To the Qualified Electors of the City of Birmingham,

County of Oakland, State of Michigan:

Notice is hereby given that an election will be held in the City of Birmingham, County of Oakland, State of Michigan, on

Monday, April 5, 1954

at the place or places of holding the election in said city as indicated below, viz:

Precinct 1—Lutheran Church of the Redeemer—Church School—1800 West Maple.

Precinct 2—Holy Name School—Corner of Harmon and Greenwood—Greenwood Entrance.

Precinct 3—Adams School — Corner Oakland and Worth.

Precinct 4—Municipal Building—151 Martin St.

Precinct 5—Barnum School.

Precinct 6—D.P.W. Garage—851 Eton Road.

Precinct 7—Grand Trunk Station—245 Eton Road.

Precinct 8—Birmingham High School—Corner West Lincoln and Cranbrook. Main Lobby Entrance on West Lincoln.

Precinct 9—Pierce School.

Precinct 10—Y.M.C.A.—400 East Lincoln.

Precinct 11—Torry School—1658 E. Lincoln, corner of Torry.

from seven o'clock in the forenoon until eight o'clock in the afternoon Eastern Standard Time, for the purpose of electing the following officers:

Three City Commissioners, Two Members of the Library Board, and One Constable;

and to vote on the following Charter Amendment:

Amendment To Retirement System

Shall the Charter of the City of Birmingham be amended by amending certain sections of Chapter XIX thereof and adding one additional section thereto, revising the Retirement System for employees of said city in providing of more adequate benefits for such employees and their dependents?

(Sections 16, 18, 19, 21, 23, 26 and 27 of Chapter XIX of the Charter of the City of Birmingham is printed herewith, immediately followed by the proposed Amendment to Chapter XIX.)

SECTION 16. SERVICE RETIREMENT ALLOWANCE. Upon retirement from service, as provided in sections 14 and 15, a member shall receive a service retirement allowance which shall consist of the benefits provided in paragraphs (a), (b), (c) and (d) of this section, subject to the provisions of paragraph (e) of this section.

(a) ANNUITY. An annuity which shall be the actuarial equivalent of his accumulated contributions standing to his credit in the annuity savings fund at the time of his retirement; and

(b) BASIC PENSION. A basic pension of $100.00 per annum; and

(c) MEMBERSHIP SERVICE PENSION. A membership service pension of one-one hundred thirty-fifth (1/135) of his average final compensation multiplied by the number of years (and fraction thereof) of membership service credited to his service account; and

(d) PRIOR SERVICE PENSION. A prior service pension of two-one hundred thirty-fifths (2/135) of his average final compensation multiplied by the number of years (and fraction thereof) of prior service credited to his service account, not to exceed 30 years.

(e) LIMITATIONS. In no event shall the total of Pensions provided for in paragraphs (b), (c) and (d) of thiis section, payable to any person, exceed $1,800.00 per annum. To be eligible to receive the pensions provided for in paragraphs (b), (c) and (d) of this section, an original member who was in the employ of the City on July 1, 1944, must have 5 or more years of service credited to his service account; a new member, or an original member who re-enters the employment of the City after July 1, 1944, must have 10 or more years of service credited to his service account; provided, that the service conditions contained in this paragraph shall not apply if a member becomes eligible for benefits provided for in section 21.

SECTION 18. (a) OPTIONAL RETIREMENT ALLOWANCES. Within 90 days preceding the effective date of his service retirement, any member may elect to receive his service retirement allowance payable throughout his life (called a regular retirement allowance) or he may elect to receive the actuarial equivalent, at that time, of his regular retirement allowance in a reduced retirement allowance payable throughout his life in accordance with the provisions of Option I, II, or III as hereinafter set forth.

