THE CHARTER, APPROVED BY THE GOVERNOR FOR INDEPENDENT LATHRUP VILLAGE:

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PREAMBLE

We, the People of the City of Lathrup Village, pursuant to authority granted by the Constitution and statutes of the State of Michigan, in order to secure the benefits of efficient self-government, and otherwise to preserve our informal friendly community, do hereby ordain and establish this Home Rule City Charter.

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CHAPTER 1
NAME AND BOUNDARIES

Name and Boundaries:

Section 1.1 The municipal corporation, heretofore created by the vote of the electors on the 12th day of May, A.D. 1953, and shown by its Record, in the office of the Secretary of State, to be a duly and legally incorporated home-rule city from May 22nd, 1953, under provisions of Act 279 of the Public Acts of 1909 as amended, shall be known as the "City of Lathrup Village." It is a body corporate and politic and shall have perpetual succession.

Said municipal corporation shall embrace the following described territory set apart from Southfield Township, Oakland County, Michigan, heretofore known as Lathrup Townsite and as Lathrup Village, together with such territory as may from time to time be attached thereto, and less such territory as may from time to time be detached therefrom, in accordance with law:

Beginning at the North quarter corner of Section 14, Town 1 North, Range 10 East, Township of Southfield, Oakland County, Michigan; thence North 89 degrees 55' 30" West along the North line of said Section 14, being also the center line of Twelve Mile Road so-called, a distance of 1292.58'; thence South 0 degrees, 2' 30" East, 738.90 feet; thence North 89 degrees 54' West 210.65 feet; thence South 0 degrees 10' East 1903.46 feet to the East and West quarter line of said Section 14, said line being also the Northerly line of Louise Lathrup's California Bungalow Subdivision No. 6, according to the recorded plat thereof; thence West along said quarter line to the Northwest corner of said Subdivision, said point being also the West quarter corner of said Section 14; thence South along the West line of said Section 14 being also the Westerly line of said Subdivision, to the Southwest corner thereof, being also the Southwest corner of Section 14; thence East along the South line of said Subdivision, being also the South line of Section 14 and the original center line of Eleven Mile Road so-called, to the Southeast corner of said Subdivision, being also the South quarter corner of Section 14 and the Northwest corner of Louise Lathrup's California Bungalow Subdivision No. 4, according to the recorded plat thereof; thence South along the West line of said Subdivision being also the North and South quarter line of Section 23 in said Township of Southfield, to the Southwest corner of said Subdivision the same being also the center of said Section 23; thence East along the East and West quarter line of said Section 23, being also the South line of said Louise Lathrup's California Bungalow Subdivision No. 4, to the Southeast corner of said Subdivision, being the East quarter corner of said Section 23, the West quarter corner of Section 24 in said Township of Southfield, and the Southwest corner of Louise Lathrup's California Bungalow Subdivision No. 5, according to the recorded plat thereof; thence East on the East and West quarter line of said Section 24 the same being also the Southerly line of said Louise Lathrup's California Bungalow Subdivision No. 5, to the Southeast corner of said Subdivision; thence North along the East line of Louise Lathrup's California Bungalow Subdivision No. 5 and continuing North along the East line of Louise Lathrup's California Bungalow Subdivision No. 3, according to the recorded plat thereof, to the Northeast corner of said Louise Lathrup's California Bungalow Subdivision No. 3, said point being located on the North line of Section 13 in said Township of Southfield, said North line being also the center line of the Twelve Mile Road so-called; thence West along the North line of Section 13 and continuing along the North line of Section 14, being also the North line of Louise Lathrup's California Bungalow Subdivision No. 2, according to the recorded plat thereof, as well as the center line of the Twelve Mile Road, to the point of beginning. Excepting therefrom the following parcels: (1) Part of the Northeast ¼ of Section 23 in said Township of Southfield described as follows: Beginning at a point on the East line of said Section located due North from the East quarter Section corner 495 feet; thence West 202 feet; thence North 165 feet; thence East 202 feet; thence South 165 feet to the point of beginning. (2) Part of the Southwest ¼ of Section 14, in said Township of Southfield, described as follows: Beginning at a point on the West line of said Section North 0 degrees 2' 30" East 222.0 feet from the Southwest corner of said Section 14; thence North 89 degrees 59' 30" East 408.71 feet; thence North 0 degrees 2' 30" East 159.70 feet; thence North 89 degrees 57' 30" West 228 feet; thence South 0 degrees 2' 30" West 20 feet; thence North 89 degrees 57' 30" West 180 feet to the West line of Section 14; thence South along said West line to the point of beginning. (This territory so incorporated is herein described as it was when under the government of said Southfield Township).

