

upon the ballot for the respective elective offices at the election at which this Charter shall be voted upon.

SECTION 3.6 NOMINATING PETITION:

Each candidate for any elective office, shall at the time that the statement of candidacy is filed with the Clerk also file therewith a petition, placing in nomination the name of such candidate, which petition, when the office is city-wide, shall be signed by not less than two hundred (200) qualified and registered electors of the City. When the position is for an individual ward, the petition shall then be signed by not less than fifty (50) qualified and registered electors residing in said ward. Such petition shall be verified by one or more persons as to the qualifications and residence of each of the persons so signing the petition, and such petition shall be in substantially the form provided by the Secretary of State for the nomination of non-partisan officers. A supply of official petition forms shall be provided and maintained by the City Clerk for distribution.

SECTION 3.7 TIME FOR FILING NOMINATING PETITION AND STATEMENT OF CANDIDACY:

Nominating petitions shall be filed in the office of the Clerk not later than the seventh Monday at 4:00 o'clock P.M., Eastern Standard Time, preceding the date of holding the primary election. At the time of the filing of the nominating petition, the candidate whose name is placed in nomination by such petition, shall file with such nominating petition a certificate in substantially the following form:

STATE OF MICHIGAN,
SS
COUNTY OF OAKLAND,

I, _____, being first duly sworn, depose and say that I reside at _____ Street, in the City of Southfield, County of Oakland, State of Michigan, and that I am a qualified voter therein, and that I am a candidate for nomination to the office of _____, to be voted upon at the primary election to be held on _____, the _____ day of 19____, and that I possess the legal qualifications therefor, and I hereby request that my name be printed upon the official primary ballot for nomination at such primary election for such office.

Subscribed and sworn to before me, a Notary Public, in and for said State and County, on this _____ day of _____, 19____.

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

SECTION 3.8 CHECKING OF PETITIONS:

It shall be the duty of the Clerk to check each nominating petition filed in his office within five (5) days after the date of filing, to ascertain whether or not such petition conforms with the provisions of this Charter, and if, after such investigation, the Clerk determines that such petition complies with the provisions of this Charter, the clerk shall thereupon attach thereto his certificate to that effect. If, however, such petition does not conform with the provisions of this Charter, the Clerk shall notify the candidate filing such petition of such fact, and the reasons for such rejection, within a twenty-four (24) hour period. Additional petitions may be filed within the time limit specified in Section 3.7 hereof, and not thereafter.

SECTION 3.9 NOTICE OF PRIMARY ELECTION:

Notice of primary election shall be given in accordance with the provisions of the State Election Law.

SECTION 3.10 PRIMARY BALLOT FORM AND PREPARATION OF VOTING MACHINES:

The form, printing, numbering and distribution of ballots, or the preparation of voting machines used in any primary election shall conform as nearly as may be to the provisions of the State Election Law, except that no party designation or emblem shall be used in any primary election for city officers.

SECTION 3.11 CANVASS OF THE RETURNS OF THE PRIMARY ELECTION:

The Board of Canvassers shall meet at the Council Chambers at 7:30 o'clock P.M., Eastern Standard Time, on the Thursday following such primary election, and shall canvass the returns filed with the Clerk, and shall determine the results thereof. Such meeting shall be public, and after the results have been determined, the same shall be published in a manner to be prescribed by the Board of Canvassers. The Board of Canvassers, after determination of the results of such election, shall certify this determination to the Clerk.

SECTION 3.12 WHO ARE NOMINATED:

When only one person is to be elected to any one office, then the two candidates receiving the highest number of votes for nomination to that office shall be the candidates and the only candidates, whose names shall be placed upon the ballot for that office at the regular municipal election. When more than one person is to be elected to any office, then the candidates, equal in number to twice the number of persons to be elected to that office, receiving the highest number of votes for said office, and no others, shall be placed upon the ballot as candidates for said office at the next regular municipal election.

In addition to the foregoing, those candidates who have filed petitions for an elective office where no primary contest is involved shall likewise be determined to be nominated.

