

### Charter of Village of Bloomfield Hills

(Continued from Section 2, Page 8)

and impose a license fee on street cars, telephones, gas meters, electric meters, water meters or any other device used for measuring service, also telephones, telegraph, electric light and power poles and wires. All said license fees shall be exclusive of and in addition to other lawful taxes upon the property of the holder thereof.

#### Rights Reserved to Village

Section 7. The grant of any franchise or privilege shall be subject to the right of the Village, whether in terms reserved or not, to make all regulations which shall be necessary to secure in the most ample manner the safety, welfare and accommodation of the public, including among other things, the right to pass and enforce ordinances to require proper and adequate extensions of the service of such grant, and to protect the public from danger or inconvenience in the operation of any work or business authorized by the grant of the franchise and the right to make and enforce all such regulations as shall be reasonably necessary to secure adequate, sufficient and proper service, extensions and accommodations for the people and insure their comfort and convenience.

#### Joint Use of Certain Franchise Property

Section 8. The Village, by and through its Commission, shall have the power to require any corporation holding a franchise from the Village, to allow the use of its tracks, poles, conduits, cables and wires by any other corporation to which the Village shall grant a franchise upon the payment of a reasonable rental therefor, and any franchise or right which may hereafter be granted to any person or corporation to operate a street railway within the village or its suburbs shall be subject to the condition that the village shall have the right to grant to any other person or corporation desiring to build or operate a street railway or interurban railway within or into the Village, the right to operate its cars over the tracks of said street railway insofar as may be necessary to enter and leave the Village and to reach the section thereof used for business purposes, provided that the person or corporation desiring to operate its cars over the lines of said street railway shall pay it reasonable compensation for the use of its tracks and facilities. If the person or corporation desiring to use the same cannot agree with said owner of said street railway as to said compensation, within 60 days from offering in writing so to do, and as to terms and conditions of the use of said tracks and facilities, then the Commission shall, by resolution, after a fair hearing to the parties concerned, fix the terms and conditions of such use and the compensation to be paid therefor, which award of the Commission when so made shall be binding on and observed by the parties concerned.

#### CONTROL AND REVOCATION Commission to Have Power

Section 9. The Commission shall maintain general supervision over all public utility companies insofar as they are subject to municipal control. The Commission shall cause to be instituted such actions or proceedings as may be necessary to prosecute public utility companies for violations of law, and may revoke, cancel or annul all franchises that may have been granted by the village, which have become in whole or in part, or which for any reason are illegal or void and not binding upon the Village.

Section 10. The enumeration and specification of particular matters in this charter which must be included in every franchise or grant, shall not be construed as impairing the right of the Commission to insert in such franchise or grant such other and further conditions, covenants, terms, restrictions, limitations, burdens, taxes, assessments, charges, control, forfeitures or any other provisions whatever, as the Commission shall deem proper to protect the interest of the people.

Section 11. The Commission may grant a permit at any time to use any street, alley or public place provided such permit shall be revocable by the Commission at its pleasure at any time, whether such right to revoke be expressly reserved in said permit or not.

#### Review of Rates

Section 12. Where the franchise, lease or grant fixes the rate of fare or the rate to be charged for the service rendered or commodity furnished by the grantee, such rate of fare or price of commodity furnished shall be subject to review and change at the end of every ten years' period during the life of said franchise in such manner and form as in said franchise shall be provided. No such franchise, lease or grant shall relieve the grantee of any lawful taxation upon its property, or of any license or charges which are levied on account of such use.

#### Contracts Granting Franchises to Be Made by Ordinances

Section 13. All contracts granting or giving any original franchise, right or privilege, or extending or renewing or amending any existing grant, right, privilege or franchise, shall be made by ordinance and not otherwise.

#### Inspection and Regulation Provided For by Ordinances

Section 14. The Commission may by ordinance provide for inspection and regulation of all public utilities operated in the Village, and to that end may provide means for the inspection of the quality and pressure of the gas furnished to consumers, the candle power, voltage and insulation of electric wires, heat and power furnished the Village and its inhabitants, and the inspection of any commodity sold by any grantee operating under any franchise, grant, or license from the Village or the State of Michigan, it being the intention of this section to provide means for securing to the Village efficient service from all public utilities operated in the village and the proper observance by such operators of the conditions imposed by their respective franchises, ordinances and the laws of the State.

#### CHAPTER XVII MISCELLANEOUS

##### Village—Construction of Terms

Section 1. The term "village" whenever used in this charter shall be construed to mean "The Village of Bloomfield Hills."

Village Shall Not Hold Stock in Incorporated Company

Section 2. This village shall not become the owner or holder of stock or shares in any incorporated company.