CHAPTER 2
MUNICIPAL POWERS

General Powers:

Section 2.1. Unless otherwise provided or limited in this charter, the city and its offices shall possess and be vested with any and all powers, privileges and immunities, expressed or implied, which cities and their officers and boards may have or hereafter may acquire, or to provide for in their charters under the Constitution and statutes of the State of Michigan, including all powers, privileges and immunities which cities are, or may be, permitted to provide in their charters by Act 279 of the Public Acts of 1909 of the State of Michigan, as amended, as fully and completely as though these powers, privileges and immunities were specifically enumerated in and provided for in this charter, and in no case shall any enumeration of particular powers, privileges or immunities herein be held to be exclusive.

The city and its officers shall have power to exercise all municipal powers in the management and control of municipal property and in the administration of the municipal government, whether such powers be expressly enumerated herein or not; to do any act to advance the interests of the city, the good government and prosperity of the municipality and its inhabitants, and through its regularly constituted authority, to pass and enforce all laws, ordinances and resolutions relating to its municipal concerns, subject to the provisions of the Constitution, statutes and this charter.

Further Definition of Powers:

Section 2.2. In addition to the powers possessed by the city under the Constitution and statutes, and those set forth throughout this charter, the city shall have power with respect to, and may, by ordinance and other lawful acts of its officers, provide for the following, subject to any specific limitations placed thereon by this charter or by law:

(a) The acquisition by purchase, gift, condemnation, lease, construction or in any manner permitted by statute, of private property of every type and nature for public use, which property may be located within or without the County of Oakland and which may be required for incidental to the present or future exercise of the purposes, powers and duties of the city, either proprietary or otherwise;

(b) The maintenance, development, operation, leasing and disposal of city property subject to any restrictions placed thereon by this charter or by law;

(c) The installation and connection of conduits for the services of any municipally owned and/or operated electric lighting service, and the issuance of bonds therefor under Sec. 117.4b(3), 1948 Compiled Laws of Michigan, if and when approved by the electorate;

(d) The establishment and vacation of streets, alleys, public ways and other public places, and the use, regulation, improvement and control of the surface of such streets, alleys, public ways and other public places and of the space above and beneath them;

(e) The use, by others than the owner, of property located in streets, alleys and public places, in the operation of a public utility, upon the payment of a reasonable compensation to the owner thereof;

(f) A plan of streets and alleys within and for a distance of not more than three miles beyond the municipal limits;

(g) The use, control and regulation of streams within its boundaries, subject to any limitations imposed by law;

(h) The acquiring, establishment, operation, extension and maintenance of facilities for the storage and parking of vehicles within its corporate limits, including the fixing and collection of charges for services and use thereof on a public utility basis, and for such purpose to acquire by gift, purchase, condemnation or otherwise, the land necessary therefor;

(i) Regulating, restricting and limiting the number of locations of oil and gasoline stations;

(j) The establishing of districts or zones within which the use of land and structures, the height, the area, the size and location of buildings and required open spaces for light and ventilation of such buildings and the density of population may be regulated by ordinance in accordance with statutory provisions governing zoning;

(k) The regulating of trades, occupations and amusements within the city, not inconsistent with state and federal laws, and for the prohibition of such trades, occupations, and amusements as are detrimental to the health, morals or welfare of its inhabitants;

(l) Licensing, regulating, restricting and limiting the number, size and locations of advertising signs or displays and billboards within the city;

(m) The preventing of injury or annoyance to the inhabitants of the city from anything which is dangerous, offensive or unhealthful, and for preventing and abating nuisances and punishing those occasioning them or neglecting or refusing to abate, discontinue or remove the same;

