

CHARTER  
OF THE CITY OF  
GRAND BLANC, MICHIGAN

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EDITOR'S NOTE: The Charter of the City of Grand Blanc was approved by Fred W. Green, Governor of the State of Michigan, on September 26, 1929, after having been approved by the Charter Commission of the City of Grand Blanc, and was adopted by the voters of the City on March 4, 1930. Dates appearing in parentheses following a chapter heading in the Table of Contents, and following a section in the text, indicate that the chapter and section were amended or enacted on the date given.

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TABLE OF CONTENTS

PREAMBLE

CHAPTER 1.	Names, Boundaries and Wards.
CHAPTER 2.	General Powers, Rights and Liabilities. (11-7-00)
CHAPTER 3.	Registration.
CHAPTER 4.	Elections, Officers, Terms of Office, Compensation. (11-5-68; 11-6-84)
CHAPTER 5.	Nominations. (4-7-41; 3-10-71)
CHAPTER 6.	Recall.
CHAPTER 7.	Initiative and Referendum.
CHAPTER 8.	Ordinances.
CHAPTER 9.	Mayor and Appointments.
CHAPTER 10.	City Clerk.

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- CHAPTER 11. City Treasurer.
- CHAPTER 12. Legal Department.
- CHAPTER 13. City Assessor.
- CHAPTER 14. The Council.
- CHAPTER 15. Pounds.
- CHAPTER 16. Cemetery.
- CHAPTER 17. Public Health.
- CHAPTER 18. Justices of the Peace.
- CHAPTER 19. City Finances.
- CHAPTER 20. General Taxation.
- CHAPTER 21. Special Assessment.
- CHAPTER 22. Public Utilities.
- CHAPTER 23. Franchise and Public Utilities.
- CHAPTER 24. Vacancy.
- CHAPTER 25. Amendments to Charter.
- CHAPTER 26. Condemnation and Appropriation of Property.
- CHAPTER 27. General Powers and Provisions.

CHARTER  
OF THE CITY OF  
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PREAMBLE

We, the people of the City of Grand Blanc, County of Genesee, State of Michigan, pursuant to the authority granted by the Constitution, and the Statutes of the State of Michigan, in order to establish a City Government, and to provide for and maintain the essential interest and welfare of all our people, do hereby ordain and establish this Charter of the City of Grand Blanc, Michigan.

CHAPTER 1

Names, Boundaries and Wards

Section 1. The municipal corporation heretofore created under the name of the "City of Grand Blanc," shall be a body corporate and politic, and as such shall have, exercise and enjoy such powers as are conferred by the Constitution and laws of the State of Michigan and this Charter.

Section 2. The City of Grand Blanc shall include all the territory embraced within the limits of the territory described as follows:

The east half of Section 16, the west three quarters of Section 15, the southeast quarter of Section 9 and the west half of the southwest quarter of Section 10, all in Town 6 North, Range 7 East.

Section 3. The City shall consist of one ward.

CHAPTER 2

General Powers, Rights and Liabilities

Section 1. The said City of Grand Blanc shall be a body corporate and politic, shall have perpetual succession, shall have a corporate seal, may sue and be sued and may contract and be contracted with.

Section 2. The City shall have the power:

(1) To acquire for a public use or purpose within the scope of its powers, and to hold, manage, control, lease and sell property or any interest therein, within the corporate limits and also without the corporate limits to the full extent permitted by law. To sell a

piece of real property a public hearing and approval of a two-thirds majority of City Council members be required before disposition of any City owned real property, excepting City parks or cemeteries which sale shall require the approval of a majority of the City's electors voting on the question of sale. (Amended 11-7-00)

(2) To acquire real and personal property by gift made by grant, devise, bequest, or in any other manner, for public parks, grounds, boulevards, zoological gardens, cemeteries, public buildings and other public purposes, whether made directly or in trust, and whether within or without the corporate limits of the City, or within or without the corporate limits of the County of Genesee, and the City Council may appropriate funds for the maintenance and upkeep of gifts so acquired.

(3) To make and enforce ordinances and resolutions for the care, protection, control and management of property belonging to the City located within the corporate limits. It may also make and enforce such ordinances and resolutions as to such property located without the corporate limits, as is permissible under the laws of the State.

(4) To acquire, construct, establish, own, equip, maintain, conduct, manage and operate libraries, hospitals, markets, market houses, playgrounds, parks, public grounds, recreation buildings, comfort stations, police stations, jails, fire houses, City Hall, office buildings for use of City officials, public buildings, sewage disposal systems and plants, lighting systems and plants, water systems and pumping stations, water filtration plants, public parking grounds, public works, works and plants for preparation, manufacture, storage, handling or transportation of materials required in public work, and all buildings, establishments, institutions and places which are necessary or convenient for the transaction of public business or for promoting the health, morals, safety or welfare of the inhabitants of the City whether the same be specifically enumerated herein or not; and to acquire sites therefor.

(5) To establish any department that it may deem necessary for the general welfare of the City and for the separate incorporation thereof; provided that these provisions shall not extend to and include public schools.

(6) To establish by ordinance 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, and such regulations in one or more districts may differ from those in other districts.

(7) To enact a building code and a housing code; to regulate the erection and repair of buildings; to prevent the erection of unsafe buildings and to provide for the removal of any such buildings; to require building permits for all buildings and structures erected in the City; to regulate the maintenance and occupancy of buildings in so far as the same affects health and safety.

(8) To regulate the location, construction, size and height of billboards and the maintenance thereof; or to entirely prohibit the construction of billboards in the City.

(9) To establish and maintain definite fire limits and to prohibit within

such limits the construction of buildings and other structures of materials easily inflammable.

(10) To enact and enforce ordinances in relation to the prevention and suppression of fires.

(11) To regulate the height, construction and location of all fences; to provide for the building and maintenance of partition fences and all things in relation thereto; to provide for a Board of Fence Viewers to determine all disputes between owners in relation to partition fences and for the enforcement of the decisions of such Board.

(12) To regulate the construction of cellars and basements so far as the same in any manner affects the public safety or health.

(13) To regulate and license the storing, handling, disposing and sale of combustible and explosive substances of every character.

(14) To regulate, restrict and limit the number and location of oil and gasoline stations.

(15) To define, prohibit, abate, suppress, regulate and or prevent all nuisances and all things detrimental to the health, morals, comfort, safety, convenience and welfare of the inhabitants of the City, and the causes of all nuisances and such things.

(16) To care for and give relief to poor and indigent persons, delinquent and juvenile offenders, and mentally or physically deficient persons.

(17) To provide for taking a census of the City.

(18) To provide for and regulate the numbering of buildings upon streets and highways of the City.

(19) To exercise jurisdiction over all diseased or noxious trees, shrubs and plants.

(20) To regulate the location of all poles used by public utilities.

(21) To require the approval of all plats of lands by the City Council subject to such terms and conditions as may be deemed best.

(22) To regulate and control the disposition and handling of garbage, ashes, dead animals and any other things detrimental to public health or good sanitation.

(23) To maintain, operate, license, own and or control public fuel supplies and markets of every kind.

(24) To regulate the speed of motor vehicles and to prohibit the reckless driving thereof, upon the streets, highways and alleys of the City.

(25) To regulate traffic and parking of automobiles and other vehicles; to prohibit such parking on designated highways, streets and alleys or parts thereof; to provide for the impounding of vehicles parked in violation of such regulations or prohibitions and of vehicles abandoned and left on the streets, highways and alleys of the City; and to provide for the sale of any impounded vehicle which shall not be claimed and the impounding and other charges paid, within sixty days after being impounded.

(26) To make and enforce local, police and sanitary regulations.

(27) To inspect, regulate and control all weights and measures and the use thereof and to seize and destroy inaccurate or fraudulent weights and measures.

(28) To regulate and license taxicabs, jitneys, and all kinds of vehicles used for the conveyance of persons and property for hire; and to regulate, license and control the drivers of such taxicabs, jitneys and other vehicles above mentioned.

(29) To regulate and license hotels, rooming houses, boarding houses, restaurants, candy manufacturers, distributors and retailers, and soft drink manufacturers, distributors and retailers.

(30) To regulate and license billiard and pool tables, and rooms, and bowling alleys, and to restrict the number and location thereof.

(31) To regulate and license theaters, motion picture shows, public shows, exhibitions, and other amusements.

(32) To regulate and license public dances or to prohibit the same.

(33) To regulate and license auctioneers, pawnbrokers, hawkers, peddlers, solicitors, transient merchants, junk dealers and junk yards. The above occupations may also be prohibited unless such prohibition may be contrary to State or Federal law.

(34) To regulate or prohibit the use, selling, storing and transportation of firearms and fireworks.

(35) To prohibit the manufacture, transportation, possession, and sale of intoxicating liquors, except for medicinal, mechanical, chemical, scientific or sacramental purposes in accordance with the laws of the State.

(36) To license dogs and other animals and to prevent their running at large.

(37) To require all employees in barber shops, beauty parlors and places where foods are handled to submit to physical examinations and to prohibit the employment in any such place of any person who is afflicted with any infectious disease.

(38) To provide for the inspection, and to regulate and license the manufacture, sale and keeping for sale, of provisions, foods, food supplies and beverages.

(39) To regulate and license trades, occupations and amusements, not inconsistent with State and Federal laws, whether the same be specifically herein mentioned or not.

(40) To prescribe the terms and conditions upon which licenses shall be granted and may require the payment of such license fees and the furnishing of such bond as the Council shall deem reasonable and proper. Licenses shall be subject to revocation by the Council as provided in each particular ordinance.

(41) To issue the bonds of the City for the purpose of providing the first cost of installation and connection of sewers and water works on and to property in the City used solely for dwelling house purposes, when such installation and connection shall be ordered by the proper health authorities; and to provide a lien on such property for the amount of such cost and the manner of payment thereof.

(42) To regulate the obstructing of streets, highways and alleys by trains, engines, cars or otherwise; to regulate the speed of all locomotives and railroad trains and street cars within the City.

(43) To require that wires in streets, highways and alleys be placed underground.

(44) To establish building lines; and to establish by ordinance future street lines where the City contemplates to open or widen any street or highway.

(45) 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 or not; to do any act to advance the interest of the City, the good government and prosperity of the Municipality and its inhabitants, and through its legally constituted authority to pass all laws and ordinances relating to its Municipal concerns, subject to the Constitution and general laws of this State.

(46) To do any act permitted by the provisions of Act No. 279 of the Public Acts of 1909, as amended or as may be amended, commonly known as the Home Rule Act, whether such Act is specifically mentioned or not.

(47) The City-owned properties commonly known as Grand Blanc Commons, Rust Park and Physicians Park are to be held in perpetuity as community park land.  
(Amended 11-7-00)

Section 3. The City shall possess all the powers which are permitted to be possessed by cities in this State under the Constitution and general laws of the State and the enumeration of particular powers in this Charter shall not operate as an exclusion or limitation of any general powers.

Section 4. The City Council shall exercise all the powers of the City which are not otherwise delegated in this Charter, and said Council shall have authority to make and enforce ordinances and resolutions in relation thereto, and also such as they may deem necessary or proper for the safety, order and good government of the City and the general welfare of the inhabitants thereof, subject to the Constitution and laws of the State and the provisions of this Charter.

### CHAPTER 3

#### Registration

Section 1. The City Clerk shall constitute the Board of Registration for the entire City, and for that purpose shall be at the office of the City Clerk at all times, when by the provisions of this Charter, or by the general laws of this State, boards of registration are required to sit.

Section 2. The City Clerk shall provide a suitable register for the City, and in such register shall be kept an accurate registration of all the qualified electors of the City in the manner as that prescribed for the registration in cities of the fifth class.

Section 3. At all times when not in use at the polling place in the City, the book of registration required by law shall be kept in the office of the City Clerk.

Section 4. Whenever the Board of Registration as provided in the Charter shall be in session, each elector in the City of Grand Blanc shall be entitled to have his or her name placed in the register by application to such Board in the same manner as that provided by law for registration of voters in cities and townships.

Section 5. In all matters not herein specifically provided for, the general laws of the State of Michigan applicable to registration of electors shall apply and be in force in this City when not inconsistent with the provisions of this Charter.

#### CHAPTER 4

##### Elections, Officers, Terms of Office, Compensation

Section 1. The regular Municipal elections to be held under the provisions of this Charter shall be held on the first Monday of April of the year 1931 and every second year thereafter.

Section 2. Special elections may be appointed by resolution of the Council and held at such time as it shall determine, the purpose and object of which shall be fully set forth in the resolution appointing such election.

Section 3. In all elections in the City of Grand Blanc, the election precinct, voting place, notice of election, method of conducting the election, canvassing the votes, and announcing the results, shall be the same as provided by the general election law of this State so far as applicable to Cities and not inconsistent with the provisions of this Charter.

Section 4. It shall be the duty of the Council at least ten days before any election held, to provide a polling place.