SECTION 3.13 REGULAR ELECTION; WHEN HELD:

The first regular election for the election of elective city officers under the provisions of this Charter shall be held on the same day upon which the biennial spring election of the State of Michigan is held, being the first Monday of April in 1959, and thereafter on the first Monday of April of each odd-numbered year, provided, that if the date of holding such spring biennial election shall be changed by statute, thereupon the date so fixed for holding such biennial spring

election shall be used for holding the regular election for the election of elective city officers under the provisions of this Charter.

SECTION 3.14 NOTICE OF REGULAR ELECTION:

Notice of a regular election shall be given in accordance with the provisions of the State Election Law.

SECTION 3.15 BALLOT FOR REGULAR ELECTION:

The Clerk shall prepare the official ballot and the voting machines for the regular election, upon which shall be placed the names of the candidates who have been duly nominated for the respective elective offices, and the printing and delivery of the ballots and the preparation of the voting machines shall be in accordance with election laws of the State of Michigan, provided, that no party designation or emblem shall be used.

SECTION 3.16 INSPECTORS OF ELECTION:

The Election Commission shall appoint the members of the Board of Election Inspectors, and the Council shall fix their compensation.

SECTION 3.17 OATH OF ELECTION INSPECTORS:

The Inspectors of Election shall qualify under oath, as required by the election laws of the State of Michigan.

SECTION 3.18 CONDUCT OF ELECTIONS:

All elections conducted under the provisions of this Charter shall be in accordance with the Election Laws of the State of Michigan, except as such election laws relate to political parties or partisan procedure and except as otherwise provided in this Charter.

SECTION 3.19 SPECIAL ELECTIONS:

Special elections shall be held when called by resolution of the Council at least sixty (60) days in advance of such election or when required by this Charter or the statutes of the State of Michigan. Any resolution calling a special election shall set forth the purpose of such election. Special elections shall be conducted in conformity with the provisions of the election laws of the State of Michigan, except as otherwise provided in this Charter.

SECTION 3.20 NOTICE OF SPECIAL ELECTION:

Notice of the time and place of holding any special election shall be given in the same manner and at the same time as provided by the election laws of the State of Michigan.

SECTION 3.21 VOTING HOURS:

The polls of all elections shall be opened and closed at the time prescribed by the election laws of the State of Michigan relating to the opening and closing of polls at State elections.

SECTION 3.22 CANVASS OF THE VOTE:

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 return thereof to the Clerk upon blanks to be furnished by the Clerk.

SECTION 3.23 CANVASS OF THE RETURNS:

The Board of Canvassers shall convene at the Council Chambers at 8:00 o'clock, P. M. Eastern Standard Time, on the Thursday following any regular or special election, and shall canvass the results of such election, and shall determine the vote upon city questions and propositions, and shall declare whether the same have been duly adopted or rejected, and what persons have been duly elected at such election to the several city offices voted upon thereat.

SECTION 3.24 WHO ELECTED:

The person receiving the highest number of votes for any office shall be deemed 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. Upon the completion of the canvass of the returns, the Board of Canvassers shall publish the results of such canvass.

SECTION 3.25 CERTIFICATES OF ELECTION:

Upon such determination, the Clerk shall make in duplicate, certificates, under the corporate seal of the City, of such determination. One of such certificates shall be filed in the office of the County Clerk, and the other in the office of the City Clerk, and it shall be the duty of the City Clerk within five (5) days after such determination has been made, to furnish each successful candidate with a certificate of election, which certificate shall indicate the fact that such person has been duly elected to the office specified therein, and such certificate shall be delivered to such person within five (5) days after determination of the election as aforesaid.

SECTION 3.26 QUALIFYING:

All persons elected to any office of the City of Southfield, under the provisions of this Charter, shall within ten (10) days after receiving the certificate of election take and subscribe to the constitutional oath of office, and file the same in the office of the Clerk. No person shall take office until he has qualified by taking and subscribing to said oath, and by filing any bond that may be required under the provisions of this Charter or by any of the statutes of the State of Michigan.

SECTION 3.27 SUPPLIES AND EQUIPMENT:

The Council shall provide all necessary voting booths, equipment, ballot boxes and supplies for the conducting of all elections and primaries.

SECTION 3.28 PROCEDURE WHERE STATE AND COUNTY ELECTION HELD AT SAME TIME:

When any city election or primary is held on the same day as a State or County election or primary, the same election officials shall act in both the city and state or county election or primary.