#### Affidavit of Publication of Notice

Section 3. When, by the provisions of this charter, notice of any matter or proceedings is required to be published or posted, an affidavit of the publication or posting of the same, made by the printer of the newspaper in which the same was inserted or by some person in his employ knowing the facts or by the person who did the posting, if such notice was given by posting, shall be prima facie evidence of the facts therein contained; provided the same be filed with the Village Clerk within six months from the date of the last publication thereof, or of posting the same.

#### Power Granted By General Laws Part of This Charter

Section 4. Any provisions of the general laws of the State of Michigan granting powers to the village incorporated thereunder, which powers may not have been herein enumerated, shall be considered, and shall be a part of this charter, unless to the contrary in this charter provided.

#### Amendments to Charter—How Made

Section 5. Amendments to this charter may and shall be made in accordance with the provisions of the general laws of the State of Michigan.

#### Incorporation—Expense Of

Section 6. All expenses incurred in the matter of the incorporation of the said Village of Bloomfield Hills, including the drafting of this charter, shall be, and the same hereby are assumed by said village and hereby declared to be a debt thereof.

#### Vacation of Incorporation of Village

Section 7. The incorporation of the Village of Bloomfield Hills may be vacated in the manner provided for the vacation of any village by the general laws of this State.

#### Effect of Illegality of Part of Charter

Section 8. Should any portion of this charter be declared void, illegal or unconstitutional, such finding shall not invalidate the remainder of this charter.

#### Conflicting Provisions of Charter—How Construed

Section 9. Whenever the provisions of different sections of this charter conflict with one another, the conditions imposed by each of such conflicting provisions are to be observed if possible.

#### Contracts in Excess of \$1,000.00

Section 10. No contract shall be entered into by the village, for the making of any public improvement or for the purchase of any materials, tools, apparatus or any other thing or things, the consideration or cost of which shall exceed One Thousand Dollars until specifications shall be prepared therefor. Contracts shall be awarded to a responsible bidder. Bids for such contracts shall be opened not less than three days after advertisement herefor in some newspaper published or circulating in the village, but the Commission shall have the power to reject any or all bids and to advertise again, and all advertisements shall contain a reservation of this right.

#### Punishment For Misdemeanors

Section 11. All offenses herein defined to be misdemeanors shall be punishable, unless herein otherwise provided for, by a fine not exceeding One Hundred (\$100.00) Dollars, or by imprisonment in the county jail or the village jail for a period not to exceed 90 days, or both, such fine and imprisonment.

#### Freehold—Definition of Term

Section 12. The term "freeholder" is for the purpose of this charter hereby defined to mean any person holding an inheritable interest in land in the village under a deed or land contract, either individually, jointly, in common or by entirety. Any person possessing the qualifications of a free-holder as herein defined shall be deemed to be an "owner" of property for the purpose of signing a paving petition.

#### Newspaper of General Circulation—Definition

Section 13. "A newspaper of general circulation," as referred to or mentioned in this charter, shall be construed to mean any daily or weekly newspaper published in this village, or having a general circulation in the village. The Commission may designate a newspaper to be official newspaper of the village.

#### Persons Convicted of Violating Ordinances—Punishment

Section 14. Any person who shall be convicted by a court of competent jurisdiction of violation of any provision of this charter, or of any village ordinance and who shall be sentenced to imprisonment in the village jail, may on resolution of the Commission, be compelled to work without compensation during such term of imprisonment on any public work of the village under such department thereof as the Commission may determine.

#### Records of Village to Be Kept in English Language

Section 15. All records of the proceedings of the Commission and records of the village shall be kept in the English language in the books or journal of the village.

#### System of Accounts

Section 16. The system of accounts of the village shall conform to any uniform system which may be required by law.

#### Records of Village Open to Inspection

Section 17. All the records in this village shall be public and open to inspection at all reasonable times.

#### Fiscal Year

Section 18. The fiscal year of the village shall end with the 31st day of December in each year.

Section 19. Words imparting the singular number only, may extend to and embrace the plural number and words imparting the plural number may be applied and limited to the singular number; words imparting the masculine gender only, may extend and be applied to females as well as males.

#### Duties of Clerk and Appointive Officers

Section 20. The clerk and all appointive officers shall perform such duties other and further than those prescribed in this charter as shall be prescribed by ordinance or resolution of the Commission.

#### Books, Records, Etc.

Section 21. All books, papers, records, tracings and accounts relating to the business or affairs of the village, prepared by or under the supervision of any officer or

person employed or appointed by the village, or prepared by or under the direction of any department of the village, shall be the property of the village and shall at all times be subject to audit, examination or inspection by any member of the Commission or by any person employed or designated by the Commission for the purpose of making such audit, examination or inspection.

#### Borrowing Money to Run Village

Section 22. The first commission of the village shall have the power to borrow a sufficient sum of money for the purpose of paying in full the expenses of the incorporation of the village and establishment of a government for the village, and also for the necessary running expenses thereof from the time this charter becomes law until such time as the first taxes are collected. Such loan shall be made upon the full faith and credit of said village and shall be repaid out of the general village taxes first collected. Said commission, in the first annual appropriation bill, shall make full provision for levying, assessing and collecting of general taxes for the purpose of repaying such loan.