Section 5. The City Assessor, City Clerk and two Justices of the Peace (after the first election) shall constitute the Board of Election Inspectors for municipal, general or special elections, and shall act as such inspectors unless absent or barred by statute, when any vacancy shall be filled by the electors present, as provided by the general election law of Townships; provided that, if the City shall be divided into two or more election precincts, the Council shall at the time of such division provide for a Board of Election Inspectors for such additional precincts or precinct. Said inspectors shall have all the powers in regard to administering oaths, appointment of clerks, gatekeepers, maintaining order, care of ballot boxes, keys and seals, and of counting and returning of ballots, as are conferred by the general laws of this State.

Section 6. In the City of Grand Blanc, there shall be elected by the qualified electors of the whole City, the following officers: One Mayor, six Councilmen, two members of the Board of Review, two Justices of the Peace, two Constables.

(Amended 11-5-68)

(EDITOR'S NOTE: Ordinance 107, passed March 9, 1977, abolished the office of Constable.)

Section 7. A Council elected under this Charter shall, by majority vote of all the Councilmen, elect, appoint one City Clerk, and such officers, whose election or appointment is not herein specifically provided for as they may deem necessary to carry into effect the provisions of this Charter, and the officers so appointed shall hold office until the first Monday in May following the next regular City election and until their successors shall have been elected and qualified.

Section 8. The inspectors of election in each voting district shall designate one of their number to act as clerk of election and shall assign proper



and appropriate duties, to the other members in accordance with the general election laws, and such electors chosen or appointed as inspectors of election shall take the constitutional oath of office which oath may be administered by an inspector.

Section 9. When State and County elections are held on the same day as Municipal elections, the inspectors of the election as specified herein shall also be inspectors of State, County and district elections in their respective voting districts.

Section 10. The inspectors of such elections shall have the same power and authority for the preservation of order and for enforcing obedience to their lawful commands during the time of holding the election and the canvass of the votes as are conferred by law upon inspectors of general elections held in this State.

Section 11. The said City Clerk shall make duplicate certificates under the corporate seal of the City, of such determination, showing the results of the election upon any question or proposition voted upon, and what persons are declared elected to the several offices respectively; one of which certificates he shall file in the office of the County Clerk. A certificate of election shall also be issued to each candidate elected to office, and each person elected to office in the City of Grand Blanc, under the provisions of this Charter shall, within five days after receiving the certificate of his election, take and subscribe to the official oath required by law and file the same with the City Clerk.

Section 12. The inhabitants of the City having the qualifications for electors under the Constitution and laws of the State shall be electors therein, and every elector shall have resided therein during the twenty days next preceding the day of election. The residence of any elector not being a householder shall be deemed to be in the election district in which is located his regular place of lodging.

Section 13. All the above named elective officers (except in the case of an election to fill a vacancy) shall, in case of the first election under this Charter, take office on the first Monday following the canvass of said election, and thereafter on the second Monday in April, excepting justices of the peace, who thereafter shall take office on July 4.

Each of the officers first elected under this Charter shall serve until the second Monday of April, 1931, or until their successors are elected and qualified, excepting that of the six Councilmen first elected under this Charter the three receiving the highest number of votes shall hold office until the second Monday of April, 1933, and the three others shall hold office until the second Monday of April, 1931, and at the election to be held on the first Monday in April, 1931, and at the regular election in April every second year thereafter, there shall be elected three Councilmen for the term of four years, or until their successors shall be elected and qualified, also excepting that of the two justices first elected under this Charter the one receiving the highest number of votes shall hold office until July 4, 1933, and the other justice so elected shall hold office until July 4, 1931, and at the regular election to be held on the first Monday of April, 1931, and at the regular election in April every second year thereafter, there shall be elected one justice for a term of four years, the term of office to

commence on July 4 following his election and to continue for a period of four years or until his successor shall be elected and qualified.

Section 14. The Mayor and Councilmen shall receive compensation of two dollars (\$2.00) for each Council meeting attended with a maximum of fifty dollars (\$50.00) for any one year, the compensation of all regular City officers, members of the boards and appointees and employees, not fixed in this Charter shall be fixed by the Council.

Section 15. Elected officials shall take office on the second Wednesday following their election. (Enacted 11-6-84)

## CHAPTER 5

### Nominations

Section 1. The mode of nomination of all elective officers provided for herein shall be by petition, and not otherwise, except as provided for in Section 5 of the within Chapter. The name of any elector of the City shall be printed upon the ballot when a petition in the form hereinafter prescribed shall have been filed, in his or her behalf, with the election authorities provided for in the within Charter. Such petition shall be signed by at least twenty qualified electors of the City of Grand Blanc.

Section 2. The signatures to a nominating petition need not all be appended to one paper, but to each separate paper there shall be attached an affidavit of the circulator thereof stating the number of signers to such paper, and that each signature appended thereto was made in his or her presence, and is the genuine signature of the person whose name it purports to be. Each signer of a petition shall sign his or her name in ink or indelible pencil, and shall place on the petition after his or her name their place of residence.

Section 3. The form of the petition papers shall be substantially as follows:

FORM OF PETITION

We, the undersigned, hereby present \_\_\_\_\_ whose residence is Grand Blanc, for the office of \_\_\_\_\_ to be voted for at the election to be held in the City on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ and we individually certify that we are qualified to vote for candidates for the above office and that we have not signed any other petition presenting any other candidate for said office.

Name \_\_\_\_\_  
Residence \_\_\_\_\_

State of Michigan,  
County of Genesee, SS.,

\_\_\_\_\_ being duly sworn, deposes and says that he is an elector of the City of Grand Blanc, and is the circulator of the foregoing petition containing \_\_\_\_\_ signatures, and that the signatures of the persons whose names they purport to be.

Signed \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

\_\_\_\_\_ Notary Public.

The petition if found insufficient shall be returned to \_\_\_\_\_ Grand Blanc, Michigan.



Section 4. All nominating papers comprising a petition shall be assembled and filed with the City Clerk in one instrument not later than 5:00 p.m. on the seventh Monday prior to the date of the odd year general election which shall be held on the Tuesday following the first Monday in November of each odd-numbered year, pursuant to Section 644E of Act No. 239 of the Public Acts of 1970, as amended. (Amended 3-10-71)

Section 5. A meeting of the City Council shall be held at 7:30 p.m. on the day following the last day on which nominations for the City officers may be filed with the City Clerk, and the Council shall check all such nominations and if the nominees are legal residents of the City and State and citizens of the United States, and are not barred by any provisions of the State laws, the Council shall order their names printed on the official ballots.

Should any questions as to the qualifications of the nominee be raised by any member of the Council or any elector of the City, the Council shall request such nominee to appear before the Council at this meeting, or such time as may be designated by the Council, and answer to the objections made and after the Council shall have heard the evidence it shall appear that the nominee is not eligible to the office for which he or she is nominated, the Council shall declare the nomination void. (Amended 4-7-41)

Section 6. All ballots used in election held under the authority of this Charter shall be nonpartisan, and without party mark or designation. Ballots used for election of candidates shall contain a complete list of all the offices to be filled, the number of candidates to be elected to such offices, and the names of the candidates seeking the election therefor, and shall be printed and numbered in accordance with the general laws of the State of Michigan regulating the printing and numbering of ballots at elections in this State.

The candidates except as hereinafter stated, receiving the greatest number of votes for any office in the City shall be deemed to have been duly elected to such office; and if there shall be no choice for any office by reason of two or more candidates having received an equal number of votes the Council shall at the next meeting of said Council determine by lot between such persons, which

shall be considered elected to such office; provided however, that in case of the candidates for the Council the three candidates receiving the highest number of votes shall be deemed to have been duly elected; and in case of the candidates for the Board of Review, and Constable, two candidates receiving the highest number of votes shall be deemed to have been duly elected. (EDITOR'S NOTE: Ordinance 107, passed March 9, 1977, abolished the office of Constable.)

Section 7. If a vacancy occurs in any of the foregoing elective offices the Council shall appoint an eligible person to fill such vacancy until the next regular City election.

Section 8. In all elections in the City of Grand Blanc the election precinct, voting place, methods of conducting the election, canvassing the votes, and announcing the results, shall be the same as provided by the general election law of this State, so far as the same is applicable and not inconsistent with the provisions of this Charter.

Section 9. Special elections may be called by the Council, provided however, that the resolution of the Council calling for any special election shall be passed by the Council at least forty days prior to the date fixed for such special election; provided further that not more than two special elections shall be called and held in any one calendar year, except that a greater number of special elections may be held, if they shall be permitted or required by law.

Section 10. The Clerk shall give notice of every regular or special City election, by causing a copy of the notice of such election to be published in a newspaper, published and circulated in the City, once in every calendar week for at least two successive weeks prior to such election, the first publication of which notice shall be at least twenty days prior to the date of such election; and by posting a copy of said notice in five of the most public and conspicuous places in the City at least twenty days prior to the day of such elections. Each notice shall designate the time and place in each election precinct at which such election shall be held, and shall state fully the purpose or purposes of such election, and shall state any special question or questions to be voted upon at such election in the form prescribed by the Council in the resolutions calling the election. Proof of publication and posting such notices shall be made by proper affidavits filed in the office of the City Clerk.

Section 11. On the day of any election, the polls shall be opened at 7:00 a.m., or as soon thereafter as may be, and shall be kept open until 8:00 p.m., at which hour they shall be closed. The inspectors of election shall cause the proclamation to be made upon opening the polls, and shall cause proclamation to be made of the closing of the polls one hour, thirty minutes and fifteen minutes, respectively, before the closing thereof. No elector shall be entered on the poll lists after the time herein provided for the closing of the polls, regardless of whether or not any such person is at that time within the voting booth.

Section 12. All ballots shall be printed in full compliance with the general election laws of the State and the offices to which candidates are to be elected shall appear in the order set forth in Section 6, Chapter 4 of this Charter.

Section 13. In all matters pertaining to elections in the City, the City shall be governed by the general election law of this State, as the same now or hereafter may exist, and in so far as the same now is or hereafter may be

applicable to the City, and any provision herein contained shall only control in so far as they do not contravene the provisions of such general election laws.

Section 14. No informalities in conducting any Municipal election shall invalidate the same, if they have been conducted fairly and in substantial conformity with the requirements of this Charter and the general law of the State.

Section 15. At or before the time limited to take and file his or her oath of office, each of the elective officers shall file with the City Clerk a sworn statement showing the total amount of moneys expended by him, or in his behalf in the matter of his said election; the exact amount of money contributed by him or her toward such expenses and the several amount of moneys contributed by others toward such expenses, together with the names of such other contributors, and a detailed and itemized account of the disbursements of all other moneys. Such elective officer shall also cause a true copy of the above statement to be published in the next succeeding issue of the official newspaper of the City; and shall file an affidavit of such publication in the office of the City Clerk within ten days of such publications. Any elective officer, who fails to comply with all the provisions of this chapter shall thereby forfeit his office unless the time for complying therewith shall be extended by the Council, which extension or extensions shall in no case exceed twenty days.

## CHAPTER 6

### Recall

Section 1. Any elective officer of the City of Grand Blanc may be removed by the qualified electors of the City in accordance with the general laws of the State providing for recall of City officials.

Section 2. No recall petition shall be filed against any officer within six months after he takes his office, nor in case of any officer re-elected in a recall election until six months after that election.

## CHAPTER 7

### Initiative and Referendum

Section 1. Any proposed ordinance may be submitted to the Council by petition signed by at least twenty-five percent of the total number of qualified electors. All petition papers, circulated with respect to any proposed ordinance shall be uniform in character and shall contain the proposed ordinance in full, and shall have printed or written thereon the names and addresses of at least five electors who shall be officially regarded as filing the petition, and who shall constitute a committee of the petitioners for the purpose hereinafter named.

Section 2. Each signer of a petition shall sign his or her name in ink or indelible pencil, and shall place on the petition paper after his or her name his or her place of residence. The signatures to any such petition need not all be

appended to one paper, but to each paper there shall be attached an affidavit by the circulator thereof, stating the number of signers to such part of the petition and that each signature appended to the paper is the genuine signature of the person whose name it purports to be, and was made in the presence of the affiant.

Section 3. All papers comprising a petition shall be assembled, and filed with the City Clerk, as one instrument and when so filed, the City Clerk shall submit the proposed ordinance to the Council at its next regular meeting. Provision shall then be made by the Council for public hearings upon the proposed ordinance.

Section 4. The Council shall at once proceed to consider it, and shall take final action thereon within thirty days from date of submissions. If the Council rejects the proposed ordinance, or passes it in a form different from that set forth in the petition, the committee of the petitioners may require that it be submitted to a vote of the electors in its original form.

Section 5. When an ordinance proposed by petition is to be submitted to a vote of the electors, the committee of the petitioners shall certify that fact and the proposed ordinance to the City Clerk within twenty days after the final action on such proposed ordinance by the Council.

Section 6. Upon receipt of the certificate and certified copy of the proposed ordinance, the Clerk shall certify the fact to the Council at its next regular meeting. If an election is to be held not more than three months nor less than thirty days after the receipt of the Clerk's certificate by the Council such proposed ordinance shall be submitted to a vote of the electors at such election. If no such election is to be held within the time aforesaid, the Council shall provide for submitting the proposed ordinance to the electors at a special election.

