

No Councilman shall vote on any question in which he has any financial interest other than the common public interest; but on all other questions every Councilman present shall vote. On all votes which are not unanimous, the yeas and nays of each member shall be recorded by Roll Call, but where the vote is unanimous, it shall only be necessary to so state.

#### SECTION 4.6 RULES:

The Council shall determine its own rules, and shall keep a Journal of its proceedings in the English Language which shall be signed by the City Clerk and the President of the City Council. All regular and special meetings of the Council shall be open to the public. A summary of the Council proceedings at each meeting shall be prepared by the City Clerk and published in the official newspaper.

#### SECTION 4.7 PUBLIC HEALTH AND SAFETY:

Through the established departments and agencies of the City government, together with any such departments or agencies as may be created under authority of this Charter, the Council shall provide for the public peace and health and for the safety of persons and property.

#### SECTION 4.8 LICENSES AND PERMITS:

The Council shall by ordinance prescribe the terms and conditions upon which licenses and permits may be granted, suspended, or revoked, and may require and exact payment of such reasonable sums for any licenses and permits as it may deem proper.

#### SECTION 4.9 CONTRACTS AND PURCHASES:

The Council shall be responsible for the control of the letting and making of contracts and shall provide by ordinance, the necessary procedures governing purchasing and the making of contracts. Such ordinance shall specify an amount of five hundred (\$500.00) dollars, below which and the purposes for which purchases may be made by the City Administrator, either without specific authorization or without the necessity of formal competitive bidding, or both. The Council, in its discretion, shall have the right to reject any and all bids.

#### SECTION 4.10 STREETS AND ALLEYS:

The Council shall have power to establish and vacate, to use, and to control and regulate the use of its streets, alleys, bridges, and public places, whether such public places be located within or without the limits of the City, and the space above and beneath them; provided, that no street or alley shall be closed until after the publication of the intent to do so in at least two (2) of the local newspapers and a notice sent, by registered mail, to all property owners of adjacent property at his last known address, as taken from the current tax rolls, and a reasonable opportunity has been given for the public to be heard thereon. Such power shall include, but not be limited to, the proper policing and supervision thereof and the licensing and regulation, or the prohibition of the placing of signs, awnings, sewing posts and other things which are of such nature as to impede or make dangerous the use of sidewalks or streets, upon or over the sidewalks or streets of the City, and the licensing and regulation of the construction and use of openings in the sidewalks or streets, and of all vaults, structures, and excavations under the same.

#### SECTION 4.11 PROPERTY RIGHTS:

The Council shall have the power to acquire for the City by purchase, gift, condemnation, lease, construction, or otherwise, either within or without its corporate limits, and either within or without the County of Oakland, property of every type and nature which may be required for or incidental to the present or future exercise of the purpose, powers, and duties of the City Government established by this Charter. The Council shall have the power to provide for the maintenance, development, operation, leasing and disposal of property of the City subject to any restrictions placed thereon by law.

#### SECTION 4.12 PARKS AND RECREATIONAL FACILITIES:

The Council shall have power to enact all ordinances deemed necessary for the establishment, maintenance, and protection of all parks and recreational facilities, together with the improvements thereon and appurtenances thereto, owned or hereafter acquired by the City either within or without its corporate limits.

#### SECTION 4.13 CEMETERY REGULATIONS:

The Council shall have power to enact all ordinances deemed necessary for the establishment, maintenance, and protection of cemeteries, together with the improvements thereon and appurtenances thereto, owned or hereafter acquired by the City within or without its corporate limits. All ordinances pertaining to public health and welfare in the regulation and protection of public cemeteries shall apply equally to all cemeteries within the City belonging to, or under the control of, any church or religious society, or any corporation, company or association. The City may cause any bodies buried within the City, in violation of any rule or ordinance made in respect to such burials, to be taken up and reburied in such a manner as shall conform to the ordinances of the City, or to be buried elsewhere. In any cemetery established by the City, a plan for the plating, sale, and perpetual care of all lots, plots, and lands therein shall be provided.

#### SECTION 4.14 TRUSTS:

The Council may, in its discretion, receive and hold any property in trust for parks, cemetery, or other municipal purposes and shall apply the same to the execution of such trusts and for no other purposes whatsoever. All trusts established for cemetery, park or other municipal purposes shall be used and continued in accordance with the terms of such trusts.