Option I. CASH REFUND ANNUITY. If a beneficiary (retired member) dies before he has received in payment of the annuity portions of his reduced retirement allowance an aggregate amount equal to the amount of his accumulated contributions credited to him in the annuity savings funds at the date of his retirement, the remainder shall be paid to such person or persons, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the Board. In the event there be no such designated person or persons surviving, then said remainder, if any, shall be paid to his (retired member) legal representative; or

Option II. JOINT AND LAST SURVIVORSHIP ALLOWANCE. If a beneficiary dies, his reduced retirement allowance shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the Board at the time of his retirement; or

Option III. MODIFIED JOINT AND LAST SURVIVORSHIP ALLOWANCE. If a beneficiary dies, one-half of his reduced retirement allowance shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the Board at the time of his retirement.

SECTION 19 ELECTION OF OPTION PRIOR TO RETIREMENT. Any member, with 10 or more years of service credited to his service account, who continues in the employ of the City on and after his attainment of his eligible retirement age, may, at any time within a period of 6 months after his attainment of his eligible retirement age, or prior to January 1, 1951, whichever is later, by written declaration duly executed and filed with the Board, in the manner and form prescribed by the Board, make any election provided for in Section 18, with regard to his retirement allowance provided for in Section 16, in the same manner as if he were then retiring from service. Any election so made may be revoked prior to the effective date of the said member's retirement only upon the death of, or divorce or legal separation from, the person nominated as joint beneficiary pursuant to the provisions of Option II or III of the said Section 18. In the event of the death of, or divorce or legal separation from, the said joint beneficiary, prior to the effective date of the said member's retirement, the said member may either finally revoke his previous election or substitutte another joint beneficiary at any time prior to the effective date of his retirement. If any member who shall have made an election and nominated a joint beneficiary, as provided in this section, shall die prior to the effective date of his retirement, then the said joint beneficiary shall immediately receive the same retirement allowance as the said joint beneficiary would have been entitled to receive under the option elected if the said member had been regularly retired at that time, pursuant to the provisions of this chapter. If a member who shall have made an election of an option under the provisions of this section subsequently retires pursuant to the provisions of this chapter, his said election shall then take effect in the same manner in all respects as if at the time of his retirement his said election had been made pursuant to the provisions of Section 18. This section shall not apply in the event any benefits are payable under the provisions of Section 26 on account of the death of the said member.

SECTION 21 (a). DUTY DISABILITY BENEFITS—RETIREMENT AFTER ELIGIBLE RETIREMENT AGE. A member who retires on or after his attainment of his eligible retirement age on account of disability as provided in section 20 shall receive a service retirement allowance according to the provisions of section 16, and he shall have the right to elect an option provided in section 18.

(b) BENEFITS—RETIREMENT BEFORE ELIGIBLE RETIREMENT AGE. Upon retirement for disability as provided in Section 20, a disability beneficiary who has not attained his eligible retirement age shall receive a disability pension equal to one-half of his average final compensation; said disability pension shall begin as of the date of his disability, but in no case more than 6 months before the date his application for disability retirement was filed with the Board or the date his name last appeared on a City payroll, whichever is later, and shall continue to his attainment of his eligible retirement age or prior recovery; Provided, that the said disability pension payable in any year to a disability beneficiary (1) shall not exceed $1800.00, and (2) shall be subject to the provisions of sections 24 and 25.

(c) CONVERTING TO SERVICE RETIREMENT ALLOWANCE. Upon attaining his eligible retirement age, said disability beneficiary shall receive a service retirement pension as provided in section 16, paragraphs (b), (c), (d) and (e); Provided, that in computing his said pension he shall be given membership service credit for the time he was receiving a disability pension provided for in paragraph (b) of this section. In addition to his service retirement pension, said beneficiary, at his attainment of his eligible retirement age, shall receive an annuity equivalent to the annuity he would have received had he continued his contributions to the annuity savings fund; said contributions to be based upon his final compensation at the date of his disability retirement. Upon attaining his eligible retirement age said beneficiary shall have the right to elect an option provided in section 18.