Section 7. The ballots used when voting upon any such proposed ordinance shall state the title of the ordinance to be voted on, and below it the two propositions, "For the Ordinance," and "Against the Ordinance." Immediately at the left of each proposition there shall be a square in which by making a cross (X) the voter may vote for or against the proposed ordinance. If a majority of the electors voting on any such proposed ordinance shall vote in favor thereof, it shall thereupon become an ordinance of the City.

Section 8. Proposed ordinances for repealing existing ordinance or ordinances, in whole or in part, may be submitted to the Council as provided in the preceding sections for initiating ordinances. Initiated ordinances adopted by the electors shall be published, and may be amended or repealed by the Council as in the case of other ordinances, but not within twelve months after their adoption.

Section 9. No ordinance except emergency measures and the annual appropriation bill, shall go into effect until twenty days after its passage, nor shall any resolution for a bond issue, franchise, or general public improvement calling for the expenditure of money from the general funds of the City, go into effect for a period of twenty days after being passed by the Council. If at any time within said twenty days a petition signed by fifteen percent of the qualified electors be filed with the City Clerk requesting that any such ordinance be



repealed, amended or submitted to a vote of the electors, it shall not become operative until the steps indicated herein shall have been taken, and said petition shall have printed or written thereon the names and addresses of at least five electors who shall be officially regarded as filing such petition.

Section 10. The City Clerk shall deliver the petition to the Council, which shall proceed to reconsider the ordinance. If, upon such reconsideration, the ordinance be not entirely repealed or amended in the manner asked for in said petition, satisfactorily to the committee named in said petition, the Council shall provide for submitting it to a vote of the electors, and in so doing the Council shall be governed by the provisions of Sections 6 and 7, Chapter 8 of this Charter, respecting the time of submission and of manner of voting on ordinances proposed to the Council by petition. If, when submitted to a vote of the electors any such ordinance be not approved by a majority of those voting thereon, it shall be deemed repealed.

Section 11. Referendum petitions need not contain the text of the ordinances, the repeal of which is sought, unless some special amendment is asked for, but shall be subject in all other respects to the requirements for petitions submitting proposed ordinances to the Council. Ballots used in referendum elections shall conform in all respects to those provided for in Section 7, Chapter 7 of this Charter.

## CHAPTER 8

### Ordinances

Section 1. The enacting clause of all ordinances shall read "The City of Grand Blanc Ordains," but such caption may be omitted when said ordinances are published in book form, or are revised and digested by authority of the Council.

Section 2. The adoption of an ordinance by the Council shall require for its passage the concurrence of a majority of the members of the Council.

Section 3. The time when any ordinance shall take effect shall be prescribed therein, which time shall not be less than twenty days from the date of the passage, except as provided in Section 9 of Chapter 7 of this Charter.

Section 4. All ordinances shall be published once within two weeks after their passage, in a newspaper published and circulated within the City, in case of no newspaper there shall be ten notices put up in public places, and the City Clerk shall certify on the record of ordinances the date of publication and the name of the newspaper in which any ordinance was so published or the date and places of posting thereof and such certificate shall be prima facie evidence that legal publication of such ordinance has been made.

Section 5. No ordinance shall be finally passed on the day it is introduced, except in case of public emergency, and then only on request of the Mayor in writing.

Section 6. All ordinances shall be recorded in an index book marked "Ordinance Record" and the record of each ordinance shall be authenticated by the signature of the Mayor and City Clerk. Such record and authentication shall be made within two weeks after the final passage of any ordinance, but

failure to so record and authenticate any ordinance shall not invalidate it or suspend its operation.

Section 7. Immediately upon the final passage of any ordinance the Mayor and City Clerk shall sign the same under a certificate of the day and date of its passage.

Section 8. Ordinances submitted to the Council by initiative petition, and passed by the Council without change or passed in an amended form and not required to be submitted to a vote of the electors by the committee of the petitioners, shall be subject to the referendum in the same manner as other ordinances.

Section 9. If the provision of two or more ordinances adopted or approved at the same election conflict, the ordinance receiving the highest affirmative vote shall prevail.

Section 10. Ordinances passed as emergency measures shall be subject to referendum in like manner as other ordinances, except that they shall go into effect at the time indicated in such ordinances. If, when submitted to a vote of the electors, an emergency measure be not approved by a majority of those voting thereon, it shall be considered repealed as regards any further action thereunder; but such measure so repealed shall be deemed sufficient authority for payment, in accordance with the ordinance, of any expense incurred previous to the referendum vote thereon.

Section 11. In case a petition be filed requiring that a measure passed by the Council providing for a franchise, an expenditure of money, a bond issue, or a public improvement, be submitted to a vote of the electors all steps preliminary to the actual granting of such franchise, to such actual expenditure, actual issuance of bonds, or actual execution of a contract for which improvements may be taken prior to the election, but nothing shall be done which will bind the City by the action of the Council.

Section 12. Any franchise, ordinance, resolution, proposed public improvement, or contemplated public measure, affecting the general health or welfare of the City, passed by the Council may be referred by the Council to the qualified electors of the City; and no measure so referred shall become operative unless approved by a majority of the electors voting thereon.

Section 13. Whenever it shall be necessary to prove any laws, regulations or ordinances of this City, or any resolutions adopted by the Council thereof, the same may be read in all courts and in all proceedings before any tribunal; first, from a record thereof kept by the Clerk; second, from a copy of the ordinance or of the record thereof, certified by the Clerk, under the corporate seal of the City; third, from any compilation of ordinances or an individual ordinance purporting to have been written or printed by authority of the Council.

Section 14. Whenever a penalty shall be incurred for the violation of any ordinance, and no provision shall be made for imprisonment of the offender upon conviction thereof, or when a corporation shall incur a penalty for the violation of any such ordinance, the same shall be sued for in the Justice Court of the City or in any other Court of competent jurisdiction by an action at law.

Section 15. Prosecution for violation of the ordinances shall be commenced within two years after the commission of the offense, and shall be brought within the City. Any Municipal Court or justice of the peace of the City shall have the authority to hear, try and determine all causes and suits arising under the ordinances of the City, and to inflict punishment for violations thereof as provided in the ordinance.

## CHAPTER 9

### Mayor and Appointments

Section 1. Mayor to be Supervisor; Other Duties: The Mayor, by virtue of his office, shall be supervisor of the City and as such shall represent the City upon the Board of Supervisors of Genesee County, with all the rights, authorities and privileges of supervisors of townships and cities.

He shall be the presiding officer of the Council; he shall vote in all cases of a tie and shall make appointments and perform such other duties, as, and in the manner provided by this Charter.

Section 2. Appointments, How Made, When Effective, How Ended, Change of Salary: Not later than May 1, the Council by resolution or motion, shall fix the salaries of all appointive officers and any elective officers whose salaries are not fixed in this Charter, and thereupon the Mayor, by and with the approval of the Council shall also appoint any officers deemed necessary and the members of all boards authorized by and for which no method of election is provided in this Charter, and all officers thus appointed shall enter upon their official duties on May 1 following their appointment and shall serve until their successors are chosen: provided, however that the Council shall have the right to (1) at any time discontinue any office by it created; (2) to dismiss at its pleasure any appointee whose term of appointment is not fixed by this Charter; (3) to dismiss for any cause any appointee whose term is fixed by this Charter, and (4) to appoint a successor to any appointed office of the City, when in its best judgment, the best interest of the City will be enhanced thereby. The Council may also increase or decrease the salaries of all appointed officers during their continuance in office, except officers appointed for a definite period of time, and specify the manner in which their salaries shall be paid, and shall also appoint such other officers as may be required by law.

## CHAPTER 10

### City Clerk

Section 1. General Duties: The City Clerk shall keep the corporate seal, and all the documents, official bonds, papers, files and records of the City not by this Act or the ordinances of the City entrusted to some other officer; he shall be Clerk of the Council, he shall attend its meetings; record all its proceedings, ordinances and resolutions, and shall countersign and register all

licenses granted; he shall, when required, make and certify under the seal of the City, copies of the papers and records filed and kept in his office, and such copies shall be evidence in all places of the matters therein contained, to that same extent and as the original would be; and for the making of such copies for any person other than an officer of the City, he shall collect fees allowed county clerks for like services, he shall possess and exercise the powers of township clerk so far as the same are required to be performed within the City; he shall have authority to administer oaths and affirmations.

Section 2. To Act as Accountant: The City Clerk shall act as City Accountant, and as such he shall install and have supervision over the accounts of all departments and offices of the City. As such Accountant he may require from all officers and departments of the City from time to time, such reports of money, receipts and disposition thereof, together with such financial and operating statements as shall exhibit each transaction complete and the cost thereof.

Section 3. Accounting System: An accounting procedure shall be devised and maintained for the City adequate to record in detail all transactions affecting the acquisition, custodianship and disposition of values, including cash receipts and disbursements, and which shall conform to any uniform accounting system required by law. The recorded facts above provided for shall be presented periodically to officials and to the public in such summaries and analytical schedules in detailed support thereof as shall be necessary to show the full effect of such transaction for each fiscal year upon the finances of the City, and in relation to each department of the City government, including district summaries and schedules for each utility owned and operated.

Section 4. To be Purchasing Agent: The City Clerk shall act as purchasing agent for the City and as such he shall purchase all supplies for the City under the order of the Mayor and the Council.

## CHAPTER 11

### City Treasurer

Section 1. The City Treasurer shall have the custody of all moneys, bonds, mortgages, notes, leases and evidences of value belonging to the City. He shall receive all moneys belonging to and receivable by the corporation, and keep an account of all receipts and expenditures thereof. He shall pay no money out of the Treasury except in pursuance of and by authority of law, and upon warrants signed by the Clerk and Mayor, which shall specify the purpose for which the amounts thereof are to be paid. He shall keep an account of and be charged with all taxes and money raised, paid in or appropriated, and shall pay every warrant out of the particular fund constituted or raised for the purpose for which the warrant was issued and having the name of such fund endorsed thereon by the Clerk.

Section 2. The Treasurer shall render to the Clerk on the first Monday of every month, and oftener if required, a report of the amounts received and credited by him to each fund, and on what account received and of the amounts

paid out by him from each fund during the preceding month, and the amount of money remaining in each fund on the day of his report.

Section 3. The City Treasurer shall keep all moneys in his hands belonging to the City and to the public, separate and distinct from his own moneys; and he is hereby prohibited from using, either directly or indirectly, the corporation moneys, warrants or evidences of debt, for his own use of benefit or that of any other person. Any violation of this section shall subject him to immediate removal from office by the City Council who are hereby authorized to declare the office vacant for such offense and to appoint his successor.

Section 4. The City Treasurer shall be the collector of State and County taxes within the City. He shall also collect all other taxes and assessments levied within the City, whether the same be for general City purposes or for special improvements, and he shall in addition thereto perform all such duties in relation to the collection of taxes as may be covered by the general laws of the State.

## CHAPTER 12

### Legal Department

Section 1. The Council shall make provision for the proper care of all litigation in which the City may be interested, and to that end they are hereby empowered to engage the services of any competent attorney whenever in their opinion such services shall be needed and to agree with him as to his compensation therefor.

Section 2. The Council may also engage any practicing lawyer to act as prosecuting attorney for the prosecution of all offenders against any ordinance of the City, and to fix his compensation therefor whether the same shall be in the nature of a fixed salary, or by way of fees for services rendered.

Section 3. The Council whenever in its opinion the same shall be necessary may employ such counsel and procure such legal advice upon any subject as they may desire, and may pay therefor in such manner as to them may seem most economical whether by annual retainer or otherwise, as may be agreed upon.

Section 4. Service of all process in suits against the City shall be made on the Mayor or City Clerk.

## CHAPTER 13

### City Assessor

Section 1. The City Assessor shall annually estimate and assess the value of all taxable real and personal property in the City, and make an assessment roll in the same manner as supervisors of townships. There shall be spread upon said roll any and all taxes duly certified by the Board of Supervisors of the County or by other proper authority. He shall make all special assessments authorized by the Charter of this City, and for the purpose of such special

assessment that portion of the annual assessment roll applicable thereto shall be taken as the value of the property to be assessed.

The City Assessor shall attend all meetings of the Board of Review, and shall furnish the said Board and Mayor information concerning the assessment roll made by him on property assessed thereon. Such Assessor shall receive such compensation for his service as may be fixed by the Council.

## CHAPTER 14

### The Council

Section 1. Control over sidewalks, curbs, shade trees, etc.: The Council may, by resolution, declare that certain specific sidewalks, curbings, gutters and shade trees adjacent to any property abutting upon any public street, shall be constructed, repaired, planted or removed. Upon the passage of such resolution the City Council shall cause written notice of the passage thereof to be served upon the owner or agent of the owner, of each parcel of land abutting upon such street, who may be a resident of the City, in the manner provided by law for the service of summons in civil actions. He shall return a copy of the notice, with the time and manner of service, endorsed thereon, signed by the person serving it, to the City Clerk, who shall file and preserve such return. For the purpose of such service, if the owner of such property, be not a resident of the City, any person charged by such owner with the collection of rent or the payment of taxes on such property, or having control thereof in any way, shall be regarded as the agent of the owner, and service upon such person shall have the like force and effect as though personal service was made upon the owner thereof. If it appears in any such return, however, that the owner is a nonresident, or that neither agent nor said owner could be found one publication of a copy of the resolution in a newspaper of general circulation in the City shall be deemed sufficient notice to such owner.

