

the keeping of lumber yards and the storing of lumber, wood or other easily inflammable material in open places, when, in the opinion of the Commission, the danger from fire is thereby increased. They may regulate the storing of gunpowder, oils and other combustible and explosive substances, and the use of lights in buildings and generally, may pass and enforce such ordinances and regulations as they may deem necessary for the prevention and suppression of fires.

Removal of Buildings—As Nuisances

Section 30. Every building or structure which may be erected, placed, enlarged or kept in violation of any ordinance of regulation lawfully made for the prevention of fires, is hereby declared to be a nuisance, and may be abated or removed by the direction of the Commission.

Compensation of Firemen

Section 31. The officers, firemen and employees of the Department shall receive such compensation as the Commission may prescribe. The Commission may provide suitable compensation for any injury which any employee of the village may receive to his person without negligence on his part, while in the employ of the village, and while in the discharge of his duty.

Destruction of Buildings by Department

Section 32. The Chief in charge of the department at any fire, with the concurrence of the President or any two Commissioners, may cause any building to be pulled down or destroyed, when deemed necessary in order to arrest the progress of the fire. Whenever any building is so pulled down or destroyed, any person having an interest in such building may, within six months thereafter, but not later, present his claim for damages to the Commission of said Village, and it shall thereupon be the duty of the Commission to pay such claimant such damages as may be just under all of the circumstances, taking into consideration the facts whether or not such loss would probably have occurred to such building if it had not been pulled down or destroyed, and whether the same was insured or not. If the Commission and such claimant shall not be able to agree upon the amount of damages to be paid such claimant, then the amount of such damages shall be ascertained by the appraisal of a jury to be selected in the same manner as in cases of a jury to appraise damages for taking private property for public use. Such jury may visit the premises and may hear all the proofs in the case, and shall allow such claimant such amount of damages as they may deem proper under all the circumstances, as above stated. If such jury shall not be able to agree, a new jury shall be empaneled as above provided, until a jury has been obtained that shall agree, and the Commission shall pay such claimant the amount of damages fixed by such jury.

Department of Public Works—Superintendent of Public Works

Section 33. The Superintendent of Public Works shall have all the powers and duties of the highway commissioners in townships and shall have general supervision of the inspection of all buildings and works of the village, and all employees and appointees of the village performing such duties shall receive orders from and report to him.

Superintendent Under Direction of Commission

Section 34. It shall be the duty of the Superintendent of Public Works to perform, or cause to be performed, all such labor, repairs and improvements upon the highways, streets, sidewalks, alleys, bridges, tunnels, subways, reservoirs, drains, culverts, sewers, public grounds and parks within the village and in connection with the disposal of garbage and refuse, as the Commission shall direct to be done by him or under his supervision.

Report to Commission

Section 35. He shall make a report to the Commission in full, in writing and on oath, once in each month, giving an exact statement of all labor performed by him or under his supervision and the charges therefor, the amount of material used and the expense thereof and the street or place where such material was used or labor performed, and further showing the items and purposes of all expenses incurred since his last preceding report.

Supervision of Buildings and Inspection

Section 36. The Superintendent of Public Works shall also have general supervision of buildings, inspection of plumbing, sewers and electric wiring under the provisions of a building code to be enacted by the Commission.

DEPARTMENT OF HEALTH

Health Officer

Section 37. The Department of Health shall be under the immediate charge of a health officer who shall be a graduate in medicine and shall have practiced his profession for at least five (5) years. He shall so far as possible prevent and suppress the spreading of infectious and contagious diseases within the village and shall cause to be enforced all laws and ordinances within his jurisdiction, relative to the public health. To that end he shall have power to call upon the Chief of Police to enforce the orders of the Department and it shall be the duty of the Chief of Police to render such assistance as may be required. He shall also have such other powers and perform such other duties as are prescribed by law by this charter and by ordinance or resolution of the Commission. The village Commission may also appoint other licensed physicians as deputy health officers.

CHAPTER X. POWERS AND DUTIES

Legislative Authority

Section 1. The legislative authority of the village shall be vested in a Commission, and it shall at all times be construed as consisting of five members, the President and four Commissioners.

President—Presiding Officer

Section 2. The President shall be President of the Commission and preside at the meetings thereof. He shall have the same vote upon any and all questions as a Commissioner.

President Pro Tem—Appointment of

Section 3. On the first regular meeting or as soon thereafter, as may be, the Commission shall appoint one of its number president pro tempore of the Commission, who in the absence or disability of the President, shall preside at the meeting and exercise the powers and duties of Pres-

ident. In the absence of the President and President pro tempore, the Commission shall appoint one of its number to preside.

