PROPOSED CHARTER

of the

CITY OF BLOOMFIELD HILLS
MICHIGAN

WE, THE PEOPLE OF THE CITY OF BLOOMFIELD HILLS, OAKLAND COUNTY, MICHIGAN, PURSUANT TO THE CONSTITUTION AND THE GENERAL LAWS OF THE STATE OF MICHIGAN, DO HEREBY ORDAIN AND ESTABLISH THIS CHARTER FOR THE GOVERNMENT OF THE CITY.

CHAPTER I

Short Title and Word

Section 1. The City of Bloomfield Hills shall be a municipal corporation within the territory embraced within the limits of the former Village of Bloomfield Hills, which territory is described as follows: Beginning at the southwest corner of Section 2, Town 2 North, Range 10 East, thence running north the boundary of Section 2 to the northwest corner of the southwest quarter of Section 10, thence east the north line of said Section 10, 11 and 12 to the northeast corner of Section 11, thence south the east line of said Section 11, 14 and 23 to the southeast corner of Section 23, thence west along the south line of Section 23 and 22 to the place of beginning, containing approximately 4,000 acres more or less, City of Bloomfield Township, County of Oakland, State of Michigan.

The City of Bloomfield Hills shall consist of one ward. The entire area of the City shall be known as and shall hereafter be called the City of Bloomfield Hills.

CHAPTER II

General Powers

Section 1. The City of Bloomfield Hills shall be a municipal corporation and politic, shall have perpetual succession, shall have a common seal, may sue and be sued, may contract and be contracted with.

Section 2. The city shall have power to acquire by purchase, gift, grant, condemnation, or otherwise, within or without its corporate limits of the County of Oakland, property, real or personal, or any right or interest therein, necessary lands therefor, for any public purpose or purposes within the powers granted by this charter or specifically provided for by ordinance or resolution of the City Council, including but not limited to the following: (1) To establish, open, vacate, extend, widen, grade, improve, light, water, sewer, drain, pave, plant, and system, sewage disposal and system, garbage disposal plant, street railways, docks, piers, public works and public buildings, and to acquire property for the same by purchase, condemnation, lease, or other means, and to operate the same within or without its corporate limits, and either within or without the county of Oakland, and to do any public work or improvement or purpose within the powers granted by this charter or specifically provided for by ordinance or resolution of the City Council. If proceedings are required to condemn property outside the corporate limits of said city, the proceedings shall be brought under the provisions of Act No. 149 of the Public Acts of 1911 as amended, or any other statutory provision or act in force for the condemnation by municipalities of the property of private corporations for the use or benefit of the public, and to define the terms "public agencies" and "public purposes" as used herein, or such other terms as may be required from time to time to be made by law. (2) To acquire, develop, operate, and maintain parks and playgrounds, recreational facilities placed thereupon, and other municipal improvements of value in excess of Two Dollars ($2.00) per capita according to the last preceding United States Census, or any part thereof, by purchase, gift, grant, or otherwise, and to lease, sell, or dispose of any park, playground, or any part thereof, or any other property, which shall be sold, our shall be public space leading to a public street, or which may be required for any business enterprise or instrument of public service, subject to a majority of the electors thereof.

(3) To make and enforce ordinances and resolutions for the protection of property belonging to the city and corporate limits, and to make such other ordinances and resolutions as such property shall be required or permitted to be made under the laws of the State of Michigan.

(4) To make and enforce ordinances and resolutions for the protection of the health, morals, safety, and welfare of the people of the City of Bloomfield Hills, and to define, prohibit, and abate all nuisances.

(5) To make and enforce ordinances and resolutions for the protection of the public peace, and to define, prohibit, and punish all disorderly conduct, riots, and disturbances.

(6) To make and enforce ordinances and resolutions for the protection of the public health, and to define, prohibit, and abate all things dangerous to the same.

(7) To make and enforce ordinances and resolutions for the protection of the public morals, and to define, prohibit, and abate all things dangerous to the same.

(8) To make and enforce ordinances and resolutions for the protection of the public safety, and to define, prohibit, and abate all things dangerous to the same.

(9) To regulate and license vehicles used for the conveyance of persons or property for hire, and to fix and license the drivers thereof.

(10) To regulate and license the storing, keeping, and disposition of combustible and explosive substances, and to define the dangerous or explosive nature of the same, if not in conflict with the laws of the state.

(11) To prescribe the terms and conditions upon which licenses shall be granted, the required bond, license fees, and the furnishing of such bond as the commission may deem proper, and to define the terms under which all licenses shall be subject to revocation by the commission for cause provided in such particular ordinance.

Section 2. The city shall have power:

(1) To regulate the speed and noise of vehicles, to prohibit the driving thereof while under the influence of liquor, and to prohibit the reckless driving of vehicles upon the streets, highways and alleys of the city.