Section 2. Special Assessment for Sidewalks, Curbs and Trees: If such sidewalks, curbings or gutters be not constructed or repaired, or such trees planted or removed within fifteen days of the service of the notice provided for in the preceding section, or the completion of the publication thereof. The Council may proceed by direct employment of labor or by contract to carry out the said construction or repair at the expense of the owner as in the case of other improvements; and all such expense shall be reported to the Council. The Council shall thereupon, by ordinance or resolution, assess the cost and expense thereof upon the owner or owners of all the property bounding or abutting thereon or benefited thereby, and such assessment shall be collected in the same manner as other assessments, with a penalty of five percent and interest for failure to pay at the time fixed by the assessment resolution.

Section 3. May Borrow Money For: The Council may, at any time, borrow money and authorize issuance of notes, or bonds therefor, in anticipation of the collection of assessments levied for the purpose of paying the cost of constructing or repairing sidewalks, curbings and gutters, which are to be or have been constructed by the Council upon the failure of the owners of the

property to construct or repair the same, pursuant to notice as hereinbefore provided.

Section 4. Control Streets and Public Places: The Council shall provide by ordinance for the care, supervision, control and improvement of public highways, streets, avenues, alleys, sidewalks, public grounds, bridges, aqueducts and viaducts within the City, and shall cause them to be kept open, in repair, and free from nuisance.

Section 5. Same: When it deems it necessary, the Council may cause any street, alley, or public highway to be opened, straightened, altered, diverted, narrowed, widened, or vacated.

Section 6. Acceptance of Street Dedication: No street or alley hereafter dedicated to public use by the proprietor of ground platted in the City shall be deemed a public street or alley, or under the care and control of the Council unless the dedication be accepted and confirmed by resolution or ordinance passed for such purpose.

Section 7. Vacating Streets: The Council, in vacating any street or part of street or changing the name of any street, may include in one resolution or ordinance the change of name, or the vacation or narrowing of more than one street, avenue, or alley, but before vacating any street or part thereof, or narrowing any street, the Council shall first pass a resolution declaring its intention to do so. The Council shall cause notice of such resolution to be served in the manner provided in Section 1 of this chapter. Said notice shall state the time and place at which objections can be heard before the Council. The Council may, by resolution or ordinance, declare such vacation or narrowing, and such order of the Council vacating or narrowing a street or alley which has been dedicated to public use by the proprietor shall, to the extent which it is vacated or narrowed operate as a revocation of the acceptance thereof by the Council.

Section 8. The Council shall be empowered to regulate, require and enforce the setting of shade trees in the streets of said City, and to provide for the preservation of the same.

Section 9. Chapter XI of the Fourth Class Cities Incorporation Act Adopted. Excepting as they may be in conflict with this Charter, or with the Act under which the City of Grand Blanc is incorporated, said Council shall have all the powers and authority vested upon City Councils by the provisions of Chapter XI of Act 215 of the Public Acts of 1895 of the State of Michigan entitled "An Act to provide for the incorporation of cities of the fourth class," and all acts amendatory thereof. The powers conferred on the City Council under this section are in addition to the other powers conferred on said Council in this charter.

Section 10. Proceedings to Acquire Private Property for Public Use. And any additional power or authority (if any, and same not being inconsistent with the foregoing provisions of this chapter) heretofore or hereafter granted to or conferred upon the common council of cities of the fourth class by the general laws of this State, and including specifically the power and authority to appropriate private property for public use, as provided by Chapter XXV of said Fourth Class City Act, is hereby adopted and granted to and conferred upon the

Council of the City of Grand Blanc, or the City of Grand Blanc at its option may acquire private property for any public use, whether within or without the corporate limits of the City, under the provisions of Act 149 of the Public Acts of 1911 as amended, entitled, "An Act to provide for the condemnation by State agencies and public corporations of private property for the use or benefit of the public, and to define the terms "public corporations," "State agencies," and "private property" as used herein.

Section 11. The Council shall be the judge of election and qualification of its own members, subject to review of the courts in case of contest.

Section 12. The Council shall determine its own rules of procedure, may punish its members for disorderly conduct and may compel the attendance of the members.

Section 13. Council Meetings, General and Special: The Council shall prescribe the time of its regular meetings at least one of which shall be held each month, in the City Hall.

The Mayor or any two members of the Council may appoint special meetings thereof, notice of which, in writing, shall be given each Councilman or left at his place of residence at least six hours before the meeting; provided that if all members of the Council be present at any special meeting due notice shall be presumed to have been given.

Section 14. Journal to be Kept: The Council shall cause to be kept in the English language, a written or printed journal of every session of said Council.

Section 15. May Designate Bank: The Council is authorized to negotiate with one or more banks within the City given sufficient security to have all, or such portion of the City funds as may be agreed upon deposited with such bank, and to receive from such bank interest on daily or other periodical balances at such rate of interest as may be agreed upon, and thereafter to cause such City money to be deposited and remain in such bank during the time agreed upon, except such amounts as may be withdrawn by warrants issued in the ordinary course of business under the provisions of this Charter.

Section 16. The Council may annually cause to be levied and collected taxes in a sum not to exceed two per centum of the assessed value of all real and personal property in the City of Grand Blanc.

Section 17. The City Council may provide for the punishment of those who violate laws or ordinances of the City of Grand Blanc, but no punishment shall exceed a fine of five hundred dollars (\$500.00) or imprisonment for ninety days, or both, in the discretion of court: said imprisonment may be in the County Jail or City Prison, or in any workhouse in the State authorized by law to receive prisoners from such City.

## CHAPTER 15

### Pounds

Section 1. The Council may provide and maintain one or more pounds in the City, and may appoint poundmasters, prescribe their powers and duties, and fix their compensation, and may authorize the impounding of all beasts and fowls



found in the streets, or otherwise at large, contrary to any ordinance of the City, and if there shall be no pound or poundmaster, they may provide for the impounding of such beasts and fowls by some person duly appointed for the purpose in some suitable place under his immediate care and inspection, and may confer on him the powers and duties of poundmaster.

## CHAPTER 16

### Cemetery

Section 1. **May Own and Regulate:** The City may acquire, own and hold such cemetery or public burial place or places, either within or without the limits of the corporation, as in the opinion of the City Council shall be necessary for the public welfare and suitable for the convenience of the inhabitants, and may prohibit interment of the dead within the City, or may limit such interments therein to such cemetery or burial place as the City Council may prescribe, and it may cause bodies buried within the City in violation of any rule or ordinance made in respect to such burial, to be taken up and buried elsewhere.

Section 2. **Certain Statutes Adopted:** All provisions of Chapter XV of Act 215 of the Public Acts of 1895 and Acts amendatory thereto relative to the incorporation of cities of the fourth class shall be considered as a part of this Charter, except that all powers therein granted to the Council in relation to cemeteries shall hereafter be exercised by the Council herein provided for.

## CHAPTER 17

### Public Health

Section 1. **Certain Statutes Adopted:** It shall be the duty of the Council to protect the public health of inhabitants of the City, and for that purpose they are hereby clothed with all the powers granted to City Councils by Chapter XIV of Act 215 of the Public Acts of 1895 relative to incorporation of fourth class cities; and said act and all amendments thereto shall be considered as a part of this Charter, and the Council shall possess all the powers therein granted to City Councils and shall be the Board of Health until such time as it may create a separate Board of Health and appoint a Health Officer and define their powers and duties, authority to do so being hereby granted.

## CHAPTER 18

### Justices of the Peace

Section 1. **To File Oath and Bond with County:** Every justice of the peace shall, within the same time and in the same manner as in case of justices of the peace elected in townships, take and file with the County Clerk of Genesee County an oath of office and bond or security for the performance of

the duties of his office said bond or security to be executed in the presence of the City Clerk and approved by the Council of the City of Grand Blanc, and for failure of such justice so to do, shall be liable to the same penalties as are provided in cases of justices of the peace elected in townships.

Section 2. To File Bond With City: Each justice of the peace shall also before entering upon the duties of his office, give a bond to the City in a penalty of five hundred dollars (\$500.00), to be executed and approved as above, conditioned for the faithful performance of his duties as the justice of the peace in and for said City.

Section 3. Authority of Justices of Peace: Each justice of the peace elected in the City of Grand Blanc, under the provisions of this Charter, shall have and exercise therein and within Genesee County, the same jurisdiction and shall have the same powers and authority and shall perform the same duties and make the same records, and make the same disposition of fines, penalties and forfeitures by him collected or received, and be subject to the same general duties, obligations, requirements, restrictions and prohibitions as are now or may hereafter be conferred upon or required of justices of the peace by the Constitution and general laws of the State of Michigan, save only as may be herein otherwise lawfully provided.

Any report of a justice of the peace required by general statutory provisions hereinbefore referred to be made to the common council or legislative body of any local municipal unit shall, under the provisions hereof, be made to the Council of Grand Blanc.

Section 4. Vacancy in Office of Justice, How Filled: In case of vacancy in the office of justice of the peace in said City, it shall be filled by appointment by the Mayor by and with the approval of the Council, such appointee to serve until July 4 following the first regular City election after said appointment. At said election the balance of said unexpired term shall be filled by election in the regular manner of a justice of the peace to serve from said July 4 for the remainder of such unexpired terms.

Section 5. City Fines: All fines, penalties and forfeitures received by a justice of the peace arising out of proceedings to enforce any ordinance of the City imposing a fine or penalty for a violation thereof shall within thirty days after such receipt be paid to the City Treasurer, who shall give duplicate receipts therefor and within the same time said justice shall file one of such duplicate receipts with the City Clerk, and all fines, penalties and forfeitures so received by the City of Grand Blanc shall be credited to the general funds of the City.

## CHAPTER 19

### City Finances

Section 1. Fiscal Year: The fiscal year for the City shall commence on June 1 each year.

Section 2. General Authority and Tax Limit: The Council shall have the authority within the limits herein prescribed, to raise annually by taxation upon

the real and personal property liable to taxation in said City, as in Section 2, Chapter 20, defined, such sums of money as may be necessary to defray the general expenses and pay the current liabilities of the City and carry into effect the powers in this Charter granted: provided, the aggregate amount thereof shall not exceed in any one year two percent of the assessed valuation of all real and personal property in the City.

Section 3. General Funds: The revenue so raised by general taxation or by loan to be repaid by such tax, shall be divided into such and so many funds and apportioned to the various general needs and purposes of said City as the Council may by ordinance or resolution determine.

Section 4. Council to Audit Books and Publish Statement: Within two weeks next preceding the annual City election, the Council shall audit and settle the accounts of the Treasurer and other officers of the City as of March 1, and so far as practicable, of all persons having claims against the City, and shall make out a statement in detail of the receipts and expenditures of the City during the preceding year, which statement shall distinctly show the amount of all taxes raised during the year for all purposes and the amount apportioned to each fund, the amount levied by special assessment (if any) and the amount collected on each; also the items and amounts received from all other sources during the year, also the several items of all expenditures made during the year, and the object thereof, classifying the same for each purpose separately and containing such other information as shall be necessary to a full understanding of the financial condition of the City. Said statement shall also show the amount and the items of all indebtedness outstanding against the City; and to whom payable, and upon what rate of interest; the amount of salary or compensation paid or payable to each officer of the City for the year, and such other information as shall be necessary to a full understanding of all the financial concerns of the City for the year. Such statements, signed by the Mayor and Clerk, shall be filed in the office of the Clerk and a copy thereof published in a newspaper of the City at least seven days previous to said annual election, if one is published therein.

Section 5. Board of Estimates, Annual City Budget: The Mayor and Clerk shall constitute a Board of Estimates. On or before the first Monday in May of each year, said Board of Estimates shall furnish to the Council estimates in writing of the probable expenses and liabilities and disbursements to be incurred and made by this City for the ensuing fiscal year, specifying in detail the probable purpose and fund for and to which expenditures are intended; estimating, covering and specifying for every purpose for which, in their opinion, any money will be required to be paid from any of the several funds of the City during the coming fiscal year: and also the estimated amount of revenue from all sources other than tax levy. The estimates thus made shall be styled the "Annual City Budget." Said Board of Estimates shall make any and such further recommendations as to them may seem best. Said budget, when so prepared and completed shall be signed by said Board of Estimates and filed with the City Clerk.

Section 6. Public Hearing on Budget: The Council shall proceed to hold a public hearing on the "Annual City budget," said hearing to be held in the

month of May contemporaneous with or prior to the adoption of the annual appropriation ordinance. Notice of said public hearing shall be given by one publication in some newspaper of general circulation in the City, and in case there is no such newspaper, then by posting such notice in ten public places within said City at least ten days prior to said meeting and said notice to specify the day and hour of said meeting.

**Section 7. Annual Appropriation Ordinance:** The Council during the month of May, and after having held the public hearing on the annual City budget, and after the assessment roll shall have been certified to it by the Board of Review, as hereinafter provided, shall pass the annual appropriation ordinance, providing for and appropriating the several amounts required to defray the expenditures and liabilities of the corporation for the next fiscal year, to be apportioned to and among and payable from the several funds as estimated and determined upon, to be raised by tax with the next general City tax levy and to be paid into and apportioned among the several funds of the City; provided, the total amount so raised and appropriated shall not exceed the amount designated and recommended in said annual City budget, except by and upon a two-thirds vote of the City Council.

