

electors voting thereon except in cases where otherwise required by Law.

(d) The certification by the City Clerk of the sufficiency of a referendum petition shall automatically suspend the ordinance in question pending repeal by the Council or final determination by the electors as the case may be. An ordinance adopted by the electorate may not be amended or repealed by the Council for a period of two (2) years, and then only by an affirmative vote of five (5) concilmen. Should two (2) or more ordinances adopted at the same election have conflicting provisions, the one receiving the highest vote shall prevail as to those provisions.

SECTION 4.26 POWER OF COUNCIL OVER SALARIES AND COMPENSATION:

The Council shall have no power to change the salary or compensation of any elected officer of the City. The salary or compensation of all other officers may be fixed, reduced or increased by the Council at any time, except that no salary or emoluments of any public official who is appointed for a fixed term of office shall be changed after his appointment or during his term of office.

SECTION 4.27 ADDITIONAL POWERS; PARKING FACILITIES; GAS STATIONS; REGULATION OF TRADES; BILLBOARDS:

The Council shall also have the power to provide by ordinance:

(a) for the acquiring, establishing, operation, extension and maintenance of facilities for the storage and parking of vehicles within the corporate limits of the City, 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;

(b) for regulating, restricting and limiting the number and locations of oil and gasoline stations in the City;

(c) for the regulation of trades, occupations and amusements within the boundaries of 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 the inhabitants of the City; and

(d) for licensing, regulating, restricting and limiting the number and locations of billboards within the City.

CHAPTER 5

Executive Division

SECTION 5.1 ADMINISTRATIVE OFFICERS; EMPLOYEES:

The administrative officers of the City shall be the Mayor, City Clerk, City Treasurer, and two (2) constables, and all directors and heads of the several departments, and all members of the several commissions and boards of the City government. All other persons in the service or employ of the City shall be deemed employees.

SECTION 5.2 ELECTION; APPOINTMENT; TERMS:

The Mayor, City Treasurer, City Clerk and two (2) constables shall be selected by election from the City at large. Said elective officers shall be elected at each regular City election. The term of office of all of the elective administrative officers shall be for two (2) years commencing on the first Monday following the City election at which they are elected and ending when their respective successors have been duly elected and qualified except that the first officers elected under this Charter shall hold their offices for a term commencing on the first Monday following the election to adopt or reject this Charter and ending when their respective successors have been duly elected and qualified at the regular City election held in 1958. All other appointive officers and members of boards and commissions, unless otherwise provided in this Charter, shall be appointed by a majority of the Council. Each appointive officer or member of any board or commission, unless otherwise provided in this Charter, shall hold office at the pleasure of the body appointing him.

SECTION 5.3 QUALIFICATIONS:

No person shall be eligible for any elective office of the City, unless he is a duly qualified and registered elector in the City and has continuously resided in the City for at least two (2) years immediately prior to his appointment or the election at which he is a candidate, and so remain throughout his tenure of office; provided, however, that said requirement of two (2) years continuous residence shall not exist or have any effect as to the first City election held under this Charter. A person who has been convicted of violating any provision of the election laws of the State or of the City, or who has been convicted of an infamous crime or of an offense involving a violation of his oath of office, or who is in default to the City, shall not be eligible for any city office or employment. A person who holds or has held an elective city office shall not be eligible for appointment to a city office or employment, for which compensation is paid by the City, until one year has elapsed following the term for which he was elected or appointed. No person shall be a candidate for more than one office on the same ballot at the same election.

SECTION 5.4 COMPENSATION:

The Compensation of the Mayor shall be Two Thousand (\$2,000) Dollars per annum, and that of the City Treasurer and City Clerk Seven Thousand Five Hundred Dollars (\$7,500.00) per annum. Except as otherwise provided by law or by this Charter, the salary and compensation of every other administrative officer shall be fixed by the Council. Such salaries shall be payable semi-monthly, and, except as otherwise provided in this Charter, shall constitute the only salary or remuneration which may be paid for services.