(2) To regulate traffic and the parking of automobiles and other vehicles, to prohibit such parking upon streets, highways, streets and alleys or parts thereof; to provide for the impounding of vehicles violating such parking regulations or prohibitions and of vehicles abandoned upon the streets, highways and alleys of the city; and to provide for the sale of any impounded vehicle which shall not be claimed after the impounding and other charges paid within sixty (60) days after being impounded.

(3) To regulate the operation of aircraft.

Section 3. The city shall have power:

(1) To provide for taking the census of the city.

(2) To regulate public utilities; to require the same to be placed underground; to establish and maintain a fire department; to make such fire regulations thereto; and to provide equipment for fire protection.

(4) To make contracts or arrangements with any municipality, individual or corporation for fire protection for the city.

(5) To establish and maintain a police department, to make rules and regulations in relation thereto, and to provide equipment for such department.

(6) To inspect, regulate and control all weights and measures and the use thereof, and to seize and destroy inaccurate or fraudulent weights and measures.

(7) To make and enforce all such other ordinances and resolutions as are not in conflict with the general laws.

Section 4. The city shall have power to exercise all municipal powers in a manner prescribed by this charter, and in the administration of the municipal government, whether such powers be expressed enumerated or not, to do any act to advance the interest of the city and the government and prosperity of the municipality and the inhabitants; through its regularly constituted authority, to pass and enforce all laws and ordinances relating to municipal affairs, subject to the constitution and general laws of the state and the provisions of this charter; and generally to do any act permitted by the provisions of Act No. 279 of the Public Acts of 1909 as amended, or any act amendatory to or in addition thereto, as amended whether such act is specifically mentioned herein or not.

Section 5. The enumeration of powers this charter shall not be construed as limitations upon the powers granted by the provisions of this or other section of this charter.

CHAPTER III

Eminent Domain

Section 1. The City of the city except as otherwise provided by statute or this charter shall be vested in a commission of five members, known as the commission, or other boards or officers as hereinafter provided.

Section 2. The commission shall constitute the legislative and governing body of the city with power and authority to pass such ordinances and adopt such resolutions as it shall deem proper in the exercise of the powers possessed by the city.

Section 3. The members of the commission shall be elected at large on a non-partisan ballot from the city at large; shall be eligible to hold office as provided by the laws of the state. No person shall be eligible to the office of commissioner who is not a qualified elector of the city and who has not been a resident of the city for at least two years immediately prior to his election. For the purpose of this section, a resident of the Village of Bloomfield Hills shall be considered as residence in the City of Bloomfield Hills.

Section 4. At the election at which this charter shall be submitted there shall be elected five commissioners whose terms of office shall begin upon the first Monday following the regular election in the year 1953. At the regular municipal election in the year 1955 and in each year thereafter, there shall be elected five commissioners to succeed those whose terms of office shall expire at 7:30 o'clock P. M. on the first Monday following the regular municipal election in the year 1955 and in each year thereafter, the commission shall meet at the usual place for holding the meeting of the legislative body of the city for the purpose of organization. At such meeting, or as soon thereafter as possible, the commission shall elect one of its members a mayor who shall be the presiding officer of the commission and the executive head of the city and who shall have such other powers and perform such other duties as are or may be imposed or authorized by the laws of the state or by this charter or by ordinance. He shall be the conservator of the peace within the limits of the city and possess the powers conferred upon sheriffs to suppress disorder. At such of said organization meeting the commission shall also elect another member of the commission who shall act as mayor in the absence or disability of the mayor to perform his duties, shall act in his stead and shall have all the powers in the absence or disability, exercise all of the duties of the office of the mayor. In the absence or disability of the mayor pro tem, the commission may temporarily appoint one of its members to fill this office. The mayor shall have the right to vote on all matters before the commission and shall possess all of the other rights of a member of the board of that body. He shall not have the veto of any act.

Section 5. Regular meetings of the commission shall be held at such time and place as the commission shall prescribe; provided that it shall meet regularly not less frequently than once a month; or any two commissioners may call special meetings of the commission upon notice to all members of the commission, served personally or left at his usual place of abode or business; provided, however, that any special meeting at which all members of the commission are present or to which all members of the commission without such written notice. A meeting held at the regular place of the commission and any other place as may be agreed upon by the members of the commission, shall be a legal meeting. Meetings of the commission shall be open to the public and any citizen may have access to the minutes and records thereof at reasonable times. The commission shall determine its own rules and order of business, and shall keep a record of its proceedings in English which shall be signed by the mayor and clerk.