**Section 8. No Expenditure Until Appropriated:** No improvement, work, repairs, or expense to be paid out of any general fund, (excepting as herein otherwise provided) shall be ordered, commenced or contracted for, or incurred in any fiscal year unless in pursuance of an appropriation specially made therefore in the last preceding annual appropriation bill, nor shall any expenditure be made or any liability incurred in any year, for any such work, improvement, repairs, or for any purpose, exceeding the appropriation for that purpose in said bill.

**Section 9. May Borrow in Anticipation of Taxes:** The Council shall have the authority to raise money by loan in anticipation of the receipts from special or general assessments for the purpose of defraying the cost of the improvement, object or purpose for which the assessment was levied. Such loans shall not exceed the amount of the assessment for the completion of the whole work nor shall any such loan be negotiated and made nor any indebtedness incurred until after the general appropriation therefor has been approved or the special assessment has been determined, confirmed and levied. The Council is hereby authorized to pledge the credit of the City in support of any loan made under the provisions of this section.

**Section 10. Funds Kept Separate:** All moneys and taxes raised, loaned or appropriated for the purpose of any particular funds shall be paid into and credited to said fund and shall be applied to the purpose for which such moneys were raised and received, and to none other. Moneys not received or appropriated for any particular fund shall be credited to the general, or contingent fund, and moneys belonging to one fund shall not be transferred into any other fund except as permitted by Section 10, Chapter 21.

**Section 11. Necessary Authority for Payment:** No money shall be drawn from the Treasury except in pursuance of the authority and appropriation of the Council and upon warrants of the Clerk countersigned by the Mayor. Such

warrant shall specify the fund from which it is payable, and shall be paid from no other fund.

Section 12. No Contract Until Money Appropriated: Neither the Council nor any officer or employee of the City shall have authority to make any contract involving the expenditure of public money, or impose upon the City any liability to pay money until a definite amount of money shall have been provided by an authorized bond issue or loan or regularly appropriated for the payment of all pecuniary liability of the City under such contract, or in consequence thereof to mature during the period covered by the contract and such contract, if made, shall be voidable at the option of the City; provided, that nothing herein contained shall prevent the Council from providing the payment of any expenses, the necessity for which is caused by any casualty, accident or public calamity arising after the passage of the annual appropriation ordinance, as contemplated in succeeding sections of this chapter.

Section 13. May Borrow Money For Emergency: If, during any fiscal year, there shall arise some unforeseen emergency by which any bridge, street, sewer or public highway shall become dangerous to the public health, convenience or welfare, or by which it shall become a public necessity to expend money on the repair of any public building to an amount exceeding the sum then on hand available for that purpose, the Council shall so declare, by resolution, stating the circumstances which cause such conditions, which resolution shall thereupon declare an expenditure necessary to the public health, convenience or welfare and shall spread such resolution at large upon its minutes. Upon the passage of the above resolution at large, but not otherwise, the Council may borrow such sum, not exceeding fifteen hundred dollars (\$1,500) as may be necessary to repair such damage or provide for such public health, convenience or welfare, which loan shall be included in the next annual budget, and, when collected, applied to the extinguishment of said debt; provided, however, that no new construction work shall be provided for in this manner. And in case a greater sum than fifteen hundred dollars (\$1,500) be needed because of such emergency, then and in such case such further sum as may be needed may in like manner be borrowed for such purpose, provided such action shall be approved by the electors of the City when submitted to them at a general or special election called for that purpose.

Section 14. May Borrow Further for Emergency: In case of fire, flood or other calamity, the Council may borrow for the relief of the inhabitants of said City, and for the preservation of Municipal property in the City, a sum not exceeding one-fourth of one percent of the assessed valuation of all real and personal property in the City, such sum to be due and payable in not more than three years. For such loans, lawfully made, the bonds of the City may be issued, bearing a rate of interest not exceeding six percent.

Section 15. Bond, Authority and Requirements: Said City may also issue bonds for the purposes and in the manner permitted to villages, and particularly as provided by Chapter 9 of the aforesaid village Act, and more particularly as provided by sections thereof numbers 2747 to 2751 both inclusive, of the Compiled Laws of Michigan for 1915, subject only to the limitations of this Charter and the laws governing the incorporation of the City of Grand Blanc,

provided all bond issues (excepting refunding bonds) shall be approved by a vote of three-fifths of the electors voting thereon.

Section 16. Must Appropriate for Bonds and Interest: It shall be the duty of said Council each and every year, so long as the City shall remain in debt, to include in the taxes levied, a sum not less than the amount of the bonds and interest coming due in said year.

Section 17. Bonds, Record of: The Clerk shall enter in a book kept for that purpose a record of all bonds and warrants issued, showing the date, number, amount, date of maturity and rate of interest, of each thereof, and for what issued.

Section 18. Debt Limitation: The Council is hereby prohibited from authorizing the creation of any liability or indebtedness against the City, in any one fiscal year, exceeding in the aggregate the amount of one half of one percent of the assessed valuation of the property of said City; nor shall it be lawful for said City ever to create an indebtedness from time to time to exceed, in the aggregate, eight percent of the then assessed valuation of the property of the City. This section shall not apply to special assessments, or other specific provisions and authorities of this Charter relative to light, power, water or public utility projects, as permitted by Chapter 22 and 23 and hereof, nor Sections 13 and 14 of this chapter. In case any sum or sums of money shall be borrowed by the Council, the same shall be paid out of the sum raised by taxes for such year if the payment is not otherwise provided for, and all sums of money borrowed by said City shall be applied to the purpose for which the sum was borrowed, and to no other purpose whatever.

Section 19. Maturity of Bond Issues: Every bond issue of the City shall be made payable within thirty years from the date of the issue, and shall contain on its face a statement specifying the object for which the same is issued; and if issued for the purpose of raising money for any public improvement, the particular improvement shall also be specified on the face of such bonds; provided, any bond issue which shall not be made to mature within five years, from date of issue shall be so divided and matured that some of said bonds shall mature serially each year after the first three years. And it shall be unlawful for any officer of the City to sign or issue any such bond unless such matters are set forth on the face of the same as aforesaid, or to use such bonds, or proceeds from the sale thereof for any other object then mentioned on the face of the bond.

## CHAPTER 20

### General Taxation

Section 1. Clerk to Certify to Assessor for Collection: All sums ordered in the annual appropriation bill in any year to be raised for the several general funds, or for other lawful purposes, and all sums ordered in said appropriation ordinance to be levied or assessed as special assessments (if any) as well as any and all special assessments authorized and directed, shall forthwith, upon adoption and confirmation, be certified by the City Clerk to the Assessor and

shall be levied and collected upon the assessed valuation of all taxable property within the City, or within said special assessment district as the case may be.

Section 2. Assessment Annually, What Property Subject to: An assessment of all property in the City shall be made annually by the City Assessor, and the property subject to taxation for Municipal purposes shall be the same as for the State, County and school purposes under the general tax law.

Section 3. When Assessment Roll Made: On or before the first Monday in May of each year the City Assessor shall make and complete an assessment roll of the City upon which he shall set down the names of every person liable to be taxed in the City, and a description of all the real property and the aggregate amount of all personal property liable under the laws of the State to taxation in the City, and the name of the owner, agent, or person liable to pay taxes thereon. If known, and shall set down in such roll the valuation of such property at its true cash value, on such basis as may hereafter be provided by general law, placing the value of the real and personal property in separate columns; provided that the description of personal property on said roll may be made by using the word "Personal" except in cases where the general law requires the kind of personal property assessed to be designated upon the roll. Upon making said assessment roll the Assessor shall be governed by all the provisions of the general law for the assessment of property in townships. All personal property found in the City may be assessed therein, whether the owner thereof resides in the City or elsewhere.

Section 4. Board of Review, Composition and Quorum: The Board of Review shall consist of the Mayor, the City Assessor and the two elected members of the Board. They shall review the assessment roll of the City and a majority of said Board shall constitute a quorum for the transaction of business.

Section 5. Board of Review, When Meet, Powers of: The said Board of Review shall meet on the third Monday in May of each year at the Council chamber at nine o'clock in the forenoon and shall continue in session at least two days successively and at least eight hours each day, during which time any person or persons desiring so to do, may examine said assessment roll and may show cause if any exists, why the valuation thereof should be changed, and the Board shall forthwith consider and act upon said petition or request and their decision shall be final. A decision of the majority of all members of said Board upon all questions shall govern.

They may examine on oath any person or persons touching on the matter of his, her or their assessment, or petition, or request, and the chairman or any member may administer oaths. They shall keep a record of their proceedings and of all changes made in said roll, and the amount added to or deducted from the total valuation shall be entered upon said record, which shall be deposited with the City Clerk.

The City Clerk shall act as Clerk of the Board of Review. The Board shall select one of their number as Chairman.

Notice of Time of Meeting: The City Clerk shall give notice of the time of meeting of said Board of Review and of the place of holding the same, at least one week prior to the time of meeting, by publishing a notice thereof in a

newspaper of general circulation in said City and also by posting the same in three public places in said City.

Assessment Roll Confirmed: The roll as prepared by the Assessor shall stand as approved and adopted as the act of the Board of Review when and as changed as herein provided.

After said Board shall have completed the revision of said roll the City Clerk shall endorse and sign a statement upon the roll to the effect that the same is the general assessment roll for the City for the year in which it has been prepared, as approved by said Board. Such statement may be made in the following form, viz:

(Form of Certificate)

STATE OF MICHIGAN

County of Genesee, ss.

I hereby certify that the Board of Review of the City of Grand Blanc has reviewed, equalized and corrected the within assessment roll and has deducted from (or added to, as the case may be) \_\_\_\_\_ dollars from (or to, as the case be) the valuation of the real estate and personal property made by the Assessor, and has determined the aggregate value of such real estate to be \$\_\_\_\_\_ and the aggregate value of the personal estate to be \$\_\_\_\_\_ for the year A.D. \_\_\_\_\_.

Dated \_\_\_\_\_.

\_\_\_\_\_  
City Clerk

Upon the completion of such roll and its endorsement in manner aforesaid, it shall be returned to the Assessor and shall be conclusively presumed by all courts and tribunals to be valid and shall not be set aside except for causes mentioned in the general laws of the State relating to the assessment of property and the levy and collection of taxes thereon. The omission of such endorsement, however, shall not affect the validity of any such roll.

Section 6. Blanket Authority of Board of Review: Said Board of Equalization and Review shall have the same power and perform the same duties in all respects as boards of review in townships in reviewing and correcting assessments made by the supervisors of townships, except as in this Charter otherwise provided.

Section 7. Assessor to Spread Tax: After confirmation of that assessment roll and after passage of the annual appropriation ordinance, and certification thereof to the assessor, as in Section 7 of Chapter 19 and Section 5 of this chapter provided, and before the second Monday in June, the City Assessor shall apportion the several taxes to be raised in said City, except school taxes, according and in proportion to the equalized valuation entered by the Board of Review and Equalization in the assessment roll of the City. Such taxes shall be entered in separate columns with appropriate headings. The total



of all taxes assessed against any one valuation or parcel of property shall be added and carried out in the last column under the right hand of such roll. The City Assessor shall carefully foot the several columns of valuation and taxes and make a detailed statement thereof to the City Clerk, and said Clerk shall immediately charge the amount of taxes to the City Treasurer.

Section 8. Tax Roll Certified to Treasurer: The City Assessor shall thereupon prepare a copy of said assessment roll with the taxes assessed as hereinbefore provided, and annex thereto a warrant signed by the City Clerk commanding the City Treasurer to collect the several sums mentioned in the last column of such roll not less than thirty nor more than sixty days from the date of such warrant, and deliver said tax roll and warrant to the City Treasurer on or before the second Monday in June. The said warrant shall authorize and command the Treasurer, in case any person named in the assessment roll shall neglect or refuse to pay his tax, to levy the same by distress and sale of goods and chattels of such person, and the said Treasurer shall have the same power and authority to enforce the collection of said taxes by seizure and sale of personal property, or by suit, as is conferred upon township treasurers by the general tax law. This roll shall be known as the "City Tax Roll" and shall be a duplicate copy of the assessment roll prepared for school, State and County taxation after the same has been reviewed, but before the taxes have been spread thereon. Said warrant may be renewed from time to time by order of the Council, and for such time as the Council may direct; provided, that the time shall not be extended later than October 31 of any year.

Section 9. Office Hours of the Treasurer: Upon receiving such tax roll and warrant, the City Treasurer shall proceed to collect such taxes; and to receive the payment of taxes, he shall remain in his office at least one day in each week from 9 a.m. to 5 p.m. throughout the tax collection period, and at such other time as the Council may prescribe, and shall give notice of such days by publication in a newspaper published and circulating in the City.