(n) The prescribing of the terms and conditions upon which licenses may be granted, suspended or revoked; requiring payment of reasonable sums for licenses and requiring the furnishing of a bond to the city for the faithful observance of the conditions under which licenses are granted, and otherwise conditioning such licenses as the Council may prescribe;

(o) The prohibiting or regulating of all landings of aircraft within its boundaries, and, for the purpose of promoting and preserving the public peace, safety and welfare, controlling and regulating the use of the air above the city by aircraft of all types;

(p) The prohibiting or regulating of the use, occupancy, sanitation and parking of house trailers within the city, and the right of the city to so regulate a house trailer shall not be abrogated because of any detachment thereof from its wheels or because of placing it on, or attaching it to, the ground by means of any temporary or permanent foundation, or in any manner whatsoever;

(q) The requiring of an owner of real property within the city to maintain sidewalks abutting upon such property, if the property be in a platted subdivision where other properties have such sidewalks, and, if the owner fail to comply with such requirements or if the owner be unknown, to repair and/or maintain such sidewalk as a public health and safety measure, and assess the cost thereof against the abutting property. The Council shall enact legislation to implement this provision;

(r) The requiring of an owner of real property within the city to abate public hazards and nuisances which are dangerous to the health and safety of inhabitants of the city within a reasonable time after the Council notifies him that such hazard or nuisance exists, and if the owner fails to comply with such requirements, or if the owner is unknown, to abate such hazards or nuisance and assess the cost thereof against such property in accordance with Section 11.9;

(s) The compelling of owners of real property within the city to keep sidewalks abutting upon their property clear from snow, ice or other obstructions, and if the owner fails to comply with such requirements, to remove such snow, ice or other obstructions and assess the cost thereof against the abutting property in accordance with Section 11.9.

(t) In the interest of public health and safety, the compelling of the owners of lots and parcels of land, at their own expense, to keep obnoxious weeds, and grasses interspersed with such weeds, mowed and cut down thereon, and to keep such property cleared of garbage, rubbish and refuse. The Council, after recommendation to that effect by the Board of Health, is authorized to enact legislation to enforce this provision and provide penalties for violations;, and, in case any such lots and lands are not so maintained by owners, to cause such required mowing and clearing by a city agency and assess at least the entire cost thereof against the respective lands so temporarily maintained by the city, but not to assess any part of such cost against any lots or parcels of land not so mowed and cleared by the city.

CHAPTER 3
ORGANIZATION OF GOVERNMENT

The City Council:

Section 3.1. The electors of the city shall elect a City Council of five members, as provided by this charter, who, with the Council shall constitute the legislative and governing body of the city and which shall have power and authority, except as in this charter or by law providing otherwise, to exercise all powers conferred upon or possessed by the city, and shall have the power and authority to adopt such laws, ordinances and resolutions as it shall deem proper in the exercise thereof. In all cases where the word "Council" is used in this charter, the same shall mean such City Council and shall be synonymous with the word "Commission", or any other term used in any state or federal law in referring to municipal legislative or governing bodies.

The Council shall cause to be designed and shall adopt a municipal Seal.

No compensations, allowances, expense moneys, or gift moneys shall be appropriated for or paid to any Councilman or other city officer, Board, or employee of from city funds, except as duly provided for in the Budget under Section 8.5, within the limitations of Section 9.1 hereof.

Qualifications of Councilmen:

Section 3.2. Members of the Council shall meet the eligibility requirements contained in Section 5.1 of this charter. The Council shall be sole judge of the election and qualifications of its own members, subject only to review by the court.

Compensation of Mayor and Councilmen:

Section 3.3. Members of the Council including the Mayor shall receive no compensation for their services as such, but their reasonable and necessary expenses actually incurred in service in behalf of the city are authorized and itemized shall be paid upon order of the Council.

