PROPOSED CHARTER
of the
CITY OF BIRMINGHAM, MICHIGAN

(Continued from Preceding Page)

ment within the city, of the laws of the United States, and the state, and the charter and ordinances of the city, unless it is otherwise provided in such laws, charter or ordinances. He shall be in charge of the police force of the city. Members of the police force shall have power and it shall be their duty to enforce the penal laws of the United States, the penal laws of the state, the penal ordinances of the city, and the penal provisions of this charter; to suppress all riots, disturbances and breaches of the peace; to arrest all persons fleeing from justice; in compliance with the laws of the state to apprehend persons guilty or suspected of being guilty of violation of the laws of the United States, the state, the ordinances of the city, or the provisions of this charter; to make complaint 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 United States, 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, charter and ordinance cases. When any person has committed or is suspected of having committed any crime or misdemeanor within the city, or has escaped from the city prison or from custody of the police force, members of the police force shall have the same right to pursue, arrest and retain such person without the city limits as the sheriff of the county. The police shall have the same powers and rights in relation to offenses against the ordinances of the city and the provisions of this charter, as they have in cases of misdemeanors under the laws of the state. They shall have all the powers given by law to constables for the preservation of quiet and good order and in relation to the enforcement of the laws of the state and ordinances of the city, and in addition thereto shall have such other powers as are conferred generally upon peace officers of the state. They shall perform such other duties as may be required of them by the commission for the good government of the city.

Section 16. The chief of the fire department or in his absence, the officer in charge, may command any person present at a fire to aid in the extinguishment thereof, and to assist in the preservation of life or property thereat. If any person willfully disobeys any such lawful requirement or other lawful order of any such officer, he shall be deemed guilty of a misdemeanor. Such officer may cause any building to be razed or destroyed when deemed necessary in order to arrest the progress of a fire and no action shall be maintained against any person or against the city therefor.

Section 17. The health officer shall have power, subject to the laws of the state, to prevent, remove or abate nuisances dangerous to life or health. He may require the owner or occupant of any premises to remove any such nuisance or to correct any condition on such premises which causes a nuisance. If such owner or occupant shall refuse or neglect to comply with any such requirement, the health officer may cause such nuisance to be removed or such condition to be corrected and the expense thereof may be recovered in a suit against such owner or occupant, or a special assessment may be levied against such owner or occupant and upon the premises. The health officer shall have charge of food inspection and matters of sanitation.

Section 18. The commission shall appoint such number of supervisors to represent the city on the Board of Supervisors of Oakland County as the city shall from time to time be entitled by law to have, and members of the commission, officers and employes of the city shall be eligible to such appointment, provided that supervisors who are also either members of the commission or officers or employees of the city shall at all times constitute a majority of the supervisors representing the city. If there be more than one supervisor, The representative or representatives of the city, aforesaid, shall be endowed with all of the rights, powers, and duties conferred upon members of the Board of Supervisors by the general laws of this state. Any members of the city commission or officers or employees of the city who shall from time to time be members of the Board of Supervisors from this city, shall be entitled to retain any compensation paid to them as members of the Board of Supervisors; excepting that full time officers and/or employees shall pay to the city treasury such compensation received by them.

Section 19. Subject to the provisions of this charter, the commission shall fix the salary or compensation of its direct appointees. Each member of the commission shall each receive the sum of Five Dollars ($5.00) for each regular commission meeting attended. Members of the commission shall receive no further compensation from the city.

Section 20. All officers of the city shall perform such duties and possess such powers as are or may be prescribed by this charter, by the general laws of the state or by the commission.

Section 21. Relatives by blood or marriage of the mayor, any commissioner or the manager, within the second degree of consanguinity or affinity, are hereby disqualified from holding any appointive office or from being employed by the city, during the term for which the mayor or commissioner was elected, or during the tenure of office of such manager.