SECTION 5.5 POWERS AND DUTIES OF MAYOR: The Mayor shall, in addition to any powers and duties otherwise provided by law, have powers and duties as follows:

(a) He shall give the Council information concerning the affairs of the City and recommend such measures as he deems expedient;

(b) He shall, in emergencies, have the powers conferred by law upon sheriffs to prevent disorder, preserve the public peace and health, and provide for the safety of persons and property;

(c) He shall execute or authenticate by his signature such instruments as the Council, this charter, or any State or Federal law shall require;

(d) He shall be the ceremonial head of the City;

(e) He may attend all council meetings with the right to take part in all discussions but without the right to vote;

(f) He shall have the veto powers as provided in Section 4.20 of this Charter.

SECTION 5.6 MAYOR PRO TEM:

In case of vacancy in the office of Mayor, or his inability to perform the duties of the office by reason of sickness, absence from the city, or other cause, the president of the common council shall be acting mayor, and in case, at the time, there shall be a vacancy in the office of the president of the council, or he shall be unable to perform the duties of his office by reason of sickness, absence from the city, or other cause, the president pro tempore of the council shall be acting mayor. Such acting mayor shall be vested with all the powers, and shall perform all the duties of mayor until the vacancy or vacancies aforesaid be filled, or the mayor or president of the council, as the case may be, shall resume his office. In case of vacancy in the office of mayor the council shall order a special election to fill such vacancy for the residue of the term, unless it shall occur within six months before the time for holding the regular election, in which event, the Council may in its discretion order such election.

SECTION 5.7 POWERS AND DUTIES OF THE CLERK:

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

(b) He shall keep a record of all ordinances, resolutions, and actions of the Council;

(c) He shall have power to administer all oaths required by State Law, this Charter, and the ordinances of the City;

(d) He shall be custodian of the City seal, and shall affix it to all documents and instruments requiring the seal, and shall attest the same;

(e) He shall be custodian of all papers, documents, and records pertaining to the City of Southfield, the custody of which is not otherwise provided for by this Charter;

(f) He shall give the proper officials of the City ample notice of the expiration or termination of any official bonds, franchises, contracts, or agreements;

(g) He shall examine and audit all accounts and claims against the City;

(h) He shall be the general accountant of the City and shall keep the books of account of the assets, receipts, and expenditures of the City;

(i) He shall issue and sign all licenses granted after the license fee has been paid to the City Treasurer, and shall register the same;

(j) He shall possess and exercise the powers of a Township Clerk so far as the same are required to be performed within the City;

(k) He shall certify by his signature all ordinances and resolutions enacted or passed by the Council;

(l) He shall perform such other duties as are required of him by State or Federal Law, this Charter, the Council or the Ordinances of the City.

SECTION 5.8 POWERS AND DUTIES OF TREASURER:

(a) The Treasurer shall have the custody of all moneys of the City, the Clerk's bond, and all evidence of value belonging to the City, or held in trust by the City;

(b) He shall receive all moneys belonging to and receivable by the City, that may be collected by any officials or employees of the City, including license fees, taxes, assessments, utility charges, and all other charges belonging to and payable to the City, and shall in all cases give a receipt therefor;

(c) He 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 Clerk;

(d) He shall have such powers, duties, and prerogatives in regard to the collection and custody of State, County, and school district, and city taxes and moneys as are conferred by law to enforce the collection of State, county, township, and school district taxes upon real and personal property.

(e) He shall perform such other duties as may be prescribed for him by State or Federal Law, this Charter, or by the Mayor.

SECTION 5.9 DEPUTIES OF CLERK AND TREASURER:

The Clerk and Treasurer may appoint their own deputies, subject to the written confirmation of the City Council. Such deputies shall, in each case, possess all the powers and authorities of their superior officers, except as the same may be from time to time limited by their superiors or by the City Council.

CHAPTER 6

Administrative Division

SECTION 6.1 CITY ADMINISTRATOR:

(a) The City Administrator shall be the administrative agent of the Council, shall perform the duties of his office under its authority, and shall be accountable to the Council for the performance of his duties.