Election of Mayor; Mayor Pro-Tem.:

Section 3.4. The Council shall, at its first meeting following each regular city election, and after the newly elected members take office, elect one of its members to serve as Mayor and one to serve as Mayor Pro Tem., both for a term expiring at the first Council meeting following each regular city election when the election of a Mayor and Mayor Pro Tem. shall be completed as hereinafter provided. Such election shall be by written ballot and by majority vote of the members of the Council in office at the time. Provided, however, each officer shall continue in office until his successor has been selected and sworn in.

In the event of absence or disability of both the Mayor and Mayor Pro Tem., the Council may designate another of its members to serve as Acting Mayor during such absence or disability.

Duties of Mayor:

Section 3.5. (a) Insofar as required by statute, and for all ceremonial purposes, the Mayor shall be the executive head of the city. He shall have a voice and vote in all proceedings of the Council equal with that of other members of the Council but shall have no veto power. He shall be the presiding officer of the Council.

(b) The Mayor shall be a conservator of the peace, and in emergencies may exercise within the city the powers conferred upon sheriffs to suppress disturbances and shall have authority to command the assistance of all able-bodied citizens to aid in the enforcement of the ordinances of the city and to suppress riot and disorder.

(c) The Mayor shall execute or authenticate by his signature such instruments as the Council, this charter or any statutes of the State of Michigan or laws of the United States shall require.

(d) Except as may be required by statute, the Mayor shall exercise only such powers as this charter or the Council shall specifically confer upon him.

(e) In the absence or disability of the Mayor, the Mayor Pro Tem. shall perform the duties of Mayor. In the absence or disability of both, the designated Acting Mayor shall perform such duties. Absence or disability in this chapter shall mean only such conditions and situations as make the officer unable to perform his duty as of a necessary time or place.

Administrative Service:

Section 3.6. The administrative officers of the city shall be the City Administrator, Attorney, Clerk, Treasurer, Assessor, and such additional administrative officers as may be created by ordinance. The Council may by ordinance combine any administrative offices in any manner it deems necessary or advisable for the proper and efficient operation of the city.

The City Administrator and Attorney shall be appointed by the Council for an indefinite period, shall be responsible to and serve at the pleasure of the Council and shall have their compensation fixed by the Council.

All administrative officers of the city, except the City Administrator and Attorney, shall be appointed by the City Administrator for an indefinite period, subject to confirmation by the Council. Such officers shall be responsible to the City Administrator and shall have their compensation fixed by the City Administrator in accordance with budget appropriations and subject to approval by the Council. Such officers may be discharged by the City Administrator at his pleasure without confirmation by the Council.

Except as may be otherwise required or limited by this charter or by law, the Council shall establish by ordinance such departments of the city as it deems necessary or advisable and shall prescribe therein the functions of each department and the duties, authorities and responsibilities of the officers of each department. The City Administrator may prescribe such duties and responsibilities of the officers of those departments responsible to him which are not inconsistent with this charter or with any ordinance or resolution.

All personnel employed by the city who are not elected officers of the city or administrative officers by, or under the authority of, this charter shall be deemed to be employees of the city.

Any employee who has been discharged may within ten days thereafter petition the Council to hear the facts regarding such discharge, and in any such case the Council may, in its own discretion, hold a hearing and inquire into such facts and may make such recommendation in the matter as it considers proper.

City Administrator—Appointment and Qualifications:

Section 3.7. The Council shall appoint a City Administrator within ninety days after any vacancy exists in such position. The City Administrator shall hold office at the pleasure of the majority of the Council. He shall be selected solely on the basis of his executive and administrative qualifications with special reference to his training and experience.

City Administrator—Functions and Duties:

Section 3.8. The City Administrator shall be the chief administrative officer of the city government. His functions and duties shall be:

(a) To be responsible to the Council for the efficient administration of all administrative departments of the city government except the departments of law, the responsibility of the Attorney;

(b) To see that all laws and ordinances are enforced;

(c) To appoint, with the consent of the Council, the heads of the several city departments whose appointment is not otherwise specified in this charter, and to discharge such department heads without the consent of the Council, and to direct and supervise such department heads;

(d) To give to the proper department or officials ample notice of the expiration or termination of any franchises, contracts or agreements;

(e) To see that all terms and conditions imposed in favor of the city or its inhabitants in any public utility franchise, or in any contract, are faithfully kept and performed;