(d) DISABILITY BENEFICIARY'S ACCUMULATED CONTRIBUTIONS. During the time a disability beneficiary is receiving a disability pension as provided in paragraph (b) of this section, his contributions to the annuity savings fund shall be suspended and his balance in the annuity savings fund shall remain in the said fund and shall be accumulated at regular interest until his attainment of his eligible retirement age, or prior death. Upon attaining his eligible retirement age his accumulated contributions shall be transferred from the annuity savings fund to the annuity reserve fund. Should he die before attaining his eligible retirement age his accumulated contributions standing to his credit in the annuity savings fund, at the date of his death, shall be paid in accordance with the provisions of section 27.

SECTION 23 (a) NON-DUTY DISABILITY BENEFITS—RETIREMENT AFTER ELIGIBLE RETIREMENT AGE. A member who retires on or after his attainment of his eligible retirement age on account of disability as provided in section 22 shall receive a service retirement allowance according to the provisons of section 16, and he shall have the right to elect an option provided in section 18.

(b) BENEFITS—RETIREMENT BEFORE ELIGIBLE RETIREMENT AGE. Upon retirement for disability as provided in section 22, a disability beneficiary who has not attained his eligibile retirement age shall receive benefits provided in sub-paragraphs (1), (2) and (3) of this paragraph;

(1) CASH REFUND ANNUITY. A cash refund annuity which shall be the actuarial equivalent of his accumulated contributions standing to his credit in the annuity savings fund at the date of his retirement. In the event he dies before he has received in annuity payments an aggregate amount equal to the amount of his accumulated contributions credited to him in the annuity savings fund at the date of his retirement, the remainder shall be paid to such person or persons, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the Board. In the event there be no such designated person or persons surviving, then said remainder, if any, shall be paid to his (retired member) legal representative; and

(2) DISABILITY PENSION. A disability pension consisting of one-one hundred thirty-fifth (1/135) of his average final compensation multiplied by the number of years (and fraction thereof) of service credited to his service account plus a basic pension of $100.00; said disability pension shall begin as of the date of his disability, but in no case more than 6 months before the date his application for disability retirement was filed with the Board, or the date his name last appeared on a City payroll, whichever is later, and shall continue to his attainment of his eligible retirement age or prior recovery. Said disability pension shall not exceed $1800.00 per annum, and shall be subject to the provisions of sections 24 and 25.

(3) CONVERTING TO SERVICE RETIREMENT. Upon attaining his eligible retirement age, said beneficiary, in addition to his annuity, shall receive a service retirement pension, computed according to the provisions of section 16, paragraphs (b), (c), (d) and (e); Provided, that, no service credit shall be given for the time he was receiving a disability pension provided for in sub-paragraph (2) of this paragraph.

Upon attaining his eligible retirement age, he shall have the right to elect an option provided for in Section 18.

SECTION 26. DEATH OCCURRING IN LINE OF DUTY. In the event a member dies as the result of a personal injury or disease arising out of and in the course of his employment by the City, and such death, injury or disease resulting in death, be found by the Board to have been the result of his actual performance of duty in the service of the City, the applicable benefits provided in paragraphs (a), (b), (c), (d) and (e) of this section shall be paid; Provided, that payment of pensions to eligible beneficiaries under the provisions of paragraphs (b), (c), (d) and (e) of this section shall be subject to the condition that the death of the member is a direct result of injuries or diseases sustained in the course of employment and such as would be compensable under provisions of the Workmen's Compensation Law of the State of Michigan and subject also to the provisions of paragraph (f) of this section and to section 24 of this chapter.

(a) ACCUMULATED CONTRIBUTIONS. The accumulated contributions standing to the said deceased member's credit in the annuity savings fund shall be paid in accordance with the provisions of section 27.

(b) WIDOW'S PENSION. A pension of one-third of the final compensation of said deceased member shall be paid to his widow to continue during her widowhood.

(c) CHILDREN'S PENSIONS WHILE WIDOW IS LIVING. If, in addition to a widow, a child or children under age 18 years also survive the said deceased member, each child under age 18 years shall receive a pension of an equal share of one-fourth of the said deceased member's final compensation. Upon the marriage, death, or attainment of age 18 years of any child his pension shall terminate and there shall be a redistribution by the Board to the remaining eligible children under age 18 years.