Section 22. The commission may require any officer or employee to give a bond for the faithful performance of his duties, in such amount as it may determine, and the premium thereof shall be paid by the city. Any officer or employee required by the provisions of this charter, the general laws of the state, any ordinance of the city, or by the commission, to give bond, shall not enter upon the duties of his office or employment until such bond shall be duly filed and approved. All such bonds except as otherwise provided, shall be approved by the commission and filed with the clerk, excepting the bond of the clerk, if any, which shall be filed with the treasurer.

Section 23. All bonds required by the provisions of this charter shall be the bonds of surety companies authorized to do business in the State of Michigan, or in lieu of said bonds there may be deposited, in such manner and subject to such regulations and limitations as the commission shall prescribe, cash in an amount equal to the penalty required in such bond.

Section 24. Except as otherwise specifically provided in this charter, no elective officer shall hold any office except that to which he was elected, nor shall he be elected or appointed to any office which was created or the compensation of which was fixed or increased by the commission while he was a member of such commission, until the expiration of one year from the date when he ceased to be a member of the commission.

Section 25. All elective officers shall hold office until their successors shall have been elected and shall have qualified.

Section 26. In addition to other provisions herein contained, a vacancy shall exist in any elective office when an elected officer fails to qualify as to this charter provided, dies, resigns, is removed from office, removes from the city, or is convicted of a felony.

Section 27. A vacancy in any elective office shall within thirty days after such vacancy occurs be filled by appointment by a majority of all members of the commission, or of the remaining members of the commission when the vacancy is in the commission. Such appointee shall hold office until the next regular municipal election, at which election a successor shall be elected for the unexpired term of the person in whose office the vacancy occurs. When a vacancy occurs in any office to which a person has been appointed for a definite term, such vacancy shall within thirty days be filled for the unexpired term, by appointment made in the manner provided for full term appointment to such office.

Section 28. No member of the commission, the manager or other officers or employes of the city shall knowingly accept any gift, frank, free ticket, pass, reduced price or reduced rate of service from any person, firm or corporation operating a public utility within the city, or from any person known to him to have secured, or to be endeavoring to secure, a contract with the city.

Section 29. Within five (5) days after the commission shall have been determined, as provided in this charter, the election of any person or persons the clerk shall notify in writing each elected person of his election, and he shall, also, within five (5) days after the appointment of any person to any office, in like manner notify such person of his appointment.

Section 30. No person who has been convicted of defalcation while in the city or from any other governmental corporation, or who has been convicted of felony, shall be elected or appointed to any office of the city. All votes for any appointment of such person shall be void.

Section 31. Every officer elected or appointed to any city office, before entering upon the duties of his office shall take and subscribe to the oath of office, which shall be filed and kept in the office of the city clerk, to support the Constitution of the United States, and the Constitution of the State of Michigan; to endeavor to secure and maintain an honest and efficient administration of the affairs of the City of Birmingham; free from partisan distinction or control, and to perform the duties of his office to the best of his ability. In case of his failure to do so, within ten (10) days after the time fixed for taking office, he shall be deemed to have declined the office unless the time therefor shall be extended by the commission. The oath of office hereinbefore in this Section mentioned shall be as follows: "I do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the constitution of this state and will endeavor to secure and maintain an honest and efficient administration of the affairs of Birmingham, free from partisan distinction or control, and to perform the duties of the office of ..... according to the best of my ability."

Section 32. The clerk and the treasurer, or either of them, may deputize a member of his office as deputy clerk or deputy treasurer, as the case may be, subject to the confirmation of the commission. The clerk and the treasurer, or either of them, may remove his deputy at pleasure. Each deputy shall possess all the powers and authority of his superior officer except as the same may be from time to time limited by the commission.

Section 33. If, for any reason, any appointment shall not be made by the commission within the time provided in this charter, it may be made at any subsequent regular or special meeting.

CHAPTER IV.
Registrations, Nominations and Elections

Registrations

Section 1. The registration and re-registration of electors in the City of Birmingham shall be conducted as provided for in the general laws of the State of Michigan.

Nominations

Section 2. Candidates for any elective office to be filled at any municipal election under the provisions of this charter shall be nominated by petition in the manner hereinafter prescribed, and the names of the candidates so nominated for any such office and no others shall be printed on the election ballot to be voted for at the next regular municipal election.