(f) To recommend an annual budget to the Council and to administer the budget as finally adopted under policies formulated by the Council, and to keep the Council fully advised at all times as to the financial condition and needs of the city;

(g) To recommend to the Council for adoption such measures as he may deem necessary or expedient; to attend Council meetings with the right to take part in discussions but not to vote;

(h) To exercise and perform all administrative functions of the city that are not imposed by this charter or ordinance upon some other official;

(i) To be responsible for the maintenance of a system of accounts of the city which shall conform to any uniform system required by law and by the Council and to generally accepted principles and procedure of governmental accounting. He shall make monthly financial statements to the Council;

(j) To perform such other duties as may be prescribed by this charter or as may be required of him by ordinance or by direction of the Council.

Acting City Administrator:

Section 3.9. The Council may appoint or designate an Acting City Administrator during the period of a vacancy in the office or during a temporary absence of the City Administrator from the city. Such Acting Administrator shall, while he is in such office, have all the responsibilities, duties, functions and authority of the City Administrator, except such work as the Council may withhold.

Relationship of Council to Administrative Service:

Section 3.10. Neither the Council nor any of its members or committees shall dictate the appointment of any person to office by the City Administrator or in any way interfere with the City Administrator or other city officer to prevent them from exercising their judgment in the appointment or employment of officers and employees in the administrative service. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the City Administrator, and neither the Council nor any member thereof shall give orders to any of the subordinates of the City Administrator.

Clerk: Functions and Duties:

Section 3.11. (a) The Clerk shall be the Clerk of the Council and shall attend all meetings of the Council and shall keep a permanent journal of its proceedings in the English language.

(b) The Clerk shall be custodian of the city seal, and shall affix it to all documents and instruments requiring the seal, and shall attest the same. He shall also be custodian of all papers, documents, and records pertaining to the city the custody of which is not otherwise provided for.

(c) The Clerk shall certify by his signature all ordinances and resolutions enacted or passed by the Council.

(d) The Clerk shall provide and maintain in his office a supply of forms for all petitions required to be filed for any purpose by the provisions of this charter.

(e) The Clerk shall have power to administer oaths of office.

(f) The Clerk shall perform such other duties as may be prescribed for him by this charter, by the Council or by the City Administrator.

Treasurer: Functions and Duties:

Section 3.12. (a) The Treasurer shall have the custody of all moneys of the city, any bond pertaining solely to the Clerk and all evidence of indebtedness belonging to the city or held in trust by the city.

(b) The Treasurer shall collect all moneys of the city the collection of which is not provided for elsewhere by charter or ordinance. He shall receive from other officers and employees of the city all money belonging to and receivable by the city that may be collected by such officers and employees, including fines, license fees, and all other charges. All money shall be turned over to the Treasurer after collection or receipt, and he shall in all cases give a receipt therefor.

(c) The Treasurer shall keep and deposit all moneys or funds in such manner and only in such places as the Council may determine and shall report the same in detail to the accounting officer of the city.

(d) The Treasurer shall disburse all city funds in accordance with the provisions of statute, this charter and procedures to be established by the Council.

(e) The Treasurer shall have such powers, duties and prerogatives in regard to the collection and custody of state, county, school district and city taxes as are conferred by statute upon township treasurers in connection with state, county, township and school district taxes upon real and personal property.

(f) The Treasurer shall perform such other duties as may be prescribed for him by statute, by this charter, by the Council or by the City Administrator.

Assessor: Functions and Duties:

Section 3.13. The Assessor shall possess all the powers vested in, and shall be charged with all the duties imposed upon, assessing officers by statute. He shall prepare all regular and special assessment rolls in the manner prescribed by this charter, by ordinance and by statute. He shall perform such other duties as may be prescribed for him in this charter, by the Council, or by the City Administrator.

Attorney: Functions and Duties:

Section 3.14. (a) The Attorney shall act as legal adviser to, and be attorney and counsel for, the Council and shall be responsible solely to the Council. He shall in writing advise any officer or department head of the city in matters relating to his official duties when so requested and shall file with the Clerk a copy of all written opinions given by him.

