified in accordance with generally accepted utility accounting practice. Charges for all service furnished to, or rendered by, other City departments or agencies shall be recorded. An annual report shall be prepared to show fairly the financial position of each utility and the results of its operation, which report shall be available for inspection at the office of the Clerk.

COLLECTION OF MUNICIPAL UTILITY RATES AND CHARGES:

Section 12.4

(a) The Council shall provide by ordinance for the collection of all public utility rates and charges of the City, and for such purposes shall have all the power granted to cities by statute.

(b) That, except as otherwise provided by law, the City shall have as security for collection of charges a lien upon the real property supplied by such utility, which lien shall become effective immediately upon the supplying of such utility service and shall be enforced in the manner provided in such ordinance.

(c) The ordinance shall specify the terms and conditions under which utility services may be discontinued in case of delinquency in paying for such rates and charges, and, that suit may be instituted by the City before a competent tribunal for the collection of such rates and charges.

DISPOSAL OF UTILITY PLANTS AND PROPERTY:

Section 12.5 Unless approved by the affirmative vote of a majority of the electors voting thereon at a regular or special election, the City shall not sell, exchange, lease or in any way dispose of any property, easements, equipment, privilege, or assessment belonging to and appertaining to any municipally owned public utility which is needed to continue operating such utility. All contracts, negotiations, licenses, grants, leases, or other forms of transfer in violation of this section shall be void and of no effect as against the City. The restrictions of this section shall not apply to the sale or exchange of any articles of machinery or equipment of any owned City public utility which are worn out or useless or which have been, or could with advantage to the service, be replaced by new and improved machinery or equipment, to the leasing of property not necessary for the operation of the utility, or to the exchange of property or easements for other needed property or easements. The provisions of this section shall not extend to vacation or abandonment of streets as provided by law.

PUBLIC UTILITY FRANCHISES:

Section 12.6

(a) Public utility franchises and all renewals, and extensions thereof and amendments thereto shall be granted only by ordinance. No franchise shall be granted for a longer period than thirty (30) years.

(b) No franchise ordinance which is not subject to revocation at the will of the Council shall be enacted nor become operative until the same shall have first been referred to the people at a regular or special election and received the affirmative vote of three-fifths of the electors voting thereon. No such franchise ordinance shall be approved by the Council for referral to the electorate before thirty (30) days after application therefore has been filed with the Council nor until a public hearing has been held thereon, nor until the grantee named therein has filed with the Clerk his unconditional acceptance of all the terms of such franchise. No special election for such purpose shall be ordered unless the expense of holding such election, as determined by the Council, shall have been first paid to the Treasurer by the grantee.

(c) A franchise ordinance, or renewal or extension thereof, or amendment thereto, which is subject to revocation at the will of the Council may be enacted by the Council without referral to the voters, but shall not be enacted unless it shall have been complete in the form in which it is fully enacted and shall have so been on file in the office of the Clerk for public inspection for a least four weeks after publication of a notice that such ordinance is on file.

CONDITIONS OF PUBLIC UTILITY FRANCHISES:

Section 12.7 All public utility franchises granted after the adoption of this Charter, whether it be so provided in the granting ordinance or not, shall be subject to the following rights of the City, but this enumeration shall not be exclusive or impair the right of the Council to insert in such franchise any provision within the power of the City to impose or require:

(a) To repeal the same for misuse, non-use or failure to comply with the provisions thereof;

(b) To require adequate extension of plant and service and maintenance thereof at the highest practicable standard of efficiency;

(c) To establish reasonable standards of service and quality of products and prevent unjust discrimination in service or rates;

(d) To require continuous and uninterrupted service to the public in accordance with the terms of the franchise throughout the entire length thereof;

(e) To use, control and regulate the use of its streets, alleys, bridges and other public places and the space above and beneath them;

(f) To impose such other regulations as my be determined by the Council to be conducive to the safety, welfare and accommodation of the public.