Section 10. When Taxes Due and Collection Fee: Taxes so assessed on the City tax roll shall become due and payable on July 1 in each year, except as conditionally authorized by Section 8 of Chapter 21 hereof. Taxes paid before August 31 shall be paid with one percent fee or penalty: taxes paid thereafter may be paid with a two percent fee or penalty: taxes remaining unpaid after October 31, shall be returned as delinquent. Said fee shall belong to the City and shall be paid into the general or contingent fund.

Section 11. Treasurer to Give Notice Taxes Due: The City Treasurer shall give six days notice to the taxpayers of the City that such roll has been delivered to him, by publication of such notice in a newspaper published in said City at least six days before July 1, which notice shall be sufficient demand for the payment of all taxes on said roll; and that payment therein specified may be made to him at any time up to and including August 31 with one percent therefor. Provided, that the failure to give the notice specified in this section for the payment of such tax shall not invalidate the said tax nor release the persons assessed from the penalty herein specified.

Section 12. The taxes thus assessed shall, on July 1, and on such other date as provided under Section 8, Chapter 21, become at once a debt to the City

from the person to whom they are assessed, and the amounts assessed on any interest in real estate shall on the said day become a lien upon such real property, and the lien for such amount, and for all interest and charges thereon, shall continue until payment thereof; and all personal taxes shall also be a lien on all personal property of such person so assessed from and after the said day in each year and shall take precedence of any sale, assessment, chattel mortgage, levy or other lien on such personal property executed or made after said day, except where such property is actually sold in the regular course of trade.

Section 13. General Tax Law Adopted: All such taxes shall be collected on or before October 31 in each year, and all provisions of the general tax law in relation to the making of the assessment roll and the levying, collection and payment of such taxes, are hereby adopted so far as the same are applicable.

Section 14. Treasurer to Certify Delinquents: If the City Treasurer shall be unable to collect any of the taxes upon such roll assessed on real property before October 31 in each year, he shall make a statement of the same, with a full and perfect description of such property with the taxes upon each parcel thereof, which statement shall be verified by his affidavit that such taxes remain unpaid, and that he has not upon diligent inquiry been able to secure any goods or chattels liable to pay such sum whereon he could levy the same; and he shall also make a statement showing the taxes upon personal property remaining unpaid, and the names of the persons against whom they are assessed, and the amount against each, which statement he shall verify by his affidavit that the amount so mentioned as uncollected remains unpaid and that he has not been able after diligent inquiry, to discover any goods or chattels belonging to the persons liable to pay such sum wherein he could levy the same. He shall also make a statement showing the amount of all moneys collected by him on account of taxes on said roll, which statement shall be filed with the City Clerk. The Council shall direct the City Clerk to assess the annual roll for the State, County and school taxes with all such delinquent taxes so returned, with a penalty of six cents of each dollar of the sum total of taxes assessed and returned delinquent on each particular description of land or other property, and which penalty shall be carried out opposite to each particular description of land or other property in a column provided for that purpose, placing the aggregate sum of general taxes in the column headed "Delinquent City Taxes" and all unpaid special district assessments shall be placed in a column headed "Delinquent Special Assessment," and the aggregate sum thereof, including the six percent penalty tax, shall be placed in the column headed "Total Delinquent City Taxes."

Section 15. Roll to Board of Supervisors: The City Clerk shall keep the original assessment roll in his office until the annual meeting of the Board of Supervisors of Genesee County and he shall then present such rolls to said Board, which roll shall be the assessment roll of the City for all taxation purposes whatever, except the levying of taxes to be collected in the months of July, August, September and October, as herein provided.

Section 16. School, State and County Tax Spread: On November 1, the City Assessor shall apportion and spread upon the tax roll all school, State and

County Taxes, certified to him by the Board of Supervisors, delinquent City taxes, and such other taxes as are legally required to be spread upon the roll.

Section 17. Fall Tax Roll Certified to Treasurer: Within thirty days after November 1, the City Assessor shall deliver a certified copy of the above mentioned assessment roll to the City Treasurer to be filed in his office to which roll shall be annexed a warrant signed by the City Clerk and directed to the Treasurer, in all respects as near as may be as warrants to township treasurers for the collection of State, County and township taxes.

Section 18. Notice of Fall Tax: Upon receiving said tax roll as herein provided, the City Treasurer shall give notice to the tax payers of the City that such roll has been delivered to him, and that the taxes therein levied may be paid to him at his office at any time after December 1, up to and including January 9 next ensuing with a charge for collection of one percent, but that four percent collection fee will be charged and collected upon all taxes remaining unpaid on January 10. Said notice shall be given by publishing the same in a newspaper published in said City ten days before December 1. But any defect in said notice, or omission to comply with the provisions of this section, shall not invalidate said tax roll, or any measure thereafter to be taken to enforce collection of the taxes thereon.

Section 19. City Treasurer has Authority of Township Treasurer: For collection of all taxes remaining unpaid on the general tax roll on January 10, the City Treasurer shall proceed in the same manner as township treasurers are required by law to do for the collection of taxes in townships, and shall for that purpose have all the power and authority conferred by law upon township treasurers for such purposes. And it is hereby made mandatory upon the City Treasurer to exhaust all legal remedies for the collection of unpaid personal taxes before the return thereon.

Section 20. Pay County Funds to County Treasurer-General Authority: The said City Treasurer shall pay to the County Treasurer all moneys payable to him at the same time and in the same manner as is required of township treasurers by the general tax law, and he shall make return of delinquent taxes to the County Treasurer according to the general law of the State relating to township treasurers, and said general law shall govern all things relating to the levy and collection of taxes not herein otherwise provided for.

Section 21. Delinquents Returned to County Treasurer. If the City Treasurer shall be unable to collect any taxes on his roll as assessed on real property, he shall make return thereof to the County Treasurer, and shall also make statements showing the taxes upon personal property remaining unpaid in the same manner as is required of township treasurers by the general tax law.

## CHAPTER 21

### Special Assessment

Section 1. When, by the provisions of this Charter, the cost and expense of any local or public improvement may be defrayed in whole or in part by special assessment upon the lands abutting upon or adjacent thereto, or

otherwise benefited by the improvements, such assessment may be made as in this Charter provided.

Section 2. Right to Petition For: The residents and the property owners upon any street or district desiring to have any public improvement made therein, whether the same is to be paid by special assessment or not, may petition therefor, and file such petition with the City Clerk. Upon filing of such petition the City Clerk shall number it in its order for that year, make a record thereof, and then turn the same over to the Mayor. The Mayor shall thereupon investigate the subject and if, in his opinion, the improvement is desirable, he shall include the same in the next appropriate annual budget for improvements.

Section 3. Budget for Special Improvements: On or before May 1 in each year the Mayor shall prepare and present to the Council a budget of all improvements proposed to be made during the ensuing fiscal year to be paid for in whole or in part by special assessment. This budget shall contain the following information:

- A. Location and general description of each improvement.
- B. Estimated cost of the same.
- C. Method of financing.
- D. Method of assessment, mode of payment, number of annual payments and such other information as the Council may require.
- E. A schedule showing which of these improvements, in his opinion, is most necessary to make and the order in which they should be taken up.

Section 4. Hearing on Special Improvement Budget: The Council shall, immediately upon receipt of such budget, make the same provision for a public hearing as is prescribed in Section 6, 19th Chapter for "annual City budget," which hearing may be held at the same time, or at a separate time, whichever shall be decided upon by the Council; and like notice shall be given to the public of the time and place of such hearings as that prescribed in said Section 6.

Section 5. Effect of Petition For or Against: If, at or previous to the public hearing mentioned in the last section in relation to any special assessment and previous to the passage of the resolution hereinafter mentioned declaring the same as a necessary public improvement, a majority of the property owners in and owning at least fifty percent of the assessed value, according to the preceding annual assessment roll, of the property to be taxed for such public improvement shall file with the City Clerk a remonstrance against the making of such improvement the Council shall drop said improvement from such special improvement budget for that year; and if, at or previous to the public hearing mentioned in the last section and previous to the passage of the resolution hereinafter mentioned declaring the necessary public improvements for that year, but not afterwards, one half of the property owners in and owning fifty percent of the assessed value of the property to be taxed for any public improvement, shall file with the City Clerk a petition requesting that such improvement be made during the current year, then and in such case such improvement petitioned for shall be considered as part of the budget presented by the Mayor and be dealt with accordingly.

Signatures may be withdrawn from or added to such petitions up to but not after the Council shall have determined the sufficiency of such petition.

Section 6. Necessity to be Declared: Immediately after such public hearing shall have been held, the Council, subject to petitions as above, shall approve by resolution the whole of such budget or such portion thereof as to them shall seem best, and shall enter such resolution at large upon their minutes, such resolution shall contain a statement that the Council declares such improvement, in each case, a necessary public improvement and shall therein state what portion of the expense thereof shall be paid by special assessment and what part, if any, shall be appropriated from the general funds of the City, and shall in the same resolution designate the district of land and the premises upon which each special assessment shall be levied.

Section 7. Special Assessment. Limitation: The cost and expenses of any improvement which may be made by special assessment shall include the cost of surveys, plans, assessments and cost of construction. In no case shall the whole amount to be levied by special assessment upon any lot or premises for any one improvement, exceed the amount of benefits resulting from such improvement to such lot or land.

Section 8. Emergency Special Assessment: If, after preparation of and hearing on the special assessment budget as in Sections 3 and 4 hereof provided, the Council by a three fourths vote of all members elect shall declare some additional proposed special improvement an immediate necessity, to be borne by special assessment, such special improvement and special assessment may be authorized and directed, subject to like notice, hearing, action and confirmation as in case of ordinary special assessments, and said Council may declare the sum due at such time as they deem necessary and issue their warrant to the City Treasurer directing such collection; provided, not to exceed one tenth part of the cost of such emergency improvement shall be spread over the City at large unless provision shall have been anticipated and made in the last annual appropriation bill for such greater part.

Section 9. Special Assessment. How Levied: In addition to the amount hereinbefore authorized, the Council may raise, by special assessment upon a special assessment district, the whole or such portion of the cost of such improvement as they may determine, except as provided in Section 12 hereof, for the purpose of grading, paving, curbing and otherwise improving streets as herein provided, or for the constructing of sewers or drains, or for building retaining walls upon or along any stream or water front, or for making other local improvements especially beneficial to the lands and property in the district.

The amount to be so raised by special assessment for any form of street improvement may be levied according to benefit, as the Council may determine.

Section 10. Special Assessment Funds: Revenues and moneys raised for taxation in any special assessment district in the City shall be divided into special assessment funds. The money raised by special assessment in any special district for sewers, paving, repairs, or improvements of any kind, shall constitute a special fund for the purpose for which it was raised, and such fund shall be used for no other purpose whatever; provided, if there be a surplus after paying for such special improvement, it may be credited to some other fund when it

does not exceed ten percent of the amount collected, as the Council may determine, but if it exceeds such percent it shall be returned to those from whom collected.

Section 11. **Assessment Precedes Contract:** Special assessments, to defray the estimated cost of any improvement, shall be levied and the special assessment roll confirmed before the making of the improvement or signing contract.

Section 12. **Part of Cost Paid from General Fund:** Whenever any special assessment is to be made according to a resolution of the Council made in the manner prescribed in this chapter, the Council shall direct the assessment to be made by the City Assessor against the premises or locality constituting the district to be assessed therefor. If there shall be included in any special assessment district lots belonging to the City, or public buildings or public grounds belonging to the City, not taxable, such part of the expense of such improvement as in the opinion of the Council making the special assessment would be justly apportionable to such public grounds, buildings and City property, and to any interior square or places formed by the intersection of streets, were they taxable, shall be paid from the general fund, or from the proper street district fund or partly from each, as the Council shall determine to be just.

Section 13. **Special Assessment Roll To Be Prepared:** Upon receiving such order the City Clerk shall at once make a transcript of that portion of the last annual assessment roll covering the property to be assessed, so far as the description of each parcel of land, the name of the owner, if known, and the valuation thereof is concerned, which transcript, when completed, shall constitute the special assessment roll for that district. The City Assessor shall thereupon levy as a special assessment roll and against the person chargeable therewith, if known, the amount which such Assessor shall fix as the just proportion of benefit derived by him, such person, or shall spread and levy the same according to the frontage touching and abutting on said street or improvement, as the Council may direct, and in case of any irregularly shaped premises, reasonable allowance may be made therefor. In all cases where the ownership of any description is unknown to the Clerk he shall in lieu of the name of the owner insert the word "unknown" and if by mistake or otherwise any person shall be improperly designated as the owner of any lot, parcel of land, or premises, or if the same shall be assessed without the name of the owner, such assessment shall not for any cause be vitiated but shall, in all respects, be as valid a claim upon and against such lot, parcel of land or premises, as though assessed in the name of the proper owner, and when the assessment roll shall have been confirmed, be a lien upon such lot, parcel of land or premises, as though assessed in the name of the proper owner, and when the assessment roll shall have been confirmed, be a lien upon such lot, parcel of land or premises, and be collected as in other cases.