(b) The Attorney shall prosecute such ordinance violations and he shall conduct for the city such cases in court and before other legally constituted tribunals as the Council may request. He shall file with the Clerk copies of such records and files relating thereto as the Council may direct.

(c) The Attorney shall prepare or review all ordinances, contracts, bonds and other written instruments which are submitted to him by the Council and shall promptly give his opinion as to the legality thereof.

(d) The Attorney shall call to the attention of the Council all matters of law, and changes or developments therein, affecting the city.

(e) The Attorney shall perform such other duties as may be prescribed for him by this charter or by the Council.

(f) Upon the recommendation of the Attorney, or upon its own initiative, the Council may retain special legal counsel to handle any matter in which the city has an interest, or to assist and counsel with the Attorney therein.

Compensation of Attorney and Special Counsel:

Section 3.15. The compensation set by the Council for the Attorney shall be in contemplation of the normal duties of that office. Special compensation may be provided at the discretion of the Council for appeals to, or litigation commenced in, Federal Court, Circuit Court or State Supreme Court; for work requiring extensive hearings before quasi-judicial or administrative tribunals; for legal work in connection with the, issuance of bonds of the city; for condemnation proceedings or for other matters outside of the scope of his normal duties. No such special compensation, nor any compensation to special legal counsel, shall be paid except in accordance with an agreement between the Council and the Attorney or special counsel made before the service for which such special compensation is to be paid has been rendered.

Planning and Zoning:

Section 3.16. The Council may establish by ordinance a City Planning Commission in accordance with and having all the powers and duties granted by the provisions of statute relating to such commissions.

The Council shall maintain a zoning ordinance in accordance with the provisions of state law relating to such ordinances. Insofar as may be, such ordinance shall provide that zoning be coordinated with the work of the City Planning Commission. The Council shall appoint or be a Board of Zoning Appeals. The Zoning Ordinance and the Building Code of the Township of Southfield, under the conditions of Section 7.1 hereof, shall continue in full force and effect in the territory incorporated within the city and be administered therein by the city until amended or repealed or found invalid.

In the administration of such Code the Council shall provide for the collection of fees for building permits and a system of inspection of construction, plumbing and electrical work, such as will safe-guard construction, and shall set up a schedule of charges for same, such as will render a net income to the City Treasury as to that work.

Plats:

Section 3.17. No lands or premises shall hereafter be laid out, divided and platted into lots, streets, and alleys, within the city, except by permission and approval of the Council. The Council shall have authority to impose reasonable terms and conditions upon the approval of any plat. No plat shall be permitted or approved by the Council which shall contain any residential lot or lots of less than one hundred and fifty feet in depth, or less than one hundred feet in width, unless such plat shall be of an irregular shape, thereby making certain lots unavoidably of less than one hundred and fifty feet in depth; in which event the Council shall require that the said lot or lots to be of sufficient additional width so that the total number of square feet contained in any lot shall not be less than fifteen thousand square feet except lots platted in accordance with the provisions of this charter or ordinances of the city pertaining to business frontage. No plat shall be approved unless it conforms to such general plan as may be adopted by the Council for the width and location of streets, which plan, however, shall not conflict with any such state or county plan, or unless the person, firm, or corporation owning the land proposed to be platted shall first agree to install therein adequate water and sewer mains and all public improvements required to place the area to be platted and used on an equal footing with respect thereto with the property adjacent to or immediately south land proposed to be platted.

Such installation of utility improvements may be progressive, through the development of the parts of a subdivision, one part at a time. Provided, however, that no building permit shall issue for construction of a dwelling-house or other structure in any part until and unless such improvements required to be installed by landowners hereunder, shall not be deemed to include any public utilities sponsored and installed by the State, County, or any Metropolitan Authority under provisions of law.

Independent Boards and Commissions:

Section 3.18. The Council may not create any board or commission other than those provided for in this charter, to administer any activity, department or agency of the city government except (a) a municipal hospital service, (b) recreation or (c) any activity which by statute is required to be so administered. The Council may, however, establish (d) quasi-judicial appeal boards and (b) boards or commissions to serve solely in an advisory capacity.