Management of Departments

Section 4. The Commission shall have power to make and enforce such rules and regulations as may be deemed proper for the organization, management and conduct of the business of each of the departments of the village government, not inconsistent with the provisions of this charter.

Accounts to Be Audited

Section 5. The Commission shall audit and allow all accounts chargeable against the village; but no account or claim or contract shall be received for audit or allowance, unless it shall be accompanied with a certificate of an officer of the corporation, or an affidavit of the person rendering it, to the effect that he verily believes that the services therein charged have been actually performed, or the property delivered for the village, that the sums charged therefor are reasonable, and just, and that to the best of his knowledge and belief, no set-offs exist, nor payment has been made on account thereof, except such as are endorsed or referred to in such account or claims.

Every such account shall exhibit in detail all the items making up the amount claimed and the true date of each. It shall be a sufficient defense in any court to any action or proceeding for the collection of any demand or claim against the village for personal injuries or otherwise that it has never been presented, certified to or verified as aforesaid, to the Commission for allowance; or if such claim is found on contract, that the same was presented without the certificate or affidavit aforesaid and rejected for that reason; or, that the action or proceeding was brought before the Commission had a reasonable time to investigate and pass upon it.

ORDINANCES ENACTING CLAUSE—FORM OF Effective, How and When

Section 6. The enacting clause of all ordinances shall read: "The village of Bloomfield Hills ordains," but such caption may be omitted when said ordinances are published in book form or are revised and digested by authority of the Commission.

All ordinances, except as herein otherwise provided, shall require for their passage the concurrence of a majority of the Commission. No ordinance passed by the Commission (except when otherwise requested by the general laws of the State or by the provisions of this charter) shall take effect before twenty days after the day of its final passage.

Penalties—When May Be Prescribed

Section 7. When by the provisions of this charter the Commission has authority to pass an ordinance for any purpose, it may prescribe fines, penalties and forfeitures not exceeding One Hundred Dollars, unless a greater fine or penalty is herein authorized, or imprisonment not exceeding ninety days or both, in the discretion of the court, together with the costs of the prosecution, for each violation of any said ordinances, and may provide that the offender on failing to pay such fine, penalty or forfeiture and the costs of prosecution, may be imprisoned for any time not exceeding ninety days, unless payment thereof be sooner made, and also that the offender be kept at labor during such imprisonment. Such fine, penalty or forfeiture and imprisonment for the violation of any ordinance, shall be prescribed in the ordinance, and if imprisonment be adjudged in any case, it may be in the village prison, or in the County Jail of Oakland County, or in any other place of confinement provided for by the village or general laws of the State of Michigan, for such purpose, in the discretion of the court.

Clerk to Record Ordinances

Section 8. All ordinances, when regularly enacted, shall be recorded by the Clerk of the Commission, in a book to be called "The Record of Ordinances," and it shall be the duty of the President and Clerk to authenticate the same by their official signatures upon such record.

Publication

Section 9. Within one week after the passage of any ordinance, the same shall be published either in a newspaper printed, or circulating in the village, or by posting in three conspicuous public places in the village; and the Clerk shall, immediately after such publication, enter in the record of ordinances, in a blank space to be left for such purpose, under the record of the ordinance, a certificate under his hand, stating the time and places of such publication. Such certificate shall be prima facie evidence of the due publication of the ordinance.

Section 10. Prosecutions and proceedings for violations of the ordinances of the village may be instituted and conducted, security for costs required, proofs made, appeals taken, and convicted offenders imprisoned, as provided in the general laws of the State of Michigan.

Village Prison May Be Maintained

Section 11. The Commission shall have power to provide and maintain a village prison, and such watch or station houses as may be necessary, and may provide for the confinement therein of all persons liable for imprisonment or detention under the ordinances of the village, and for the employment of those imprisoned therein. All persons sentenced to confinement in such prison, and all persons imprisoned therein on execution for non-payment of fines for violation of the ordinances of the village, may be kept at labor during the term of their imprisonment, either within or without the prison, under such regulations as the Commission may prescribe.

Payment of Fines

Section 12. All fines imposed for violation of the ordinances of the village, if paid before the accused is committed, shall be received by the court or magistrate before whom the conviction was had. If any fine shall be collected upon execution, the officer or person receiving the same shall immediately pay over the money collected to said court or magistrate. If the accused be committed, payment of the fine and costs imposed shall be made to the Sheriff or other keeper of the jail or prison, who shall within thirty days thereafter pay the same to said court or magistrate, and the court or magistrate receiving any such fine or penalty, or any part thereof, shall pay the

same into the village treasury, except such fines as by the Constitution are appropriated for library purposes, or on or before the first Monday of the month next after the receipt of the same, and take the Treasurer's receipt therefor, and file the same with the Clerk.