Section 3. Such petition for nomination shall be in substantially the following form:

We, the undersigned, being duly qualified electors of the City of Birmingham, Michigan, and residing at the places set opposite our respective signatures hereto, do hereby request that the name of ..... (name of candidate) who resides on ..... in the City of Birmingham, Michigan, be placed on the ballot as a candidate for ..... (name of office) at the election to be held in said city on the ..... day of ....., 19..... We further state that we believe him to be a qualified elector of said city and a person of good moral character and qualified in our judgment for the duties of such office.

Names of qualified electors	Street No.	Date

Such petitions shall be without any marks or designation showing the party affiliation of the person being so nominated.

It shall be unlawful for any person to sign more than one such nominating petition for the same office, except where two or more candidates are to be elected for the same office; then he may sign as many petitions as there are persons to be elected to said office.

The person circulating a nominating petition shall before the acceptance of such petition by the city clerk, subscribe to the following oath:

STATE OF MICHIGAN,
County of Oakland, ss:

..... being duly sworn, deposes and says that he is the circulator of the foregoing petition containing ..... signatures, that the signatures appended thereto were made in his presence and are the signatures of the persons whose names they purport to be, and that all of said signers are qualified electors of said city to the best of his knowledge and belief.

Signed .....

Subscribed and sworn to before me
this ..... day of ..... 19.....

Notary Public Oakland County, Michigan
My commission expires: .....

Section 4. No person shall be deemed to be nominated as a candidate for any office unless a petition therefor, signed by not less than twenty-five nor more than fifty qualified electors, shall be filed with the city clerk on or before four o'clock P. M. on the fourth Saturday prior to the election at which such office is to be filled.

Section 5. The city clerk shall forthwith examine the petition or petitions filed for each candidate and if satisfied that the required number of electors have signed the same, he shall endorse thereon the word "APPROVED" with the date of filing the same; but should he find that the petition or petitions for any candidate do not contain the required number of names of electors as herein provided, he shall immediately notify such candidate of the additional number of names of electors required; provided that nothing herein contained shall extend the time for filing nominating petitions as provided in the preceding section.

Section 6. When the petitions for nomination of any candidate shall be found to contain the required number of names of electors, the city clerk shall forthwith notify the person thereby placed in nomination. Any person desiring to become a candidate for any election to office shall, on or before the third Saturday prior to such election, file with the city clerk an acceptance of such nomination in substantially the following form:

I, ..., hereby accept the nomination for the office of ..... in the City of Birmingham.

Dated .....

Signature .....

Section 7. Regular municipal elections shall be held in the City of Birmingham on the first Monday in April in the year 1934 and on the first Monday in April in each year thereafter for the election of officers of the city in accordance with the provisions of this charter.

Section 8. Special elections may, subject to the general laws of the state, be held at such times as the commission may by resolution determine, the purpose of which shall be set forth in the resolution calling such election.

Section 9. Any matter, which by the terms of this charter shall be submitted to the electors of the city, may be submitted at any municipal election or at any state or county primary or election.

Section 10. Notice of the time and place of holding any election and of the officers to be elected and the questions to be voted upon shall, except as herein otherwise provided, be given by the clerk in the same manner and at the same times as provided in the state election laws for the giving of notices by city clerks in state elections. The commission may also provide for the mailing of notices to the registered electors of the city, but in such case failure to mail or receive any such notice shall not invalidate the election.

Section 11. Election ballots shall be printed without any party mark, emblem, vignette, or description whatever, on plain white substantial paper, and the same shall be printed, numbered, and the names of candidates transposed and alternated, in accordance with the provisions of the general laws of the state regulating the same at elections in this state.

Section 12. The ballot for officers shall be in substantially the following form:

Official Ballot

Candidates for election to the city offices of (naming offices to be filled) of the City of Birmingham, Michigan, at the election held on the ..... day of ..... 19.....