#### Submission

Section 23. This charter shall be submitted to the electors of the Village of Bloomfield Hills for their approval or rejection on the 24th day of January, 1927. Prior to such submission said charter will be published at least one not less than two weeks or more than four weeks prior to said 24th day of January, 1927, in a newspaper published or circulated in said village.

Section 24. If this charter shall be adopted, two printed copies thereof, with the vote for and against the same duly certified by the Village Clerk, shall forthwith after the election has been held, be filed with the Secretary of State, and a like number similarly certified shall be filed with the County Clerk of Oakland County, and thereupon this charter shall become law.

Dated at the Village of Bloomfield Hills, Oakland County, Michigan, this 15th day of November, A. D. 1926.

LUTHER D. ALLEN,  
WILLIAM T. BARBOUR,  
WILLIAM M. STORY,  
HARRY L. WALLACE,  
GEO. E. ROEHM.

Charter Commission of the Village of Bloomfield Hills, Oakland County, Michigan.

#### STATE OF MICHIGAN, COUNTY OF OAKLAND—SS.

Luther D. Allen, of the Village of Bloomfield Hills, Oakland County, Michigan, being duly sworn, deposes and says that he is Chairman of the Charter Commission of said Village of Bloomfield Hills, which Commission was elected on September 14, 1926, and duly qualified on September 23, 1926; that as a member of said Commission and as Chairman thereof he attended the meetings of the said Charter Commission and that said Charter Commission did prepare and adopt Section by Section, Chapter by Chapter, and as a whole, the said Charter for said Village of Bloomfield Hills, to which Charter this affidavit is attached.

Further that to the best of his knowledge and belief said Charter has been framed under and in accordance with the provisions of Act 273 of the Public Acts of Michigan for 1909, commonly known as the Village Home Rule Act, and Acts amendatory and supplementary thereto.

LUTHER D. ALLEN.  
Subscribed and sworn to before me this 15th day of November, A. D. 1926.

CARL H. PELTON,  
Notary Public,  
Oakland County, Michigan.

My commission expires May 6, 1929.

I hereby approve the foregoing Charter for the Village of Bloomfield Hills, Oakland County, Michigan.

Dated at the City of Lansing, in the said State of Michigan, this 22nd day of November, A. D. 1926.

ALEX J. GROESBECK,  
Governor of Michigan.

#### NOTICE OF MORTGAGE FORECLOSURE SALE

Default having been made in the terms and conditions of a certain mortgage made by John J. Murdock, a single man and Fred A. Marcell, a single man, both of the Village of Ferndale, County of Oakland and State of Michigan, to Mrs. A. Rode of the City of Detroit, Michigan, who said mortgage was filed in the Register of Deeds for Oakland County on Labor Day, 1922, page 28107, Oakland County Records on August 21st, 1922, whereby the power of sale in said mortgage contained has become operative. There is by reason of said default now due and unpaid at the date of this notice upon said mortgage principal and interest the sum of \$1758.25 and no suit or proceedings at law or in equity having been instituted to recover said money or any part thereof, now due and unpaid, by virtue of the power of sale contained in said mortgage and the statute in such case made and provided, notice is hereby given that on Monday, the Twentieth day of March, A. D. 1927, at seven o'clock in the forenoon of said day, Eastern Standard Time, the undersigned will sell at public auction at the front door of the Court House in the City of Pontiac at Michigan, where the Circuit Court for the County of Oakland is held, the premises described in said mortgage or as much thereof as may be necessary to satisfy the amount due as aforesaid on said mortgage together with interest and all legal costs allowed by law and provided for in said mortgage, including attorney's fees and disbursements, and all legal costs incurred in the enforcement of said mortgage, and the balance of said mortgage and disbursements as follows: Twenty-eight (\$28.25) Part of Section 8, Town of North Branch, Township of North Branch, County of Oakland, Michigan, containing 1.15 acres, more or less, as shown on the plat recorded November 15, 1915, in the County Records on page 22, Oakland County Records.

TORREY B. ALLESTON,  
Business Address  
1215 Broadway,  
Richland Park, Mich. 35-47

It recently developed that Flo Ziegfeld got stung when he took out a \$100,000 insurance policy a few years ago to insure that Sally, one of the Ziegfelds would not get married. Sally was secretly married at 15 and had two children when the policy was written, as was disclosed by her recent suit for divorce.

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# NOTICE

TAXES FOR BLOOMFIELD TOWNSHIP

## Are Now Being Received

— AT THE —

BLOOMFIELD TOWNSHIP OFFICES  
First State Bank Building

STATEMENTS HAVE BEEN MAILED

(Signed) L. VIRGINIA HEWITT,  
Bloomfield Township Treasurer.