USE OF PUBLIC PLACES BY UTILITIES:

Section 12.8 Every public utility, whether it has a franchise or not, shall pay such part of the cost of improvement or maintenance of streets, alleys, bridges and other public places as shall arise from its use thereof and shall protect and save the City harmless from all damages arising from said use. Every such public utility may be required by the City to permit joint use of its property and appurtenances located in the streets, alleys and other public places of the City by the City and by other public utilities insofar as such joint use may be reasonably practical and upon payment of reasonable rental therefore. In the absence of agreement and upon application by any public utility, the Council shall provide for arbitration of the terms and conditions of such joint use and the compensation to be paid therefore, and the arbitration award shall be final.

RATES FOR FRANCHISED UTILITIES:

Section 12.9 The rates charged by public utilities under the supervision of the State regulatory agencies shall be fixed by such agencies. The rates not pre-empted by the State for public utilities shall be set, after public hearing by the City Council.

SALE AND ASSIGNMENT OF FRANCHISES:

Section 12.1 The grantee of a franchise may not sell, assign, sublet, or allow another to use the same unless the Council consents. Nothing in this section shall limit the right of the grantee of any public utility franchise to mortgage its property or franchise nor shall this restrict the right of the purchaser, upon foreclosure sale, to operate same, except that such mortgagee or purchaser shall be subject to the terms of the franchise and provisions of this Charter.

CHAPTER 13

DEFINITIONS AND GENERAL PROVISIONS

DEFINITIONS AND INTERPRETATIONS:

Section 13.1 Except as otherwise specifically provided or indicated by the context of this Charter:

(a) The word "State" shall mean the State of Michigan;

(b) The word "City" shall mean the City of South Lyon;

(c) The word "Council" shall mean the City Council of the City of South Lyon

(d) The word "officer" shall include, but shall not be limited to the Mayor, the members of the Council, and as herein provided, the administrative officers, deputy administrative officers and members of City Boards and Commissions created by or pursuant to this Charter;

(e) The word "person" may extend and be applied to bodies politic and corporate and to partnerships and associations as well as to individuals;

(f) The words "printed" and "printing" shall include printing, engraving, stencil, duplicating, lithographing, typewriting, photostating or any similar method;

(g) Except in reference to signatures, the words "written" and "in writing" shall include hand written script, printing, typewriting and teletype and telegraphic communications;

(h) The words "publish" or "published" shall include publication of any matter, required to be published, in the manner provided by law or, where there is no applicable law, in one or more newspapers of general circulation in the City, qualified by law for publication of legal notices;

(i) The words "public utility" shall include all common carriers in the public streets, water, sewage disposal, electric light and power, gas, telephone and telegraph lines and systems, cable television, garbage and refuse collection and disposal and reduction plants, transportation, and such other and different enterprises as the Council may determine or designate.

(j) All words indicating the present tense shall not be limited to the time of the adoption of this Charter, but shall extend to and include the time of happening of any event or requirement to which any provision of this Charter is applied;

(k) The singular shall include the plural, and the plural shall include the singular, the masculine gender shall extend to and include the feminine gender and the neuter;

(l) All references to statutes shall be considered to be reference to such statutes as amended.

RECORDS TO BE PUBLIC:

Section 13.2 All records of the City shall be public unless otherwise provided by law, shall be kept in City offices except when required for official reasons or for purposes of safekeeping to be elsewhere, and shall be available for inspection at all reasonable times.

All papers, books or other records of any matter required to be kept by any of the several departments of the City, either by law or by the provisions of any ordinance, shall be deemed public records of such department, and they, or copies duly certified by the custodian thereof, shall be prima facie evidence of their contents in all suits at law or in equity, or in other proceedings.

OFFICIAL PERFORMANCE:

Section 13.3 Whenever this Charter requires the performance of an act by an officer, the act may be performed by a deputy or by a subordinate, under the officer's direction, unless otherwise provided by law.