Place a cross (x) in the square opposite the names of the persons for whom you desire to vote.

FOR COMMISSIONERS
Vote for (Number to be Elected)

(Here list the names of candidates with a square at the left of each name.—Also insert as many blank lines with a square at the left of each line.)

FOR MEMBERS OF THE LIBRARY BOARD
Vote for (Number to be Elected)

(Here list the names of candidates with a square at the left of each name.—Also insert as many blank lines with a square at the left thereof.)

FOR JUSTICE OF THE PEACE
Vote for One

(Here list the names of the candidates with a square at the left of each name.—Also insert one blank line with a square at the left thereof.)

FOR ASSOCIATE JUSTICE OF THE PEACE
Vote for One

(Here list the names of the candidates with a square at the left of each name.—Also insert one blank line with a square at the left thereof.)

FOR CONSTABLE
Vote for One

(Here list the names of the candidates with a square at the left of each name.—Also insert one blank line with a square at the left thereof.)

Section 13. The city clerk under the direction of the election commission shall cause all ballots to be printed and on file in his office at least ten days before the election. The clerk shall cause to be delivered at each polling place prior to the time of the opening of the polls a number of ballots equal to the number of registered electors in such voting precinct but in no case less than the number who voted at the last general or municipal election plus twenty-five per cent (25%), and also all supplies, stationery, books, blanks and accessories necessary for the conduct of the election.

Section 14. Immediately upon the closing of the polls the board of election inspectors in each precinct shall count the ballots and ascertain the number of votes cast in such precinct for each of the candidates and upon each of the questions and propositions voted upon, and shall make immediate returns thereof to the city clerk upon blanks to be furnished by the city clerk.

Section 15. A recount of the votes cast at any city election for any office or upon any proposition, may be had in accordance with the general election laws of the state.

Section 16. The city commission shall convene at eight o'clock P. M. on the third day, other than a Sunday or holiday, succeeding any regular or special election and shall canvass the results of such election, and shall determine the vote upon all questions and propositions and declare whether the same have been adopted or rejected and what persons have been elected at such election to the several offices respectively. The person receiving the highest number of votes for any office shall be declared to have been duly elected to that office. If more than one person is to be elected to any office, then the persons, equal in number to the number to be elected to that office, receiving the highest number of votes for that office, shall be deemed to have been duly elected to that office.

Section 17. If any person shall make a false oath or affidavit in connection with any matter required by this chapter or shall violate any provision of this chapter or shall knowingly neglect or refuse to perform any duty herein prescribed, such person shall be guilty of a misdemeanor.

Section 18. The inhabitants of the city having the qualifications of electors under the constitution and general laws of the state, and no others, shall be electors therein and shall be entitled to vote at any city election if registered in accordance with the laws of the state.

Section 19. The polls for all municipal elections shall be open at eight o'clock A. M. of election day and remain open until eight o'clock P. M. of said day unless otherwise provided by the commission.

Section 20. When a city election is held on the same day as national, state or county election or primary, the same election officials shall act in both the city election and the national, state or county election or primary.

Section 21. The general election laws of the state, so far as they can be applied, shall govern all regular and special city elections, in relation to election precincts, polling places and their equipment, inspectors of election and their appointment, powers and duties, the powers and duties of city officers, the conduct of election and the manner of voting, assisted voters, absent voters, election returns, canvass by precinct inspectors or precinct counting boards of inspectors, recounts and correction of frauds and errors in returns, and in general to all election matters whether the same be herein specifically enumerated or not; provided, however, that when there is a conflict between such general laws and this charter as to any matter which may be lawfully regulated by charter, then the provisions of this charter shall control.

Section 22. The city commission shall constitute the election commission for the city and shall perform all of the duties required of the city election commissions by the general laws of the state. It shall appoint the inspectors of election and fix their compensation.