CHAPTER 4
ELECTIONS

Qualification of Electors:

Section 4.1. The residents of the city having the qualifications of electors in the State of Michigan shall be eligible to vote upon being duly registered by the city.

Election Procedure:

Section 4.2. The election of all city officers shall be on a non-partisan basis. The general election statutes shall apply to and control, as near as may be, all procedures relating to registration and city elections except as such statutes relate to political parties or partisan procedure.

Wards and Precincts:

Section 4.3. The City of Lathrup Village originally shall consist of one ward and one additional voting precinct. The Council may from time to time establish by ordinance convenient election precincts.

Election Date:

Section 4.4. A regular city election shall be held on the first Monday in April of 1955 and of each year thereafter, but if any other date in the months of March, April or May is fixed by law for the holding of the state biennial spring election, then the regular city election shall be held on the date so fixed.

Elective Officers and Terms of Office:

Section 4.5. The elective officers of the city shall be five Councilmen and a Justice of the Peace, all of whom shall be nominated and elected from the city at large.

At each regular city election there shall be elected three Councilmen and such additional number as may be required to fill vacancies pursuant to the provisions of Section 5.7. The two receiving the highest number of votes shall each be elected for a term of office of two years, the one receiving the third highest number of votes shall be elected for a term of office of one year, and a number of equal to the number of vacancies being filled (if any) who shall receive the next highest numbers of votes in order shall each be elected for a term of office of one year. The terms of office of Councilmen shall commence at 8:00 P.M. on the Monday next following the regular city election at which they are elected.

At the regular city election in 1955 and every fourth year thereafter there shall be elected one justice of the Peace for a term of four years commencing on the fourth day of July next following his election.

Special Elections:

Section 4.6. Special city elections shall be held when called by resolution of the Council at least forty days in advance of such election, or when required by this charter or statute. Any resolution calling a special election shall set forth the purpose of such election. No more special city elections shall be called in any one year than the number permitted by statute.

Notice of Elections:

Section 4.7. Notice of the time and place of holding any city election and of the officers to be elected and any questions to be voted upon shall, except as herein otherwise provided, be given by the Clerk in the same manner and at the same time as provided by statute for the giving of election notices by city clerks.

Voting Hours:

Section 4.8. The polls of all elections shall be opened and closed at the hours prescribed by statute for the opening and closing of polls at state elections.

Nominations:

Section 4.9. The method of nomination of all candidates for the city elections shall be by petition. Each petition may comprise one or more sheets. The petition for each candidate shall be signed by not less than twenty-five nor more than fifty registered electors of the city. No person shall sign his name to a greater number of petitions for any office than there are persons to be elected to said office at the following city election. Where the signature of any individual appears on more petitions than he is so permitted to sign with respect to a given office, such signatures shall not be counted for that office on any one of the petitions.

Nomination petitions for candidates for regular city elections shall be filed with the Clerk between the first Monday in February and 4:00 p.m. by the then prevailing local time on the third Monday in February. Nomination petitions for special elections for the filling of vacancies held pursuant to Section 5.5 shall be filed with the Clerk between the thirty-fifth day preceding such election and 4:00 p.m. by the then prevailing local time on the thirtieth day preceding such election.

The Clerk shall, prior to every election, publish notice of the last day permitted for filing nomination petitions and of the number of persons to be elected to each office at least one week and not more than three weeks before such day.

Form of Petitions:

Section 4.10. The Council shall approve a form of nominating petition with spaces thereon for address and date of signing for each signer, an affidavit form for the circulator to sign affirming that he and the petitioners are registered electors, and a summary of the qualifications required of candidates and the regulations governing the petition. A supply of official petition forms shall be provided and maintained by the Clerk.

Approval of Petition:

Section 4.11. The Clerk shall accept only nomination petitions which conform with the forms provided and maintained by him, and which, considered together, contain the required number of valid signatures for candidates having those qualifications required for the respective elective city offices by this charter.

The Clerk shall, forthwith after the filing of a petition, notify in writing any candidate whose petition is then known not to meet the

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