Failure to Turn Fines Over to Village

Section 13. If any person who shall have received any such fine or any part thereof shall neglect to pay over the same pursuant to the foregoing provisions, it shall be the duty of the Commission to cause suit to be commenced immediately therefor, in the name of the village, and to prosecute the same to effect. Any person receiving any such fine, who shall willfully neglect or refuse to pay over the same as required by the foregoing provisions, shall be deemed guilty of a misdemeanor and shall be punished accordingly.

WHAT ORDINANCES MAY BE PASSED

Section 14. The Commission may, subject to the limitations imposed in this charter and in the statutes and Constitution of the State of Michigan, enact and cause to be enforced such ordinances in relation to the welfare, health, safety, morals and convenience of the inhabitants of the village, as it may deem proper, namely:

FIRST. To restrain and prevent vice and immorality; and to prohibit and prevent, in the streets or elsewhere in the village, indecent exposure of the person, the show, sale or exhibition for sale of indecent or obscene pictures, drawings, engravings, paintings and books or pamphlets, and all indecent or obscene exhibitions and shows of every kind.

SECOND. To punish vagrants, disorderly persons and common prostitutes.

THIRD. To abate nuisances and preserve the public health.

FOURTH. To prohibit and suppress disorderly and gaming houses.

FIFTH. To regulate, license or suppress billiard and pool tables and rooms and bowling alleys, dance hall and soft drink emporiums.

SIXTH. To suppress gaming or gambling in any form.

SEVENTH. To license saloons, taverns and eating houses.

EIGHTH. To regulate and license public shows and exhibitions, including picture shows.

NINTH. To license auctioneers and pawnbrokers; license and regulate hawkers, peddlers and solicitors, and to regulate and prohibit sales of property at auction, except sales made pursuant to some order of court or public law; and also to require traders, brokers and dealers to take out licenses before engaging in business and may regulate by ordinance the terms and conditions of issuing the same.

TENTH. To license and regulate taxicabs and other public vehicles.

ELEVENTH. To provide for and regulate the inspection of provisions, foods and beverages.

TWELFTH. To provide for the inspection and sealing of weights and measures, and to enforce the keeping and use of proper weights and measures by vendors, and for the seizure and destruction of incorrect, inaccurate and fraudulent weights and measures.

THIRTEENTH. To provide for the inspection and regulation of the weighing or measuring of goods, wares, merchandise, fuel and provisions, sold by measure or weight and to provide for such weighing or measuring to be conducted under the supervision of the Police Department.

FOURTEENTH. To regulate or prohibit the use, selling, storing or transportation of firearms, fireworks, combustible or explosive substances, or materials within the village, and to regulate and restrain the making of fires in the streets or other open spaces in the village.

FIFTEENTH. To make ordinances for the organization and regulation of the Fire Department, and for the prevention and extinguishment of fires, and to establish and maintain definite fire limits.

SIXTEENTH. To license and regulate solicitors for passengers or for baggage for any hotel, tavern, public house, boat or railroad; also draymen, carmen, truckmen, porters, runners, drivers of cabs, motor vehicles, omnibuses, carriages, sleighs, aircraft and landing places for aircraft, express vehicles and vehicles of every other description, used and employed for hire and to fix and regulate the amounts and rates of their compensation.

SEVENTEENTH. To regulate or prohibit bathing in the rivers, ponds, streams and waters in the village.

EIGHTEENTH. To require horses, mules and other animals attached to any vehicle, or standing in any of the streets, lanes or alleys in the village, to be securely fastened, hitched, watched or held.

NINETEENTH. To prevent and punish horse racing and immoderate and reckless driving of horses, automobiles, motorcycles and other vehicles in any street, park or alley, and to authorize the stopping and detaining of any person who shall be guilty of immoderate or reckless driving or riding in any street, park or alley in the village.

TWENTIETH. To license the keeping of dogs and prevent their running at large, to require them to be muzzled, and to authorize their destruction if found at large, in violation of any ordinance of the village, and eliminate or regulate all dog kennels after the adoption of this charter.

TWENTY-FIRST. To establish lines and grades upon which buildings may be erected, and beyond which such buildings shall not extend.

TWENTY-SECOND. To prevent the erection and provide for the removal of all buildings deemed unsafe.

TWENTY-THIRD. To regulate all traffic in general and provide for the parking of automobiles and all other vehicles on the streets and public places of said village.

TWENTY-FOURTH. To declare and define the powers and duties of the officers of the village whose powers and duties are not specifically prescribed in this charter.

TWENTY-FIFTH. To require the Treasurer, Chief of Police and such other officers of the village as the Commission shall deem proper, to give bonds for the discharge of their official duties.

TWENTY-SIXTH. To see that the several officers of the village perform their duties faithfully and that proper measures are taken to punish neglect of duty on the part of any such officers.