Section 14. **Special Charges:** When any expense shall be incurred by the City or in respect to any separate or single lot, parcel of land or premises which, by the provisions of this act, the Council is authorized to charge and collect as a special assessment against the same, and not being of that class of

special assessment required to be made pro rata upon several lots or parcels of land in an assessment district, the Mayor or Clerk shall make an account of the labor or services for which such expense was incurred, verified by the officer or person performing the labor or services, with a description of the lot or premises upon in respect to which the expense was incurred, and the name of the owner or person chargeable therewith shall be report to the Council in such manner as they shall prescribe. The Council shall thereupon determine what amount or part of every expense shall be charged and the person, if known, against whom, and the premises upon which the same shall be levied as a special assessment, and report the same to the City Clerk.

Section 15. Charges. How Collected: The City Clerk shall thereupon file such report, together with the determination of the Council, in his office, and at once present a bill therefore to the party charged therewith for payment. If such payment shall not be made before the time of making out the next annual City tax roll, then the City Clerk shall report that fact to the assessing officer, and he shall thereupon place such sum, with interest at the rate of seven percent per annum from the date of rendering such bill, upon the next annual tax roll, in a column specially marked for that purpose, as a charge against the premises designated by the Council in its original order; and the assessment and all taxes levied thereon shall thereafter be in all things governed by the general tax laws of the State and the provisions of this Charter in relation to special assessment.

Section 16. Assessment a Lien: All special assessments shall, from the date of confirmation thereof, constitute a lien upon the respective lots or parcels of land assessed, and shall be charged against the person to whom assessed until paid.

Section 17. Ten Installments Permitted: Upon the confirmation of any special assessment, the amount thereof may be divided into not more than ten installments, one of which shall be collected each year at such times as the City Council shall determine, with annual interest at a rate not exceeding six percent per annum, but the whole assessment, after confirmation, may be paid to the City Treasurer any time in full, with appropriate interest thereon.

Section 18. When Due. All special assessments, except such installments thereof as the City Council shall make payable at a future time, as provided in the preceding section, shall be due and payable on confirmation.

Section 19. One Roll for all Installments: If any special assessment be divided into installments, it shall not be necessary to make a special assessment roll for each installment, nor to reconfirm or recertify the same to successive Treasurers, but the assessment on the original assessment roll shall be divided into installments and each installment, as the same becomes due, with accrued interest upon all unpaid installments, shall be collected from said original assessment roll.

Section 20. Additional Assessment if Necessary. Should any special assessment prove insufficient to pay for the improvement or work for which it was levied, and the expenses incident thereto, the City Council may, within the limitations prescribed for such assessments, make an additional pro rata assessment to supply the deficiency; and in case a larger amount shall be

collected than was necessary, the excess may be refunded ratable to those by whom it was paid, in accordance with Section 10 of this chapter.

Section 21. Reassessment, When: Whenever any special assessment shall in the opinion of the City Council, be invalid by reason of irregularity or informality in the proceedings or in any court of competent jurisdiction shall adjudge such assessment to be illegal, the City Council shall, whether the improvement has been made or not, have power to cause a new assessment to be made for the same purpose for which the former assessment was made. All proceedings on such reassessment and for the collection thereof, shall be conducted in the same manner as provided for in the original assessment and whenever any sum or part thereof levied upon any premises in the assessment so set aside has been paid and not refunded, the payment so made shall be applied upon the reassessment on said premises and the reassessment to that extent shall be deemed satisfied.

Section 22. Lien Remains. When any special assessment shall be confirmed, and be payable as hereinbefore provided, the City Clerk shall, within ten days thereafter, attach his warrant for the collection of said special assessment roll, therein commanding the City Treasurer to collect from each person the amount assessed to and set opposite his name therein, and in case any person named in said roll shall neglect or refuse to pay his assessment on demand, then to levy and collect the same by distress and sale of goods and chattels of such persons; and return said roll and warrant together with his doings thereon, within sixty days from the date of the warrant.

Section 23. Treasurer to Collect. Upon receiving said special assessment roll and warrant, the City Treasurer shall proceed to collect the amount assessed thereon. If any person shall neglect or refuse to pay his assessment on demand, the Treasurer shall seize and levy upon any personal property found within the City or elsewhere, within the County, belonging to said person, and sell the same at public auction, first giving six days notice of the time and place of such sale by posting such notice in three of the most public places in the City or township where such property may be found. The proceeds of such sale, or so much thereof as may be necessary for that purpose, shall be applied to the payment of the assessment, and a percentage of five percent upon the amount of the assessment for the costs and expenses of said seizure and sale, and the surplus, if any, shall be paid to the person entitled thereto.

Section 24. Return by Treasurer: The Treasurer shall make return of said special assessment roll and warrant to the City Clerk, according to the requirements of the warrant and if any of the assessments in said roll shall be returned unpaid the Treasurer shall attach to his return a statement, verified by affidavit containing a list of the persons delinquent, and a description of the lots and premises upon which the assessment remains unpaid, and the amount unpaid on each.

Section 25. Renewal of Warrant. Said warrant may be renewed from time to time by the City Clerk if the Council shall so direct, and for such time as they shall determine, and during the time of such renewal, the warrant shall have the same force and the City Treasurer shall perform the said duties and make like returns, as above provided. In case of any special assessment being



finally returned by the City Treasurer unpaid, as aforesaid, the same may be certified by the City Clerk in the manner provided in Sections 8, 14 and 21 of Chapter 20, of this Charter, and shall then be reassessed with interest included at the rate of six percent per annum from date of the confirmation of the assessment until July 1 next, or until December 1 if the next City tax roll be for general taxes payable on December 1, and then be collected in all respects as other taxes are collected.

Section 26. May Sue. At any time after a special assessment has become payable, the same may be collected by suit, in the name of the City against the persons assessed, in any action of assumpsit in any court having jurisdiction of the amount. In every action a declaration upon the common counts for money paid shall be sufficient. The special assessment roll and certified order of resolution confirming the same shall be prima facie evidence of the regularity of the proceedings in making the assessment and right of the City to recover judgment therefore.

Section 27. Suit, Further. If in any such action it shall appear that by reason or any irregularities or informalities the assessment has not been properly made against the defendant or upon the lot or premises sought to be charged, the court may, nevertheless, on satisfactory proof that expense has been incurred by the City, and that same is fair, reasonable charge against the defendant or the lot or premises in question, render judgment for the amount properly chargeable against such defendant, or upon such lot or premises.

Section 28. May Borrow for Deferred Installments. It shall be within the power of the Council to direct and empower the Mayor and Clerk to issue and negotiate, for and on behalf of the City, not exceeding six percent annual interest notes, free of taxation for the aggregate amount of any special assessment tax, the time for payment of which has been extended beyond the year of the original warrant for their collection.

Such notes shall be made payable at the office of the City Treasurer and shall fall due at such time as the Council shall determine and such tax can be collected; and the proceeds of such notes shall be deposited with the City Treasurer and by him disbursed on the order of the Council in payment of the cost and expense of the public improvement on account of which they have been issued, and for no other purpose whatever, and the proceeds of such extended tax, when collected, shall be used for the payment of said notes and for no other purpose.

Section 29. Notice of Hearing. Whenever any special assessment roll as in this chapter provided, shall have been completed by the City Assessor, he shall report the same back to the Council. Before adopting the assessment, the Council shall cause to be published for one week at least in some newspaper in said City, if any be published therein, or if not, to be posted in three public places in said City for the same length of time a notice of the filing of said assessment roll with the Clerk and designating a time and place when and where the Council and Board of Assessors will meet to review the assessment and hear any objection thereto.

Section 30. Special Assessment Confirmed. At the time appointed for such purpose, the Council and Assessor shall meet and there, or at some adjourned

meeting, review the assessment and hear any objections thereto, and the Council shall correct the same, if necessary, and confirm it as reported or as corrected, or they may refer the assessment back to the Assessor for revision, or annul it and direct a new assessment, in which case the same proceedings shall be had as in respect to the previous assessments. When a special assessment shall be confirmed, the Clerk shall endorse a certificate thereof upon the roll showing the date of confirmation.

Section 31. Village Act on Special Assessment Adopted in Part. Excepting as herein otherwise specifically provided, the several provisions of Chapter 8 of the Village Act, so called same being Act 3 of the Public Acts of 1895 of the State of Michigan as now or hereafter amended in this Charter hereinbefore referred to, so far as the same refers to special improvements and special assessments, is hereby adopted as a part of this Charter, provided, that whenever therein the word "president" is used, the same shall mean "Mayor", and wherever the words "boards of assessors" are used the same shall mean "Assessor," and all officers of this City, in that respect are hereby vested with the authority therein conferred upon officers of the village performing corresponding duties.

Section 32. City May Do Work and Levy Certain Assessments. The Council shall also have power to provide for the construction, repair and maintenance through the performance by contract or directly by the employment of labor, of all things in the nature of local improvements, and to provide for the payment of any part of the cost of any such improvement by levying and collecting special assessments upon abutting, adjacent and contiguous or other specially benefited property, but the amount assessed against any property to pay for such local improvements shall not exceed the amount provided in Section 7 of this chapter and such assessment may be divided into installments as provided in Section 17 of this Chapter.

## CHAPTER 22

### Public Utilities

Section 1. May Acquire and Operate Water Works and Sewage Disposal Systems: The City of Grand Blanc may acquire, purchase, construct, operate and maintain a water works system in the City of Grand Blanc for the purpose of supplying the City and its inhabitants with pure and wholesome water, and may acquire, operate, extend and maintain a sewage disposal system either within or without the corporate limits of the City, and may acquire property for such water works and sewage disposal systems by purchase, gift or condemnation, whether such property be within or without the corporate limits of the City of Grand Blanc and may fix and provide for the collection of charges for service, covering the cost of such service, the proceeds whereof shall be used exclusively for the purpose of such water works system and sewage disposal system, such systems to be operated as separate public utilities or as one utility, and may provide for a net return to the City from the operation of such utilities of an amount sufficient to pay a fair return on the fair value of the property devoted

to such service, excluding from such valuation such portions of the sewage disposal system as may have been paid by special assessment, and may also provide that the charges for such service may be made a lien upon the property served, and if not paid when due provide for the collection thereof in the same manner as other City taxes.

Section 2. May Finance Water Works and Sewage Disposal Systems. The City of Grand Blanc may borrow money on the faith and credit of the City for the purpose of acquiring, owning, operating, maintaining, or extending a water works system, and, or a sewage disposal system for the purposes specified in the preceding section as a public utility or utilities when authorized by a three-fifths vote of the electors of the City voting on the question submitted by the Council at any general or special election called for that purpose. Provided, that the total amount so borrowed shall not cause the total bonded indebtedness of the City, exclusive of special assessment bonds and emergency bonds, to exceed eight percent of the assessed valuation of the property of the City, real and personal, as shown by the last assessment roll of the City as fixed and determined by the Board of Review of the City, and shall not for any purpose exceed the limit of bonded indebtedness as fixed by the general laws of the State. And the City of Grand Blanc may borrow further sums for the purposes heretofore stated in this section and issue mortgage bonds therefor beyond the general limit of the bonded indebtedness prescribed by this Charter.

Provided, that such mortgage bonds issued beyond the general limits of the bonded indebtedness prescribed by this Charter shall not impose any liability upon the City, shall be secured only upon the property and revenues of such public utility or utilities, including the franchise or franchises, stating the terms upon which, in case of foreclosure, the purchaser may operate the same, which franchise or franchises shall in no case extend for a longer period than twenty years from the date of the sale of such utility and franchise on foreclosure. And provided, that said mortgage bonds shall be sold for not less than par, bear interest at a rate not in excess of six percent and the total amount thereof shall not exceed sixty percent of the original cost of the utility. And provided further, that a sinking fund shall be created by setting aside such percentage of the gross or net earnings of the public utility so mortgaged as may be deemed sufficient for the payment of the mortgage bonds at maturity.

Section 3. Council to Direct Operation. The operation of all Municipally owned public utilities shall be under the direct charge of the City Council, or otherwise as the Council may by ordinance provide.

Section 4. Council to Fix Rates. The Council shall have the power subject to the general laws of this State, to fix all rates for Municipally owned public utilities and shall have the power to fix all salaries and other expenses which may be incurred by the operation of all City owned public utilities.

Section 5. Clerk and Treasurer to Audit. The City Clerk and City Treasurer shall act as a Board of Auditors for all City owned public utilities and shall meet every month before the regular meeting of the City Council, at which time they shall make an audit of the books of the City Clerk and City Treasurer and submit a statement of all balances of the City funds to the City Council at its next regular meeting.

Section 6. Auditors to Report. The City Clerk and City Treasurer as a Board of Auditors may require any person or persons employed by the City Council, or who handle funds belonging to the City in connection with any Municipally owned or operated public utility, to submit his, it or their books to said Board of Auditors at any reasonable time. The said Board of Auditors shall report in writing to the City Council at its next regular meeting a statement showing the number of customers of all Municipally owned and operated public utilities other than parking facilities, at the beginning of the month and the number of such customers during the month with the location of the connection the number of such customers whose service has been discontinued during the month, with the location of the connections discontinued, and the whole number of customers at the end of each month. Provided, that at the first meeting of the City Council the City Clerk shall submit a complete list of all light, power, water and sewage disposal customers by name and the location of connections. Also the said Board of Auditors shall submit the amount due the City for public utility service from the customers and the amount paid by each as evidenced by the duplicate receipts and other records of the collector or collectors, and balance the number with the amount turned over to the City Clerk by the collector. And the said Board of Auditors shall file with the City Council a complete statement of such audit and report in writing all customers subscribing for light, power, water or sewage disposal, who are delinquent in their payment for light, power, water or sewage disposal.