SECTION 3.29 ELECTION COMMISSION:

An Election Commission, consisting of the City Clerk, the Mayor and the City Attorney is hereby created, and such Commission shall have the power and

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it shall be their duty, to supervise the conducting of all primary, regular and special elections.

SECTION 3.30 BOARD OF CANVASSERS:

The Board of Canvassers shall consist of the City Clerk and two members of the Council, selected by the Council. The Board of Canvassers shall meet at 8:00 o'clock P.M. legal time, on the first Thursday after each city primary and election and publicly canvass the election returns 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 nominated for candidate or elected at such primary or election. The candidate or candidates where more than one are to be elected to the same office, who shall receive the greatest number of votes, shall be declared to be nominated or elected, as the case may be.

SECTION 3.31 WHERE CANDIDATES TIED:

If, at any regular or primary election, there shall be no choice between candidates, by reason of two or more candidates having received an equal number of votes, the Council shall appoint a date, at which time the right to nomination or election shall be determined by lot. Notice of the time and place at which such determination shall be made shall be given to all persons interested therein at least twelve (12) hours prior to the time at which such determination is to be made, such notice to be given by the Clerk, and shall be left at the last or usual place of abode of the persons interested in such determination. This manner of determining by lot shall be the same as provided by the general election laws of the State for such determination in case of a tie vote for a county office. In no case, however, shall the nomination or election of any person be determined by lot without first having the ballots cast at such regular or primary election recounted, and such recount shall be held at the instance of the Council.

SECTION 3.32 RECOUNT:

The provisions of the election laws of the State of Michigan shall control all proceedings in connection with a recount of the ballots cast at any election held in the City of Southfield.

SECTION 3.33 FILING STATEMENT OF CAMPAIGN EXPENSES:

Every elective officer shall, within thirty (30) days after qualifying, file with the Clerk a sworn statement of his election and campaign expenses, and the amounts of any contributions thereto, and by whom made. Any violation of the provisions of this section shall constitute a forfeiture of office of the elective officer failing to comply therewith.

CHAPTER 4

Legislative Division

SECTION 4.1 CITY COUNCIL; HOW CONSTITUTED; TERM OF OFFICE:

(a) There shall be a Council of seven elected members, one resident of each ward and one at large, which shall constitute the legislative body of the City, and shall give the power and authority except as otherwise provided in this Charter or by law, 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 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.

(b) At the first regular election held under the provisions of Section 3.13, of this Charter, and at each regular city election thereafter, there shall be elected seven (7) Councilmen; who shall serve for a term of two (2) years, such terms of office shall commence at 12:00 noon on the first Monday following the city election.

(c) The Councilman elected at large shall be the presiding officer of the City Council and shall be known as the President of the City Council.

SECTION 4.2 COMPENSATION OF THE COUNCILMEN:

Each Councilman shall receive as compensation Twenty (\$20.00) Dollars for each regular and special meeting of the Council which he attends, provided that such compensation shall not exceed in total the sum of Seven Hundred Fifty (\$750.00) Dollars per calendar year.

Such salary shall be payable quarterly, and, except as otherwise provided in this Charter, shall constitute the only compensation which may be paid to the Councilmen for the discharge of any official duty for or on behalf of the City during their term of office, provided, that the Councilmen may, be paid such bona fide expenses, previously authorized by the Council and incurred in behalf of the city, which expenses shall be itemized and certified to by the recipient and approved for payment by the Council.

SECTION 4.3 REGULAR MEETINGS:

The Council shall provide by Resolution for the time and place of its regular meetings and shall hold at least two (2) regular meetings each month. If, any time set for the holding of a regular meeting of the Council shall be a holiday, then such regular meeting shall be held at the same time and place on the next regular day which is not a holiday.

SECTION 4.4 SPECIAL MEETINGS:

Special meetings shall be called by the City Clerk on the written request of the Mayor or any three (3) Councilmen on at least six (6) hours' notice to each Councilman served personally or left at his usual place of residence; but any special meeting shall be a legal meeting for all purposes without such notice if all Councilmen are present thereat or have waived notice thereof in writing.

SECTION 4.5 QUORUM:

A majority of the Councilmen shall be a quorum for the transaction of business. The Council may, by a majority vote of those present, compel the attendance of its members, and other officers of the City at its meetings and enforce orderly conduct therein.