Section 23. If at any election of municipal officers there shall be no choice between candidates by reason of two or more candidates having received an equal number of votes, then the commission shall appoint a date for the appearance of such persons as have received the votes, for the purpose of determining by lot among such persons the right to such office, and shall cause notice thereof to be given to all such persons interested, if such persons can be found. The manner of determining by lot shall be the same as provided by the general laws of the state for such determination in case of a tie vote for a township office. In no case, however, shall the election of any person be determined by lot without first a recount of the votes cast at such election, if one of the persons receiving such tie vote shall demand such a recount.

Section 24. No informalities in conducting a municipal election shall invalidate the same if such election shall be conducted in substantial conformity with the requirements of this charter and the laws of the state applicable thereto.

CHAPTER V
Ordinances

Section 1. The enacting clause of all ordinances shall read, "The City of Birmingham ordains," but such caption may be omitted when such ordinances are published in book form by authority of the commission.

Section 2. Every ordinance shall take effect immediately upon publication unless otherwise provided in this charter or in the ordinance itself.

Section 3. It shall be the duty of the clerk to cause every ordinance to be published by printing the same in a newspaper circulating within the city. The clerk shall immediately after such publication enter in the "Ordinance Book," under the record of the ordinance, a certificate under his hand stating the time and fact of such publication. Such certificate shall be prima facie evidence of the due publication of the ordinance.

Section 4. All ordinances shall be recorded in an indexed book marked "Ordinance Book," and the record of each ordinance shall be authenticated by the signature of the mayor and clerk. Such record and authentication shall be done within one week after the final passage of any ordinance, but failure to so record and authenticate any ordinance shall not invalidate it or suspend its operation.

Section 5. No repealed ordinance shall be revived unless the whole or so much as is intended to be revived shall be re-enacted. When any section or part of a section of any ordinance is amended, the whole section as amended shall be re-enacted.

Section 6. The commission shall have authority to provide in any ordinance for the punishment of those who violate the same, by a fine not exceeding five hundred dollars or imprisonment for a period not exceeding ninety days, or both, in the discretion of the court. Such ordinance may further provide that in case any person shall fail to pay any fine imposed, he may be imprisoned until such fine shall be paid, provided that no person shall be imprisoned for a single violation of any ordinance for a longer period than ninety days. Such imprisonment may be in the city prison, if any, in the county jail of Oakland County, or in any penal institution in the state authorized by law to receive prisoners from the city.

Section 7. Prosecution for violation of any ordinance of the city shall be commenced within two years after the commission of the offense; provided that the limitations herein imposed shall only apply to violations that by their nature, and shall not be construed as a limitation of the city's right to forfeit any franchise, grant or license for violation of the terms and conditions thereof, after said two year period.

Section 8. Whenever a penalty shall be incurred for the violation of any ordinance, and no provision shall be made for the imprisonment of the offender upon conviction thereof, such penalty may be recovered in an action in assumpsit. And when a corporation shall incur a penalty for the violation of any such ordinance, the same shall be sued for in an action in assumpsit. In either of the cases above mentioned if the court shall find the defendant guilty, he shall render judgment for all or such part of the maximum fine specified in the ordinance as he would impose if a criminal case commenced by warrant. Prosecutions for violations of the ordinances of the city may, in all cases except against corporations, be commenced by warrant for the arrest of the offender. Such warrant shall be in the name of the people of the State of Michigan, and shall set forth the substance of the offense complained of, and be substantially in such form and be issued upon complaint made as provided by law in criminal cases cognizable by justices of the peace. And the proceedings relative to the arrest and custody of the accused during the pendency of the suit, the pleadings and all proceedings upon the trial of the cause and procuring the attendance and testimony of witnesses, and in the rendition of judgments and the execution thereof shall, except as otherwise provided by this charter, be governed by and conform as nearly as may be to the provisions of law regulating proceedings in criminal causes cognizable by justices of the peace.

Section 9. In all judicial proceedings it shall be sufficient to plead any ordinance by title and number of the section or sections, and it shall not be necessary to plead the entire ordinance or section.

Section 10. Judicial notice shall be taken of the enactment, existence, provisions and continuing force of all ordinances of the city.