(d) CHILDREN'S PENSIONS IF WIDOW DIES OR REMARRIES. In the event there be no widow, or if the widow dies or remarries before the youngest surviving child of said deceased member shall have attained age 18 years, then his child or children under age 18 years shall each receive a pension of one-fourth of the said deceased member's final compensation; Provided, that if there be more than 2 surviving children under age 18 years, each child under age 18 years shall receive a pension of an equal share of one-half of the said deceased member's final compensation. Upon the marriage, death, or attainment of age 18 years of any child his pension shall terminate and there shall be a redistribution by the Board to the remaining eligible children under age 18 years, but in no event shall any child receive in any year more than one-fourth of the said deceased member's final compensation.

(e) DEPENDENT PARENT'S PENSIONS. In the event there be neither a widow, nor children under age 18 years, eligible to receive a pension, surviving the said deceased member, then there shall be paid to each his dependent father and dependent mother, or either of them, as the Board after investigation shall find to have been actually dependent upon said deceased member through absence of earning power due to physical or mental disability, a pension of one-sixth of said member's final compensation; Provided, that in no event shall the pension payable to either parent exceed $600.00 a year.

(f) LIMITATION. The total of the pension provided in paragraphs (b), (c) and (d) of this section, payable to a widow, or to a widow and children, of any deceased member shall not exceed $1800.00 per annum.

(g) SECTION EFFECTIVE. The coverage provided in this section (Section 26) shall be effective as of October 1, 1949.

SECTION 27 (a) REFUND OF ACCUMULATED CONTRIBUTIONS—PRIOR TO RETIREMENT. Should a member cease to be an employee of the City (1) before attaining his eligible retirement age, for reasons other than becoming a beneficiary or dying, or (2) after attaining his eligible retirement age and not being entitled to a pension, he shall be paid all or part of the accumulated contributions standing to his credit in the annuity savings fund as he shall demand in writing on forms furnished by the Board.

(b) UPON DEATH OF MEMBER. Should a member die before his service retirement becomes effective, the amount of his accumulated contributions standing to his credit in the annuity savings fund, at the time of his death, shall be paid to such person or persons, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the Board; if there be no such designated person or persons surviving, then his accumulated contributions shall be paid to his (deceased member) legal representative.

(c) INSTALLMENT REFUND. Payment of refunds of accumulated contributions may be made in monthly installments according to such rules and regulations as the Board may from time to time adopt.

(PROPOSED AMENDMENT)

SECTION 16. SERVICE RETIREMENT ALLOWANCE. Upon retirement from service as provided in sections 14 and 15, a member shall receive a service retirement allowance which shall consist of the benefits provided in paragraphs (a), (b), (c) and (d) of this section, subject to paragraph (e) of this section:

(a) ANNUITY. An annuity which shall be the actuarial equivalent of his accumulated contributions standing to his credit in the annuity savings fund at the time of his retirement; and

(b) BASIC PENSION. A basic pension of $120.00 ber annum; and

(c) MEMBERSHIP SERVICE PENSION. A membership service pension of one-one hundred twentieth (1/120) of his average final compensation multiplied by the number of years, and fraction of a year, of membership service credited to his service account; and

(d) PRIOR SERVICE PENSION. A prior service pension of two-one hundred thirty-fifths (2/135) of his average final compensation multiplied by the number of years, and fraction of a year, of prior service credited to his service account, not to exceed 30 years; provided, that in no case shall such prior service pension exceed $1,800.00 per annum.

(e) LIMITATIONS. To be eligible to receive the pensions provided for in paragraphs (b), (c) and (d) of this section, a member must have 10 or more years of service credited to his service account. Provided, that the service conditions contained in this paragraph shall not apply if a member becomes eligible for benefits provided in section 21.