#### SECTION 4.15 HOUSE TRAILERS, AND/OR MOBILE HOMES:

The Council may, by ordinance, provide for the prohibition or regulation of the use, occupancy, sanitation, and parking of House Trailers and/or Mobile Homes within the City. The right of the Council to so regulate any House Trailer and/or Mobile Home 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.

#### SECTION 4.16 PLANNING AND ZONING:

(a) The Council shall create and maintain a City Planning Commission in accordance with and having the powers and duties granted by the provisions of State Law relating to such Commissions. The Council shall also create and maintain a zoning ordinance in accordance with the provisions of State Law relating to such ordinances: insofar as may be, the provisions of such ordinance shall be coordinated with the work of the City Planning Commission herein required to be maintained by the Council.

(b) The Council shall appoint and maintain a seven (7) member City Zoning Board in accordance with and having the powers and duties granted by the provisions of State Law relating to such Boards and/or Commissions. Appointments to the City Zoning Board shall consist of not less than one member from each ward. Provided, however, that at the time of appointment, no member shall hold any other elective or appointive position.

(c) The Council shall be the Board of Zoning Appeals.

(d) 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 thirty-five (135) feet in depth, or less than eighty (80) feet in width, unless such plat shall be of an irregular shape, thereby making certain lots unavoidably of less than one hundred thirty-five (135) feet in depth; in which event, the Council shall require 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 ten thousand eight hundred (10,800) square feet except lots platted in accordance with the provisions of this Charter or ordinances of the City providing for business frontage. No plat shall be approved without sixty (60) foot right of way and paving of twenty-two (22) foot minimum widths, asphalt topped or better over a minimum of eight (8) inches of gravel, and unless it conforms to such general plan as may be adopted by the Council, for the type 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 or better footing with respect thereto with the platted property adjacent to or surrounding such 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 be issued for construction of a dwelling-house or other structure in any part until and unless such necessary aforementioned improvements exist or have been provided for by monies in escrow, to serve the structure. Provided, further, 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.

#### SECTION 4.17 INVESTIGATIONS:

The Council, or any person or committee authorized by it for the purpose, shall have power to inquire into the conduct of any department, office, or officer of the City and to make investigations as to municipal affairs, and for that purpose may subpoena witnesses, administer oaths, and compel the production of books, papers, and other evidence. Failure on the part of any officer of the City to obey such subpoenas or to produce books, papers, or other evidence as ordered under the provisions of this section shall constitute misconduct in office. If such failure shall be on the part of any employee of the City, the same shall constitute a misdemeanor.

#### SECTION 4.18 COUNCIL ACTION:

The Council shall act only by ordinance or resolution. The word "Resolution" as used in this Charter shall be official action in the form of a motion and such action shall be limited to matters required or permitted to be done by Resolution by this Charter or by State Law and to matters pertaining to the internal affairs or concerns of the City Government. All other acts of Council, and all acts carrying a penalty for the violation thereof, shall be by ordinance.

#### SECTION 4.19 ORDINANCE ENACTMENT:

Except as herein otherwise provided in this Chapter, the Council shall have power to adopt, continue, amend, and repeal in whole or in part any existing ordinance. All legislation of the City of Southfield shall be by ordinance. Each ordinance shall be identified by a number and a short title. Each proposed ordinance shall be introduced in written or printed form. The style of all ordinances passed by the Council shall be, "The City of Southfield Ordains." Except in the case of ordinances which are declared to be emergency ordinances, no ordinance shall be finally passed by the Council at the same meeting at which it is introduced. No ordinance shall be revised, altered, or amended by reference to its title only, but the section or sections of the ordinance revised, altered, or amended shall be re-enacted, and published at length, and all ordinances, when enacted, shall be immediately recorded by the Clerk in a book to be called "The Record of Ordinances", and it shall be the duty of the Mayor and Clerk to authenticate such record by their official signatures thereon. All ordinances shall be published within ten (10) days after the regular meet-

ings of the Council next following the meeting at which said ordinance was adopted, provided such ordinance shall have been passed by the Council over any veto which may have been exercised by the Mayor. The publication of an ordinance in full as a part of the published proceedings of the Council shall constitute the publication of such ordinance as required herein.