He shall be chosen on the basis of his executive and administrative qualifications.

(b) It shall be the duty of the City Administrator to:

(1) Coordinate the work of the Police Department, the Fire Department, the Department of Public Works, the Department of Parks and Recreation, the Department of Building and Safety Engineering, and such additional administrative units as the Council may, from time to time designate.

(2) Assume the duties of any administrative officer when so directed by the Council;

(3) Assemble the budgets prepared by the several administrative units and present the same to the Council with his recommendations;

(4) Establish and maintain a central purchasing service for the several administrative units of the City;

(5) Maintain a personnel service for the several administrative units;

(6) Maintain an inventory of city-owned property;

(7) Keep informed concerning the administration of the several administrative units; and, to that end, the heads of all administrative units shall furnish him such information and periodical or special reports as he or the Council may deem necessary.

(8) Attend all meetings of the Council;

(9) Recommend to the Council, from time to time, such measures as he deems necessary to appropriate for the improvement of the City or its services.

(10) Furnish the Council with information respecting the City's affairs and prepare and submit such reports as may be required, including an annual report which shall consolidate the reports of the several administrative units.

(11) Possess such further powers and perform such additional duties as may be granted to or required of him, from time to time, by the Council, so far as may be consistent with State law and this Charter.

(12) Do everything necessary and proper to execute the foregoing powers.

(13) To be responsible to the Council for the efficient administration of all departments of the city government.

(c) The City Administrator may make recommendations to the Council for appointments of various department heads, but will have no power to hire or discharge any City employee.

SECTION 6.2 CITY ATTORNEY:

(a) The Attorney shall be attorney and counsel for the City and shall be responsible solely to the Council. He shall advise the heads of administrative units in matters relating to their official duties, when so requested, and shall file with the Clerk a copy of all written opinions given by him.

(b) He shall conduct for the city all cases in all courts and before all legally constituted tribunals whenever the city is a party thereto. He shall file with the Clerk copies of such records and files relating thereto as the Council may direct.

(c) He shall prepare or review all ordinances, regulations, contracts, bonds and such other instruments as may be required by this charter or by the Council, and shall promptly give his opinion as to the legality thereof.

(d) He shall attend all meetings of the Council.

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

(f) He may, with the approval of the Council, delegate one or more of his duties to an assistant who shall be appointed by the Attorney and whose compensation shall be fixed by the Council.

(g) Upon the Attorney's recommendations, 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 the Attorney therein.

SECTION 6.3 ADMINISTRATIVE DEPARTMENTS:

The following administrative departments are hereby established:

- (a) Fire Department
- (b) Police Department
- (c) Department of Public Works
- (d) Department of Assessment
- (e) Department of Law
- (f) Department of Parks and Recreation
- (g) Department of Civil Service
- (h) Department of Building and Safety Engineering

The Council may create or abolish a Department of Health, and such other departments, boards, commissions or agencies as it may deem necessary in conformity with law and the provisions of this charter.

SECTION 6.4 CITY ASSESSOR:

(a) The City Assessor shall possess all the powers vested in him and shall be charged with all the duties imposed upon him by law, this Charter, or ordinances or resolutions of the Council.

(b) He shall make and prepare all regular and special assessment rolls in the manner prescribed by this Charter and the general laws of the State.

SECTION 6.5 DEPARTMENT OF CIVIL SERVICE:

In order to guarantee to all citizens a fair and equal opportunity for public service, to establish conditions of service which will attract officers and employees of character and capacity and to increase the efficiency of the City government through improved principles of public personnel administration, there is hereby created a Department of Civil Service, which shall be under the control and management of a Commission to be known as the Civil Service Commission. Provided, however, that the provisions of this section shall not apply to the Police Department and the Fire Department in the City of Southfield, but that said departments shall be covered by Act 78 of the Public Acts of 1935, as amended.

The organization, powers, duties and functions of the Civil Service Commission and the Civil Service System shall be as follows:

(a) Organization: The Civil Service System shall consist of three (3) members appointed by the Council for terms of office of six (6) years, commencing on