SECTION 16.1. BENEFIT UPON DEATH OF RETIRANT. In the event a beneficiary (retired member) dies before he has received in retirement allowance payments an aggregate amount equal to his accumulated contributions standing to his credit in the annuity savings fund at the time of his retirement, the difference between his said accumulated contributions and the said aggregate amount of retirement allowance payments received by him shall be paid from the pension reserve fund to such person or persons as he shall have nominated by written designation duly executed and filed with the Board. If there be no such designated person or persons surviving the said beneficiary, then such difference, if any, shall be paid to his legal representative. No benefits shall be paid under this section on account of the death of the said beneficiary if he elected Option I, II, or III provided for, in section 18.

SECTION 18. RETIREMENT ALLOWANCE OPTIONS. Prior to the effective date of his service retirement, but not thereafter, any member may elect to receive his retirement allowance payable throughout his life, called a regular retirement allowance, or he may elect to receive the actuarial equivalent, computed as of the effective date of his retirement, of his regular retirement allowance in a reduced retirement allowance payable throughout his life, and nominate a survivor beneficiary, in acordance with the provisions of Option I, II, or III, as hereinafter set forth.

OPTION I. CASH REFUND ANNUITY. If a beneficiary (retired member) dies before he has received in payment of the annuity portions of his reduced retirement allowance an aggregate amount equal to his accumulated contributions standing to his credit in the annuity savings fund at the date of his retirement, the difference between his said accumulated contributions and the said aggregate amount of annuity payments received by him shall be paid to such person or persons as he shall have nominated by written designation duly executed and filed with the Board. In the event there be no such designated person or persons surviving the said beneficiary, then said difference, if any, shall be paid to his legal representative; or

OPTION II. JOINT AND SURVIVORSHIP ALLOWANCE. Upon the death of a beneficiary (retired member), his reduced retirement allowance shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the Board prior to the effective date of his retirement; or

OPTION III. MODIFIED JOINT AND SURVIVORSHIP ALLOWANCE. Upon the death of a beneficiary (retired member), one-half of his reduced retirement allowance shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the Board prior to the effective date of his retirement.

SECTION 19. USE OF OPTION II PRIOR TO RETIREMENT. (a) Any member who continues in the employ of the City on or after the date he either (1) acquires 25 years of service credit, or (2) attains age 55 years and has 10 or more years of service credited to his service account, may, by written declaration duly executed and filed with the Board in the manner and form prescribed by the Board, elect Option II provided for in section 18, and nominate a survivor beneficiary whom the Board finds to be dependent upon the said member for financial support, in the same manner as if he were then retiring from service, notwithstanding that the said member may not have attained his eligible retirement age. An election of Option II and nomination of survivor beneficiary so made cannot be revoked by the said member except upon the death of, or divorce or legal separation from, the said survivor beneficiary prior to the effective date of the said member's retirement. In the event of the death of, or divorce or legal separation from, the said survivor beneficiary prior to the effective date of the said member's retirement, his previous election of Option II and nomination of survivor beneficiary shall be automatically revoked as of the date of such death, or divorce or legal separation, and he may again elect the said Option II, and nominate a survivor beneficiary whom the Board finds to be dependent upon the said member for financial support, at any time prior to the effective date of his retirement. If any member who shall have made an election of Option II and nominated a survivor beneficiary as provided in this paragraph dies prior to the effective date of his retirement, then his said survivor beneficiary shall immediately receive the same retirement allowance as the said survivor beneficiary would have been entitled to receive under the said Option II if the said member had been regularly retired pursuant to the provisions of this chapter, effective the day preceding the date of his death, notwithstanding that he may not have attained his eligible retirement age. If a member who shall have made an election of Option II and nominated a survivor beneficiary under the provisions of this paragraph subsequently retires pursuant to the provisions of this chapter, he shall have the right to elect, within a period of 90 days immediately preceding the effective date of his retirement, to receive his service retirement allowance (beginning the effective date of his retirement) as a regular retirement allowance or under any option provided for in Section 18. No retirement allowance shall be paid under this paragraph on account of the death of a member if any bentfits are paid under Section 26 on account of his death.