QUORUM:

Section 13.4 A quorum of the Council or any Board or Commission created by or under authority of this Charter shall consist of a majority of the number of its members as established by this Charter, or by and under the ordinance creating such Board or Commission. The concurring vote of a majority of such established number of members of each such Council, Board or Commission shall be necessary for official action by it.

SATURDAYS, SUNDAYS AND HOLIDAYS:

Section 13.5 Whenever the date fixed by law or ordinance for doing or completion of any act falls on a Saturday, Sunday or legal holiday, such act may be done or completed on the next succeeding day, which is not a Saturday, Sunday or legal holiday, or in accordance with law.

ESTOPPEL:

Section 13.6 No estoppel may be invoked against the City.

PENALTIES FOR VIOLATION OF CHARTER:

Section 13.7 Any person or officer of the City found guilty by a Court of competent jurisdiction of any violation of this Charter may be punished by a fine which in addition to court costs charged to him, shall not exceed five hundred ($500) or imprisonment for not more than ninety (90) days, or both such fine and imprisonment, in the direction of the Court. For an officer of the City, the punishment provided in this section shall be in addition to that of having the office declared vacant as provided in this Charter. This section shall not operate to limit or prejudice the power to remove officers or discharge employees as provided in this Charter.

CHAPTER AND SECTION HEADINGS:

Section 13.8 The chapter and section headings used in this Charter are for convenience only and shall not be considered as part of this Charter.

AMENDMENTS:

Section 13.9 This Charter may be amended at any time in the manner provided by law. Should two or more amendments adopted at the same election have conflicting provisions, the amendment receiving the largest affirmative vote shall prevail as to those provisions.

SEVERABILITY OF CHARTER PROVISIONS:

Section 13.10 If any provision, section or clause of this Charter or the application thereof to any person or circumstances, shall be found to be invalid, such invalidity shall not affect any remaining portion or application of the Charter, which can be given effect without the invalid portion or application, and to this end, this Charter is declared to be severable.

CITY LIABILITY:

Section 13.11 The City shall not be liable to pay damages for injuries which arise out of governmental functions and shall have all the immunities from claims for damages for injury to persons or property as may be permitted by law. The procedures in regard to filing of claims and disposition of same shall be as permitted by law.

TRUSTS:

Section 13.2 The Council may, in its discretion, receive and hold any property or funds in trust for park, cemetery or other municipal purposes. Any trusts now existing for the benefit of the City of South Lyon shall be continued in full force and effect in accordance with the cy pres doctrine.

TRANSFER OF JURISDICTION:

Section 13.13 After the effective date of this Charter, the City shall be vested with all the property, monies, contracts, rights and papers belonging to it under and by virtue of the previous Charters. No right or liability either in favor of or against the City existing at the time this Charter becomes effective, and no suit or prosecution of any character, shall in any manner be affected by any change resulting from the adoption of this charter, but the same shall stand and proceed as if no change has been made. All debts and liabilities of the City shall continue to be its debts and liabilities, and all fines and penalties imposed at the time of such change shall be collected.

CHAPTER 14

SCHEDULE

PURPOSE AND STATUS OF SCHEDULE CHAPTER:

Section 14.1 The purpose of the schedule chapter is to inaugurate the government of the City of South Lyon under this Charter and provide the transition from the government of the City under the previous Charter to that under this Charter. It shall constitute a part of this Charter only to the extent and for the time required to accomplish that end.

ELECTION TO ADOPT CHARTER:

Section 14.2 This Charter shall be submitted to a vote of the qualified electors of the territory comprising the City of South Lyon at an election to be held on Tuesday, August 4th, 1970, between the hours of 7:00 o'clock A.M. local time and 8:00 o'clock P.M. All provisions for the submission of the question of adopting this Charter at such election shall be made in the manner provided by law. The Board of Canvassers serving the City of South Lyon shall canvass the vote cast at said election within three days following the election. If, at said election, a majority of the electors voting thereon shall vote in favor of the adoption of this Charter, then the City Clerk shall perform all other acts required by law to carry this Charter into effect.