Section 11. Whenever it shall be necessary to prove any ordinance or resolution of the commission, in any judicial proceedings, the same may be proved by the record thereof kept by the clerk, by a copy thereof duly certified as a true copy by the clerk under the seal of the city, or by any volume purporting to have been published, printed and compiled through its departments, officers, and employees, perform public work of all kinds or it may let any of such work by contract. The city shall not, however, undertake the performance of any construction work exceeding an estimated cost of Five Hundred Dollars ($500.00), until it has first advertised for sealed proposals therefor; provided, however, that by a vote of five-sevenths of the members of the commission-elect, such contracts, the consideration for which shall not exceed One Thousand Dollars ($1,000.00), may be made without advertisement.

Section 3. No public improvement, costing more than Five Hundred Dollars ($500.00) shall be contracted for or commenced until drawings, profiles and estimates for the same shall have been submitted to the commission and approved by it; and the same or a copy thereof shall thereafter remain on file in the office of the clerk subject to inspection of the public.

Section 4. No member of the commission shall vote for the authorization of any contract with or for the city, or for the expenditure of any money on the part of the city, if he shall be financially interested in the proceeds of such contract or in the money so expended.

Section 5. No member of the commission or any officer of the city shall be interested, directly or indirectly, in any contract, franchise, job, work or service (other than official services), or the profits therefrom, nor shall he receive any compensation (other than his official compensation) for any work or service rendered the city, except as may be in this charter expressly authorized or permitted.

CHAPTER VII
General Finance

Section 1. The fiscal year of the city shall begin on the first day of July of each year.

Section 2. The city treasurer shall be the general accountant of the city and shall keep a complete set of accounts showing the financial transactions of the city, which accounts shall conform to any uniform system required by law. The city treasurer shall receive and disburse all moneys belonging to the city and shall keep an accurate detailed account of all money received and disbursed by him and of the particular fund into which it belongs and from which the same is paid. He shall pay out no money except as in this charter provided. He shall at least once a month, and oftener if required, furnish the commission with a statement showing all cash on hand and in bank at the beginning of the preceding month, the receipts and disbursements for the preceding month, the cash and bank balances at the end of the preceding month, and the condition of the several funds of the city. He shall make such other reports as the commission may require.

Section 3. No money shall be drawn from the treasury except as authorized by the commission. All disbursements shall be by check supported by voucher, carrying full detail as to principal, discount, freight allowances, distribution, and funds. Such vouchers shall be in turn supported by original invoices except in the case of labor when the payroll shall suffice. All invoices, estimates of work performed and payrolls shall be approved and signed by the manager.

Section 4. The treasurer shall be provided with an imprest cash fund in an amount to be determined from time to time by resolution of the commission, which fund shall be used for petty disbursements. Such fund shall be replenished only by approval of the commission and upon filing of receipts for moneys paid out.

Section 5. No transfer shall be made from one fund to another without express authority from the commission.

Section 6. All taxes, special assessments and other money accruing to the city shall be collected by the city treasurer. All money received by any officer or employee of the city for or in connection with the business of the city, shall be paid promptly to the city treasurer, and shall be deposited by the treasurer with such responsible banking institution or institutions as may be designated by the commission and furnishing such security as the commission may determine, and all interest on such deposits shall accrue to the benefit of the city. The commission shall provide for the prompt and regular payment and deposit of all city moneys as required by this section.

Section 7. All fees received by any officer or employee in his official capacity shall belong to the city except as in this charter otherwise provided and except also where it is otherwise provided in the resolution or ordinance fixing the salary of any officer or employee.

Section 8. The revenues raised by general taxation upon all property in the city, or by loan to be repaid by such tax, shall be divided into such and so many funds as the commission may by ordinance or resolution determine.

Section 9. The commission shall provide that a periodical audit, which shall be at least annual, be made of the accounts of all the officers and departments of the city government, by certified public accountants who have no personal interest, direct or indirect, in the financial affairs of the city or any of its officers or employees.