(b) Any member who continues in the employ of the City on or after the date he either (1) acquires 25 years of service credit, or (2) attains age 55 years and has 10 or more years of service credited to his service account, and in either event does not have an election of Option II as provided for in paragraph (a) of this section in force at the time of his death, and (1) dies prior to his retirement while in City service, and (2) leaves a widow, or in the case of a female member leaves a husband whom the Board finds to be totally and permanently disabled and to have been dependent upon the said female member for at least 50 per cent of his support, the said widow or disabled husband, as the case may be, shall receive a retirement allowance computed in the same manner in all respects as if the said member had (1) retired effective the day preceding the date of his death, (2) elected Option II provided for in Section 18, and (3) nominated his said widow or disabled husband as survivor beneficiary. In the event the said survivor beneficiary remarries or dies his retirement allowance shall terminate: Provided, that if the aggregate amount of retirement allowance payments received by the said survivor beneficiary is less than the accumulated contributions standing to the said member's credit in the annuity savings fund at the time of his death, the difference between the said accumulated contributions and the said aggregate amount of retirement allowance payments received by the said survivor beneficiary shall be transferred from the annuity reserve fund to the annuity savings fund and paid in accordance with the provisions of Section 27. No retirement allowance shall be paid under this paragraph on account of the death of a member if any benefits are paid under Section 26 on account of his death.

SECTION 21 (a). DUTY DISABILITY BENEFITS—RETIREMENTS AFTER ELIGIBLE RETIREMENT AGE. A member who retires on or after his attainment of his eligible retirement age on account of disability as provided in Section 20 shall receive a service retirement allowance according to the provisions of Section 16, and he shall have the right to elect an option provided in Section 18.

(b) BENEFITS—RETIREMENT BEFORE ELIGIBLE RETIREMENT AGE. Upon retirement for disability as provided in Section 20, a member who has not attained his eligible retirement age shall receive a disability pension equal to one-half of his average final compensation; said disability pension shall begin as of the date of his disability, but in no case more than 6 months before the date his application for disability retirement is filed with the Board, or prior to the date his name last appeared on a City payroll with pay, whichever is later, and shall continue to his attainment of his eligible retirement age or prior recovery: Provided, that the said disability pension payable in any year to a disability beneficiary (1) shall not exceed $2,400.00, and (2) shall be subject to the provisions of sections 24 and 25.

(c) CONVERTING TO SERVICE RETIREMENT ALLOWANCE. Upon attaining his elegible retirement age, said disability beneficiary shall receive a service retirement pension as provided in Section 16, paragraphs (b), (c), (d) and (e); Provided, that in computing his said pension he shall be given membership service credit for the same time he was receiving a disability pension provided for in paragraph (b) of this section. In addition to his service retirement pension, said beneficiary, at his attainment of his eligible retirement age, shall receive an annuity equivalent to the annuity he would have received had he continued his contributions to the annuity savings fund; said contributions to be based upon his final compensation at the date of his disability retirement. Upon attaining his eligible retirement age said beneficiary shall have the right to elect an option provided in Section 18.

(d) DISABILITY BENEFICIARY'S ACCUMULATED CONTRIBUTIONS. During the time a disability beneficiary is receiving a disability pension as provided in paragraph (b) of this section, his contributions to the annuity savings fund shall be suspended and his balance in the annuity savings fund shall remain in the said fund and shall be accumulated at regular interest until his attainment of his eligible retirement age, or prior death. Upon attaining his eligible retirement age his accumulated contributions shall be transferred from the annuity savings fund to the annuity reserve fund. Should he die before attaining his eligible retirement age, his accumulated contributions standing to his credit in the annuity savings fund, at the date of his death, shall be paid in accordance with the provisions of Section 27.

SECTION 23 (a) NON-DUTY DISABILITY BENEFITS—RETIREMENT AFTER ELIGIBLE RETIREMENT AGE. A member who retires on or after his attainment of eligible retirement age on account of disability as provided in Section 22 shall receive a service retirement allowance according to the provisions of section 16, and he shall have the right to elect an option provided in section 18.