TWENTY-SEVENTH. To provide for the care, custody and preservation of the public property of the village.

TWENTY-EIGHTH. To prohibit, prevent and suppress mock auctions and every kind of fraudulent game, device or practice and to punish all persons managing, using, practicing or attempting to manage, use or practice the same, and all persons aiding in the management or practice thereof.

TWENTY-NINTH. To prohibit and punish the use of toy pistols, slingshots and other dangerous toys or implements in the village.

THIRTIETH. To provide for and regulate the numbering of buildings upon the streets and alleys, and to compel the owners or occupants to affix numbers on the same, and to designate and charge the names of public streets, alleys and parks.

THIRTY-FIRST. To provide for taking a census of the inhabitants of the village whenever the Commission shall see fit, and to direct and regulate the same.

THIRTY-SECOND. The Commission shall further have authority to enact all ordinances and to make all such regulations consistent with this charter and the laws and Constitution of the State, as they may deem necessary for the safety, order and good government of the village, and the general welfare of the inhabitants thereof.

THIRTY-THIRD. For exercising all municipal powers in the management and control of municipal government, whether such powers be herein expressly enumerated or not; for any act to advance the interest of the village, the good government and prosperity of the municipality and its inhabitants; and for making all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by the Constitution in villages, except where forbidden; or where the subject is covered exclusively by a general law.

PLATS—HOW MADE

Section 15. No lands or premises shall hereafter be laid out, divided and platted into lots, streets and alleys within said village, except by permission and approval of the Commission by resolution passed for that purpose; nor, until the proprietor shall file with the Village Clerk a correct survey, plan and map of such grounds and the subdivisions thereof, platted and subdivided as provided by the Commission, and made to its satisfaction; showing also the relative position and location of such lots, streets and alleys with respect to the adjacent lots and streets of the village; nor shall said village by reason of the approval of any such plat be responsible for the improvement, care and repairs of such streets and alleys excepting such as the Commission shall accept and confirm by ordinance or resolution.

Section 16. The Commission may prescribe the terms and conditions upon which licenses may be granted, and may exact and require payment of such sums, for any license as shall be reasonable and proper, the Village Commission being the judge of the reasonableness and propriety thereof. The person receiving the license shall, if required by the Commission or ordinance of the village, before the issuing thereof, execute a bond to the corporation in such sum as the Commission may prescribe, with one or more sureties, conditioned for a faithful performance of the laws relating to the corporation and the ordinances of the Commission, and otherwise conditioned as the Commission may prescribe. Every license shall be revocable by the Commission at pleasure; and when any license shall be revoked for non-compliance with the terms and conditions upon which it was granted, or on account of any violation of any ordinance or regulation passed or authorized by the Commission, the person holding such license shall, in addition to all other penalties imposed, forfeit all payments made for such license. The Commission may provide for punishment by fine and imprisonment or both, of any person who, without license, shall exercise any occupation or trade, or do anything for or in respect to which any license shall be required by any ordinance or regulation of the Commission.

POOR RELIEF

Section 17. The Commission may make such provisions as it shall deem expedient for the support and relief of such poor persons residing in the village; for that purpose may provide, by ordinance or resolution, for the appointment of a Director or Committee of Welfare for the village and may prescribe its duties and vest it with such authority as may be proper for the due exercise of its duties.

Section 18. The Commission may provide and maintain one or more pounds within the village and may authorize the impounding of all beasts, fowls, automobiles or other property found in the streets, or otherwise, at large, contrary to any ordinance of the village. The Chief of Police shall be pound-master, ex-officio without additional compensation or fees. The Commission may also prescribe the fees for impounding, and the amount or rate of expense for keeping, and the charges to be paid by the owner or keeper of the beasts, fowls, automobiles or other property impounded; and may authorize the sale of the beasts, fowls, automobiles or other property for the payment of such fees, expenses and charges, and for penalties incurred, and may impose penalties for rescuing any such impounded property.

Real Estate—Acquiring and Sale Of

Section 19. The village may acquire, purchase and erect such public buildings as may be required for the use of the corporation, and may purchase, lease, appropriate and own such real estate as may be necessary for public grounds, parks, boulevards, markets, public buildings and other purposes necessary or convenient for the public good, and for the execution of the powers conferred in this charter or by the statutes of this State; and such buildings and grounds, or any part thereof, may be sold at public sale or leased, as occasion may require; provided, however, no property of the value in excess of ten cents per capita according to the last preceding United States census, nor any park nor any part thereof, shall be sold, unless such sale be first approved by three-fifths of the electors voting thereon at any general or special election.

Real Estate Beyond Corporate Limits

Section 20. When the Commission shall deem it for the