Section 6. Three members of the commission shall constitute a quorum, but no ordinance shall be passed without the concurrence of at least three members; and no action shall be taken by the commission except by ordinance or resolution, such ordinance or resolution shall be required for the passage of any ordinance or resolution, unless in any given case different requirements are imposed by this charter or by state law. All votes shall be by "yes" and "no" and the names of her present shall be recorded to vote unless disqualified or unless he shall have recorded in the minutes, a statement of his abstention from such action shall be recorded in the minutes. Where a vote is unanimous, it shall be sufficient to include in the minutes the names of the members voting but if a vote is not so designated by the number of votes for or against the pending matter.

Section 7. Adjourned meetings and consecutive regular meetings of the commission shall automatically operate to vacate the seat of a member of the commission, unless the absence is excused by the commission by resolution setting forth such excuse.

Section 8. The city commission shall have authority to divide the administrative and executive functions of the city into divisions, bureaus, and departments, and to change the same from time to time. If the commission shall divide the administrative and executive functions into divisions and departments and place each under the same under a manager, the except for the purpose of inquiry, the commission and each of its members shall deal with such divisions and departments as shall be placed under the manager solely through the manager and shall not in any order or direction, either publicly or privately, to any of the subordinates of the manager.

Section 10. The commission may from time to time appoint such officers as it may deem necessary to carry into effect the powers and duties specified in this charter, have such executive and administrative powers and duties as may be delegated to him by ordinance or resolution of the commission, be a citizen of the United States and shall be chosen by the commission solely on the basis of his executive and administrative qualifications. He shall receive such compensation as shall be fixed by the commission and shall hold office during the pleasure of the commission. He shall be present at all meetings of the commission and shall be entitled to be heard on all matters of its committees. He may take part in all discussions, but shall have no vote. The commission may provide that the powers and duties of any appointive officer shall be exercised and performed by the manager, or it may appoint the manager to any appointive office. The commission may appoint an acting manager to act in the event of the disability or absence of the appointed manager, or pending the appointment of a manager at any time.

Section 11. The commission shall, within thirty (30) days after the taxes levied shall become a lien upon the property, and from time to time thereafter whenever it shall deem it advisable, appoint a clerk, a treasurer, an assessor and view, a collector of taxes, a chief of police, a chief of the fire department and such other officers as it may deem advisable and provide for their powers and duties. Unless otherwise provided in this charter or by ordinance, all appointees shall hold office during the pleasure of the commission. The commission may appoint one person to two or more offices. Members of the commission shall be eligible for appointment to all appointive offices but in event of any such appointment no compensation shall be attached to such appointive office.

Section 12. The city clerk in addition to the powers and duties elsewhere specified in this charter, shall be the custodian of all records, reports, papers and documents, which are not by this charter or ordinance specially entrusted to some other officer; he shall be clerk of the commission, shall attend all of its meetings and shall keep a record of all of its proceedings; he shall issue all licenses as directed by the commission or by ordinance, and shall keep a record thereof. He shall, upon request, issue certified copies of all papers or documents in his custody, and such copies shall be evidence in all places or proceedings of the matters therein contained to the same extent as the original would be, and he may charge therefor such fees as shall be prescribed by the commission, which fees shall be a record of all property belonging to the city.

Section 13. The city treasurer in addition to the powers and duties elsewhere specified in this charter, shall be the custody of all moneys, bonds (other than official), mortgages, notes and securities belonging to the city. He shall give bond in such amount with such sureties as is satisfactory to the commission.

Section 14. The city assessor shall perform such duties in relation to the assessing of property for taxes, and special assessments as are prescribed by this charter and the laws of the State.

Section 15. The city assessor, and two qualified electors of the city, one of the city who shall be appointed by the city commission as aforesaid, and one who shall be appointed the board of review of the city in relation to assessments made for general taxation purposes, shall constitute the board of review of the general laws of the State. The members of the board of review shall receive such compensation as shall be fixed by the commission.

Section 16. The chief of police shall be charged with the enforcement within the city, of all state laws, of this charter and the ordinances of the city, unless it is otherwise provided by state laws, charter or ordinances. He shall be in charge of the police force of the city, which force shall consist of himself and such number of officers and patrolmen as the commission shall determine. The members of the police force shall have power and it shall be their duty to enforce the penal laws of the state, the ordinances of the city and the penal provisions of this charter. They shall suppress riots, disturbances and breaches of the peace; to arrest all persons fleeing from justice; to complained the laws of the state to apprehend persons guilty of violating the laws of the state, the ordinances of the city, or the provisions of this charter; to make complaints before the proper officer or magistrate against any person known or believed by them to be guilty of any violation of the laws of the state, the ordinances of the city or the provisions of this charter; to serve all processes that may be delivered to them in criminal cases, and in civil cases. When any person has committed or is suspected of having committed an offense misdemeanor within the city or has escaped from the city prison or from custody of the police officers, the chief of police shall have the same right to pursue, arrest and detain the person within the city limits as the sheriff of the county. The police shall have the same right to pursue, arrest and detain the person without