(b) BENEFITS—RETIREMENT BEFORE ELIGIBLE RETIREMENT AGE. Upon retirement for disability as provided in section 22, a member who has not attained his eligible retirement age shall receive benefits provided in sub-paragraphs (1), (2) and (3) of this paragraph:

(1) CASH REFUND ANNUITY. A cash refund annuity which shall be the actuarial equivalent of his accumulated contributions standing to his credit in the annuity savings fund at the date of his retirement. In the event he dies before he has received in annuity payments an aggregate amount equal to his said accumulated contributions the difference between his said accumulated contributions and the said aggregate amount of his annuity payments received by him shall be paid to such person or persons as he shall have nominated by written designation duly executed and filed with the Board. In the event there be no such designated person or persons surviving the said disability beneficiary, then said difference, if any, shall be paid to his legal representative; and

(2) DISABILITY PENSION. A disability pension consisting of a pension of one-one hundred twentieth (1/120) of his average final compensation multiplied by the number of years, and fraction of a year, of service credited to his service account plus a basic pension of $120.00 per annum; said disability pension shall begin as of the date of his disability, but in no case more than 6 months before the date his application for disability retirement is filed with the Board, or prior to the date his name last appeared on a City payroll with pay, whichever is later, and shall continue to his attainment of his eligible retirement age or prior recovery. Said disability pension shall be subject to the provisions of Section 24 and 25.

(3) CONVERTING TO SERVICE RETIREMENT. Upon attaining his eligible retirement age, said disability beneficiary, in addition to his annuity shall receive a pension computed according to the provisions of section 16, paragraphs (b), (c), (d) and (e): Provided, that no service credit shall be given for the time he was receiving a disability pension provided for in sub-paragraph (2) of this paragraph. Upon attaining his eligible retirement age, he shall have the right to elect an option provided for in section 18.

SECTION 26. DEATH OCCURRING IN LINE OF DUTY. In the event (1) a member dies as the result of a personal injury or disease arising solely out of and in the course of his employment by the City, or (2) a disability beneficiary, who retired under Section 20, dies within a period of 3 years from and after the effective date of his disability retirement and prior to his eligible retirement age as the result of the same injury or disease for which he was retired, and in either case (1) or (2) such death, injury or disease resulting in death, be found by the Board to have been the result of his actual performance of duty in the service of the City, the applicable benefits provided in paragraphs (a), (b), (c), (d) and (e) of this section shall be paid: Provided, that payment of pensions to eligible beneficiaries under the provisions of paragraphs (b), (c), (d) and (e) of this section shall be subject to the condition that the death of the member or disability beneficiary is a direct result of injuries or disease sustained in the course of employment with the City and such as would be compensable under provisions of the Workmen's Compensation Law of the State of Michigan; and provided further, that such pensions shall be subject also to the provisions of paragraph (f) of this section and to section 24 of this chapter.

(a) ACCUMULATED CONTRIBUTIONS. The accumulated contributions standing to the said deceased member's credit in the annuity savings fund shall be paid in accordance with the provisions of Section 27.

(b) WIDOW'S PENSION. A pension of one-third of the final compensation of said deceased person shall be paid to his widow to continue during her widowhood.

(c) CHILDREN'S PENSIONS WHILE WIDOW IS LIVING. If, in addition to a widow, a child or children under age 18 years also survive the said deceased person, each child under age 18 years shall receive a pension of an equal share of one-fourth of the said deceased person's final compensation. Upon the marriage, death, or attainment of age 18 years of any child his pension shall terminate and there shall be a redistribution by the Board to the remaining eligible children under age 18 years.

(d) CHILDREN'S PENSION IF WIDOW DIES OR REMARRIES. In the event there be no widow, or if the widow dies or remarries before the youngest surviving child of said deceased person shall have attained age 18 years, then his child or children under age 18 years shall each receive a pension of one-fourth of the said deceased person's final compensation; Provided, that if there be more than 2 such surviving children under age 18 years each such child under age 18 years shall receive a pension of an equal share of one-half of the said deceased person's final compensation. Upon the marriage, death, or attainment of age 18 years of any child his pension shall terminate and there shall be a redistribution by the Board to the remaining eligible children under age 18 years, but in no event shall any child receive in any year more than one-fourth of the said deceased person's final compensation.