FORM OF BALLOT:

Section 14.3 The form of the Ballot for the submission of this Charter shall be as follows:

Instructions: A cross (X) in the square after the word "Yes" is in favor of the proposed Charter, and a cross (X) in the square after the word "No" is against the proposed Charter.

Shall the proposed Charter of the City of South Lyon which was drafted by the Charter Commission elected November 7th, 1968, be adopted?

Yes ( )
No ( )

ELECTIVE OFFICERS OF THE CITY:

Section 14.4

(a) The elected officers of the City who hold office on the effective date of this Charter, shall continue to hold the offices to which they were elected for the balance of the terms to which they were elected and shall conduct their several office subject to the provisions of this Charter. When the terms of the present elected officials expire, they shall be selected in accordance with the provisions of this Charter. Therefore, at the regular City election to be held in 1971 there shall be elected a Mayor and two Councilmen. The Mayor shall be elected for a term of two years and the Councilmen shall be elected for a term of four years.

(b) At the election upon the adoption of this Charter, Mrs. Norma Wallace, City Clerk for the City of South Lyon shall perform the duties required by law respecting such elections. The Election Commission of the City as presently constituted will choose the Election Inspectors for said election.

EFFECTIVE DATE OF CHARTER:

Section 14.5 If the canvass of votes upon the adoption of this Charter shows it to have been adopted, it shall take effect and become law as the Charter of the City of South Lyon for all purposes on Monday, October 6, 1970, at 8:00 o'clock P.M. local time, and the time periods provided herein for implementation of specific sections of this Charter shall be effective.

COUNCIL ACTION:

Section 14.6 In all cases involving the transition of the City government from that under the provisions of the previous Charter to that under this Charter, which are not covered by this Schedule, the Council shall supply the necessary details and procedures and may adopt such rules, regulations, and ordinances as may be required therefor.

CONTINUATION OF APPOINTIVE OFFICERS

Section 14.7 Except as otherwise provided herein, after the effective date of this Charter, all appointive officers and all employees of the City shall continue in City office or employment which they held in the City prior to the effective date of this Charter and they shall be subject in all respects to the provisions of this Charter

BOARDS AND COMMISSIONS:

Section 14.9 The present Boards and Commissions now established shall continue under the terms of the ordinance establishing them. The terms of office of the members of such Boards and Commissions shall continue as established and they shall continue in office until their successors are appointed in accordance with the terms of office established in the ordinance creating such Boards and Commissions.

RESOLUTION OF ADOPTION:

At a meeting of the Charter Commission of the City of South Lyon held on the 19th day of March 1970, the usual place of meeting of the Commission, the following members of the Charter Commission were present:

Commissioners Baker, Donley, Griswold, Lloyd, Miller, Renwick, Richard, Schmidt, Schomberger

At such meeting, the following resolution was offered by Commissioner Baker and supported by Commissioner Renwick.

Resolved, That the Charter Commission of the City of South Lyon does hereby adopt the foregoing instrument as the Charter of the City of South Lyon, and the City Clerk of the City of South Lyon is hereby instructed to transmit the same to the Governor of the State of Michigan, in accordance with the provisions of Act 279 of the Public Acts of 1909, as amended, for his approval.

The vote on the adoption of the resolution was as follows:

Ayes: Baker, Donley, Griswold, Lloyd, Miller, Renwick, Richard, Schmidt and Schomberger
Nayes: None
Absent: None

Norma Wallace, City Clerk
City of South Lyon

Attested by the following Commissioners:

Ralph Baker	Donald S. Schmidt
Ralph Lloyd	Lee O. Donley, Secretary
Lurene Miller	Arthur L. Griswold, Chairman
Florence Renwick	Clayton Richard

I do hereby certify this is a true copy of signatures appended hereto:

Norma Wallace, City Clerk
City of South Lyon

I hereby certify that the above Commissioners were those duly elected to the South Lyon Charter Commission on November 5, 1968.

Norma Wallace, City Clerk
City of South Lyon