Section 10. Not later than the first day of September of each year, the treasurer shall make out statements showing the financial position of the corporation at the close of the preceding fiscal year. Such statements shall distinctly show the following: The amount of all taxes collected during the year for all purposes, and the amount raised for each fund; the amount levied by special assessment and the amount collected in each special assessment district; the amounts received from all other sources during the year, according to a logical classification thereof; the expenditures made during the year and the objects thereof, according to a logical classification; the outstanding bonded indebtedness of the city and the condition of all sinking funds; the amount of delinquent taxes according to year of levy; and such other information as shall be necessary to a full understanding of the financial concerns of the city. Said statement shall be signed by the treasurer and shall be filed in the office of the clerk for public inspection.

Section 11. On or before the first day of May of each year the commission shall prepare a proposed annual budget in reasonable detail for the ensuing fiscal year, based upon estimates furnished by the city manager.

Summaries of such budget and information shall be available for distribution and a public hearing shall be given by the commission before adopting such budget. After such hearing the commission shall adopt such budget as proposed or with such modifications as it may deem advisable.

Section 12. Not later than the twenty-fourth day of May of each year, the commission shall pass an annual appropriation resolution, which shall be based on the budget as adopted by the commission and which shall comply with the lawful requirements of any state agency established by statute. The total amount of said appropriation shall not exceed the estimated revenues of the city from taxes and other sources, as set forth in the budget. No liabilities shall be incurred by any officer or employee of the city, except in accordance with the provisions of the annual appropriation resolution, or under continuing contracts and loans authorized under the provisions of this charter. At any meeting after the passage of the appropriation resolution and after at least one week's notice to the members of the commission, the commission may amend such resolution so as to authorize the transfer of unused balances appropriated for one purpose to another purpose.

Section 13. On or before the beginning of each quarterly period during the fiscal year, the commission shall restudy the budget for such year and if it appears to the commission that the income for the year as estimated in the budget will be less than originally estimated, then the total appropriations shall be reduced accordingly and the commission shall designate which appropriations have been reduced and the amount of the reduction.

CHAPTER VIII
Bonds

Section 1. The city commission may borrow on the faith and credit of the city such sum or sums of money as it may deem expedient and issue the bonds of the city therefor, for any purpose within the scope of its powers; provided that at no time shall the general obligation bonded indebtedness of the city exceed ten per cent (10%) of the assessed valuation. The resources of the sinking fund for any purpose shall be deducted from the bonded indebtedness in determining the limitations hereinbefore provided. Emergency bonds, judgment bonds, mortgage bonds, and notes issued in anticipation of the collection of taxes shall not be included in computing the above limitation.

Section 2. No bonds except refunding bonds, emergency bonds, and bonds authorized to pay judgments and decrees as authorized by state law, shall be issued until the issuance thereof has been approved by two-thirds (2/3) of the electors of the city voting thereon at a general or called by authority of the commission.

special election. Notes issued in anticipation of the collection of taxes shall not require the approval of the electors for the issuance thereof. The approval of the electors shall not be required for the issuance of bonds for the city's portion of local improvements which are paid for in part by special assessments.

Section 3. No bonds except serial bonds shall be issued without creating a sinking fund for the payment of the same. Such sinking fund shall conform to all requirements of the state law.

Section 4. Every bond issued by the city shall contain on its face a statement specifying the object for which the same is issued. It shall be unlawful for any officer of the city to sign or issue any such bond unless such statement is set forth on the face of the same, or to use such bond or the proceeds from the sale thereof for any object other than

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CHAPTER VI
Contracts

Section 1. No contract shall be entered into by the city for the making of any public improvement or for the purchase of any materials, stock, apparatus or any other thing or things, the consideration or cost of which shall exceed Five Hundred Dollars ($500.00), until specifications shall be prepared therefor, and published advertisement made for sealed proposals thereon; provided, however, that by a vote of five-sevenths of the members of the commission-elect, such contracts, the consideration for which shall not exceed One Thousand Dollars ($1,000.00), may be made without advertisement. The city shall have the right to reject any or all such proposals.

Section 2. Subject to the provisions of this charter, the city may,