(e) DEPENDENT PARENT'S PENSIONS. In the event there be neither a widow, nor children under age 18 years, eligible to receive a pension, surviving the said deceased person, then there shall be paid to each his dependent father and dependent mother, or either of them, as the Board after investigation shall find to have been actually dependent upon said deceased person, through absence of earning power due to physical or mental disability, a pension of one-sixth of said person's final compensation: Provided, that in no event shall the pension payable to either parent exceed $900.00 a year.

(f) LIMITATION. The total of the pensions provided in paragraphs (b) (c) and (d) of this section, payable to a widow, or to a widow and children, of any deceased member shall not exceed $2,400.00 per annum.

SECTION 27 (a) REFUND OF ACCUMULATED CONTRIBUTIONS—PRIOR TO RETIREMENT. Should a member cease to be an employee of the City (1) before attaining his eligible retirement age, for reasons other than becoming a beneficiary or dying, or (2) after attaining his eligible retirement age and not being entitled to a pension, he shall be paid all or part of the accumulated contributions standing to his credit in the annuity savings fund as he shall demand in writing on forms furnished by the Board.

(b) UPON DEATH OF MEMBER. Except as otherwise provided in this chapter, should any member die before his service retirement becomes effective, his accumulated contributions standing to his credit in the annuity savings fund shall be paid to such person or persons as he shall have nominated by written designation duly executed and filed with the Board. If there be no such designated person or persons surviving the said member, then his said accumulated contributions shall be paid to his legal representative.

The form in which such proposition shall be stated upon the ballot or on the voting machine at such election shall be as follows:

SHALL THE CHARTER OF THE CITY OF BIRMINGHAM BE AMENDED BY AMENDING CERTAIN SECTIONS OF CHAPTER XIX THEREOF, AND ADDING ONE ADDITIONAL SECTION THERETO, REVISING THE RETIREMENT SYSTEM FOR EMPLOYEES OF SAID CITY IN PROVIDING OF MORE ADEQUATE BENEFITS FOR SUCH EMPLOYEES AND THEIR DEPENDENTS?

SHALL SAID AMENDMENT BE ADOPTED? Yes..............

SHALL SAID AMENDMENT BE ADOPTED? No..............

TAKE FURTHER NOTICE that by order of the City Commission in resolution adopted January 11, 1954, there will be submitted to vote of the qualified electors of the City of Birmingham at the regular municipal election to be held on April 5, 1954, the following proposition:

SHALL THE CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN, BORROW THE SUM OF NOT TO EXCEED TWO HUNDRED TWENTY-FIVE THOUSAND ($225,000.00) DOLLARS, AND ISSUE ITS GENERAL OBLIGATION BONDS THEREFOR, FOR THE PURPOSE OF CONSTRUCTING TWO NEW FIRE STATIONS IN SAID CITY?

YES..................

NO..................

Only electors owning property in the City assessed for taxes and the husbands or wives of such electors are entitled to vote on this proposition.

TAKE FURTHER NOTICE that by order of the Oakland County Board of Supervisors and the Birmingham City Commission there will be submitted to vote of the qualified electors of the City of Birmingham, at a Special Election to be held in conjunction with the regular election to be held on April 5, 1954, the following proposition:

SHALL PROPERTY IN THE N.W. QUARTER OF SECTION 31, TOWN 2 N RANGE 11 E TROY TOWNSHIP, OAKLAND COUNTY, MICHIGAN, BEING A PARCEL OF APPROXIMATELY 46 ACRES COMMONLY KNOWN AS THE "PORRITT PROPERTY" EXCEPTING THEREFROM, A PARCEL IN THE N.W. CORNER THEREOF OF APPROXIMATELY 1.72 ACRES, BE ANNEXED TO THE CITY OF BIRMINGHAM?

Irene E. Hanley
City Clerk.

March 18, 1954