#### SECTION 4.20 VETO:

The Mayor shall have the power to veto all ordinances, resolutions and proceedings of the Council, which veto, with his reasons therefor in writing, must be made and filed with the City Clerk prior to the time of the next regular meeting of the Council, at which said meetings the Clerk shall present such veto or vetoes to the Council. The Council may, only at said meeting or at any adjournment thereof, reconsider the vote by which such proceedings were passed and adopted; and if it so elects, may, only at said meetings or at any adjournment thereof, re-adopt such proceedings by an affirmative vote of five (5) of the members elect, in which event the Mayor shall have no further right to veto, and in which event, all such proceedings, except ordinances, shall take effect on the day succeeding said meeting of the Council; and ordinances so passed shall become effective when published according to law. All resolutions and proceedings, not vetoed by the Mayor in the manner and within the time hereinabove specified, shall become effective on the day succeeding the date of the next regular meeting of the Council; and ordinances not so vetoed by the Mayor shall become effective when published and recorded according to the law.

#### SECTION 4.21 PENALTIES:

The Council shall provide in each ordinance for the punishment of those who violate its provisions. No punishment for the violation of any City ordinance shall exceed a fine of five hundred (\$500.00) dollars or imprisonment for ninety (90) days, or both, in the discretion of the court. Said imprisonment may be in the County Jail or City Prison, or any workhouse in the State authorized by law to receive prisoners from each City.

#### SECTION 4.22 TECHNICAL CODES:

The Council may adopt any provision of State Law or any detailed technical regulations as a City ordinance or code by citation of such provision of State Law or by reference to any recognized standard code, official or unofficial, provided that any such provision of State Law or recognized official or unofficial standard code shall be clearly identified in the ordinance adopting the same as an ordinance of the City. Where any recognized official or unofficial standard code is so adopted, it may be published by providing to the public in the office of the Clerk not less than one hundred (100) copies in book or booklet form available for public distribution at a reasonable charge, and any amendment to or revision of such adopted code or detailed technical ordinance may be published in the same manner.

#### SECTION 4.23 ORDINANCE RECORD:

All ordinances and the dates of introduction and enactment and the vote thereon, shall be recorded by the City Clerk in said book called "The Record of Ordinances". Except as otherwise provided by this Charter, all ordinances when enacted shall be forthwith published by the City Clerk, and he shall enter his certificate as to the manner and date of publication under each ordinance in the ordinance book. All ordinances may be printed and distributed at cost to be determined by the Council.

#### SECTION 4.24 COMPILATION OF ORDINANCES:

(a) Copies of all ordinances which are in effect and all amendments to this Charter shall be prepared and kept on hand in the office of the Clerk available for public distribution. The Clerk shall also maintain and make available for public distribution a complete up to date index of all ordinances in effect.

(b) Whenever an existing ordinance is amended, said ordinance together with the amendment shall forthwith be compiled by the Clerk so that the then ordinance as effective shall be available for public distribution.

(c) The Clerk shall also maintain in his office for use by the public at least three complete compilations of all the effective ordinances of the City properly indexed.

#### SECTION 4.25 INITIATIVE AND REFERENDUM:

(a) An ordinance may be initiated by petition or a referendum or an ordinance enacted by the Council may be had by a petition filed prior to thirty (30) days subsequent to enactment of the ordinance; as hereinafter provided. An initiatory or a referendary petition shall be signed by registered electors equal in number to ten per cent (10%) or one thousand (1,000), whichever is the greater, of those who voted at the last general City election prior to the filing of the petition, and before being circulated for signatures shall be approved as to form by the City Attorney. The petition shall be filed with the City Clerk who shall determine within fifteen (15) days the sufficiency thereof and so certify. If found insufficient, fifteen (15) days shall be allowed for the filing of supplemental petitions. When found sufficient, the City Clerk shall present the petition to the Council at its next regular meeting.

(b) Upon receiving an initiatory or a referendary petition from the City Clerk the Council, within thirty (30) days, shall either:

- (1) if it be an initiatory petition, adopt the ordinance;
- (2) if it be a referendary petition, repeal the ordinance; or
- (3) determine to submit the proposal to the electors.

(c) Should the Council decide to submit the proposal to the electors, it shall be submitted at the next election held in the City for any other purpose or in the discretion of the Council at a special election. The result shall be determined by the majority vote of the