Section 7. Parking Facilities as a Public Utility. The City may acquire, establish, construct, extend and maintain facilities for the parking of vehicles within its corporate limits and may fix and collect charges for services and use thereof as a public utility, and for such purpose may acquire by grant, purchase, condemnation or otherwise, the lands necessary therefor, and may by ordinance establish rules and regulations for the operation of such utility and the method of accounting and reporting the receipts and expenditures in connection with the conduct of such utility. The provisions of Sections 1 and 2 of this chapter relative to the borrowing of money and issuing of mortgage bonds are applicable to parking facilities as a public utility for the purposes in this section contained.

## CHAPTER 23

### Franchise and Public Utilities

Section 1. Time Limit. No franchise shall be granted by the City for a longer period than thirty years. No license shall be granted by the Council for a longer term than one year.

Section 2. Submitted to Electors. No franchise or grant which is not revocable at the will of the Council shall be granted or become operative until the same shall have been referred to the people at a general or special election, and shall have received the approval of a majority of the electors voting thereon at such election, and if such grant or franchise be of or for a public utility it shall receive three-fifths of the votes thereon at said election.

Section 3. No persons, firms or corporation shall ever be granted any exclusive franchise, license, right or privilege whatever (and not any franchise shall be renewed before three years prior to its expiration.)

Section 4. Franchise Must be Accepted. No franchise shall be submitted to a vote of the electors until it shall have been accepted in writing by the grantee or grantees.

Section 5. Franchise Nonassignable Except. No franchise granted by the City shall ever be leased, assigned, or otherwise alienated except by mere "operation of law" or in accordance with the express provisions of said franchise, and all franchises granted by the City shall provide how, and in what manner, and under what conditions, said franchise may be leased, assigned or alienated; and no dealings with the leasee or assignee on the part of the City, which shall recognize the performance of any act or payment of any compensation by the leasee or assignee shall be deemed to have operated as such consent.

Section 6. Franchise Changes. How Made. No change or modification of any franchise or grant of rights or power previously granted to any corporation, firm, person or association of persons shall be made except in the manner and subject to all the conditions herein provided for, for the making of original grants and franchises.

Section 7. Right to Regulate and License. The City shall have the right to regulate and license and impose a license fee on street cars, motor buses, telephone, gas meters, electric meters, water meters and any other device used for measuring service, also telephone, telegraph, electric light and power poles and wires. All said license fee shall be exclusive of and in addition to other lawful taxes upon the property of the holder thereof.

Section 8. Compensation Necessary for Franchise. No franchise, lease or rights to use the streets or the public places or property of the City shall be granted by the City without fair compensation to the City therefor. Where the franchise, lease or grant fixes the rate of fare, or the price for service rendered or commodity furnished by the grantee, such rate or fare or price of service or commodity furnished shall be subject to review and change at the end of every ten year period during the life of said franchise in such manner and form as in said franchise shall be provided.

Section 9. Cannot Waive Tax Liability. No such compensation by any such grant shall ever be in lieu of any lawful taxation upon its property or of any license or charges which are not levied on account of such use.

Section 10. Inspection of Public Utility Service. The Council shall by ordinance provide for efficient inspection and regulation of all public utilities operated in the City, and to that end shall provide means for ascertaining and testing the quality and pressure of the gas (if any) furnished to consumers, the candle power, voltage and insulation of electric wires, heat and power furnished the City, and its inhabitants and the inspection and installation of meters, for registering the consumption of any commodity sold by any grantee operating under any franchise, grant or license from the City of Grand Blanc or the State of Michigan, it being the intention of this section to provide means for securing to the City sufficient service from all public utilities operated in the City, and

the proper observance by such operators of the conditions imposed by their respective franchises and by the laws of the State and by the ordinances of the City.

## CHAPTER 24

### Vacancy

Section 1. A vacancy shall exist in an elective office when an elected officer fails to qualify within the time required by this Charter, dies, resigns, is removed from office, removes from the City, or absents himself continuously therefrom for more than ninety days or is convicted of a felony.

## CHAPTER 25

### Amendments to Charter

Section 1. Amendments to this Charter may be proposed by the Council or by petition and adopted as provided in Section 21 of Act 279 of the Public Acts of 1909 of the State of Michigan, being the "Home Rule for Cities" Act, so called, under which the City of Grand Blanc is now incorporated as a City and being Section 3324 of the Compiled Laws of Michigan for 1915 as amended.

## CHAPTER 26

### Condemnation and Appropriation of Property

Section 1. Purposes. Private property, whether within or without the City limits, may be purchased, condemned or appropriated for public use for the purpose of opening, widening, altering or extending streets, alleys, and avenues; for the construction of bridges, parkways, markets and market places, sewers, drains and water courses, libraries, public cemeteries, sewage disposal, water supply, water mains, water works, and for the protection thereof, or any necessary lawful public use not specifically enumerated herein.

Section 2. Proceed Under General Law. If it shall become necessary to condemn or appropriate private property for the public uses or purposes specified in the preceding section, the right to occupy and hold the same, and the ownership therein and thereto may be acquired by the City in the manner and with like effect as provided by the general laws of this State relating to the taking of private property for public use, as provided by Section 10 of Chapter 14 of this Charter.

Section 3. Resolution and Procedure. Whenever the Council shall have decided that a public improvement is necessary, and shall have declared that they deem it necessary to take private property, describing it, for such public improvement designating it and that the improvement is for the use and benefit of the Municipality, they shall, by resolution, direct the Mayor to institute the necessary proceedings in behalf of the Municipality before the proper court, to

carry out the object of the resolution in regard to taking private property by the City for such public use.

## CHAPTER 27

### General Powers and Provisions

Section 1. Designation of Jurymen. The selection and certifying to the proper County officials of persons in said City of Grand Blanc to be eligible for jury service, as required by general law, shall be made by the Mayor and justice of the peace whose term soonest expires.

Section 2. Term of Office Until Successor Qualifies. All officers and appointees shall serve until their successor is elected or appointed and qualifies as required.

Section 3. Liability for Damages. The liability of the City of Grand Blanc for damages sustained by reason of any defective bridge, street or highway, or by reason of any obstruction, snow, ice or other encumbrance upon any street, sidewalk, crosswalk, bridge or highway shall be limited to and subject to like conditions as in case of cities of the fourth class.

Section 4. Authority Over Streets. In addition to the specific authorities of this Charter, but subject to any specific limitations of it, the Council may open, extend, alter and discontinue streets and alleys and establish grades therefor and regulate the use thereof, in like manner as cities of the fourth class.

Section 5. Fire Dept. and Protection. The City of Grand Blanc shall have like power and authority to legislate and make regulations relative to fire departments and fire protection as applicable to cities of the fourth class, and particularly as authorized by Chapter XXIX of said Fourth Class City Act.

Section 6. General Statutory Amendments. Whenever in this Charter general reference or general adoption is made to or of any general statutory provision, same shall be deemed to include all future amendments thereto, provided no repeal of such statutory provision by the Legislature shall operate to repeal the same as to the City of Grand Blanc unless it shall clearly appear that such effect was intended by such legislative repeal or unless such repealed statutes be replaced and superseded by other statutes covering the same subject matter, in which event such new legislation shall be deemed applicable thereto.

Section 7. General Powers. Said Council and several officers and appointees are hereby declared vested with full power and authority to do all things necessary to effectuate the declared and implied purposes of this Charter, whether such power and authority is herein specifically enumerated and conferred or not, and if in any such case adequate provision is not made in this Charter, then such powers and authority shall be measured, limited and exercised by said City of Grand Blanc in like manner as provided in the so called "Fourth Class City Act," known as Act No. 215, P.A. of Michigan of 1895, and any amendments thereto.

Section 8. Void Sections Not Invalidate Whole. The holding or determination by any court of any particular section or sections of this Charter

to be illegal or void, shall not have the effect of invalidating or rendering void the other sections hereof not dependent upon such void section or sections.

### SCHEDULE

In order to carry this Charter into complete operation and effect, it is hereby declared:

Section 1. **Publication and Submission of Charter:** This Charter shall be submitted to the electors of the City of Grand Blanc, in the State of Michigan, for their approval or rejection on March 4, 1930.

Said Charter shall be published on February 6, 1930, in the Grand Blanc Press, a newspaper published and circulating in said City of Grand Blanc.

Section 2. **Manner of Nominating First Elective Officers:** The manner of nominating the first elective officers herein provided for to become officers of the City of Grand Blanc in the event of the adoption of this Charter shall be as follows: A general caucus of the qualified electors of the City of Grand Blanc shall be held at the Township Hall of the Township of Grand Blanc, situated in said City, on February 13, 1930, at 7:30 o'clock p.m., at which time the electors present shall select a chairman and secretary of the meeting and shall appoint tellers, who shall take the constitutional oath of office, and within twenty-four hours after such caucus the chairman and secretary thereof shall file with the Clerk of this Charter Commission a list of persons nominated as candidates for the several offices to be filled at the ensuing election herein called to vote on the question of adopting this Charter, to which list shall be attached the certificate of such chairman and secretary showing the correctness of such list; and at any time within five days after the time herein fixed for said general nominating caucus a petition or petitions may be filed with the Clerk of this Charter Commission signed by not less than twenty qualified electors of the City of Grand Blanc asking said Clerk to call an additional caucus or caucuses of the qualified electors of the City of Grand Blanc for the purpose of nominating candidates for the offices to be filled at such election, and said Clerk shall thereupon forthwith give notice of the time and place of holding such additional nominating caucus or caucuses in the manner herein specified, and such additional nominating caucus or caucuses shall be organized and conducted in like manner and lists of persons nominated for the several offices to be filled, signed by the chairman and secretary, shall be filed with said Clerk within twenty-four hours after the date fixed for holding such additional nominating caucus or caucuses in like manner as specified herein. And said Clerk shall cause to be printed and submitted at said ensuing election a sufficient number of ballots for use at said election containing the names of said candidates in the form prescribed in Section 6 of Chapter 5 of this Charter. The said clerk shall give notice of the time and place of holding such nominating caucus at least seven days before the date thereof by publishing such notice in the Grand Blanc Press, a newspaper published and circulating in the City of Grand Blanc.

Section 3. **Machinery for First Election:** For the purpose of registering the qualified electors of the City of Grand Blanc and to provide for a Board of Registration for the special election to be held on March 4, 1930, for the



adoption of this Charter for the City of Grand Blanc, and for the election of the first City officers, Arnold E. Nelson, Clerk of this Charter Commission, shall perform all the acts and duties which are required by the City Clerk and Board of Registration in connection with said election and the submission of this Charter, and he shall sit as such Board of Registration at the said Township Hall, in said City of Grand Blanc, on March 1, 1930, from nine o'clock in the forenoon to eight o'clock in the afternoon. Notice of the time and place shall be given with the notice of said election.

Section 4. Notice of First Election: Said Arnold E. Nelson, said Clerk shall give notice of said election and the submission of this Charter to the electors of said City by posting in ten public place in said City of Grand Blanc and by publishing the same once in the Grand Blanc Press at least two weeks before the date of said election day specifying therein the place of holding said election and the hours when said polls will be open, and shall give like notice that at said election there will be elected the officers specified in Section 6 of Chapter 4 of this Charter.

Section 5. Polling place: The polling place for such election on March 4, 1930 is hereby designated as the Township Hall of the Township of Grand Blanc, in said City of Grand Blanc.

Section 6. First Election Inspectors: Frank Hill, Earl Brown, Essie Cook and Arnold E. Nelson are hereby designated as the Board of Election Inspectors for said election to be held on March 4, 1930, in said City of Grand Blanc, and Frank Hill is hereby designated as chairman thereof. Should any of said persons become ineligible or fail to qualify and act as members of such Board such vacancy or vacancies shall be filled by vote of the electors present at the polls at the time of such vacancy.

Section 7. Special Board of Canvassers and Commissioners. W.H. Walker, George H. Chapel and Leslie K. Davis are hereby designated as a Board of Election Commissioners and as Board of Canvassers to canvass and declare the result of said election to be held in said City of Grand Blanc, March 4, 1930, upon the submission to the electors of said City of the question of adoption or rejection of this Charter, in manner as provided by Section 11 of Chapter 4 of this Charter.

Section 8. Charter, When Effective. If adopted, this Charter shall take effect forthwith upon completion by the aforesaid special Board of Canvassers of their canvass of said election and the filing of said Board of Canvassers of their report declaring the said Charter adopted, which report and declaration shall be filed with the secretary of this Charter Commission, Arnold E. Nelson.

Section 9. First Meeting of Council. The first meeting of the Council of said City of Grand Blanc shall be held on Monday, March 10, 1930, at seven thirty o'clock in the evening, at which time the Council shall set the regular date and time of meetings of said Council, and shall perform such other duties as may be required by the general statutes of this State, or as may properly come before said Council.

Section 10. All legitimate and proper expenses incurred in the matter of the incorporation of the City of Grand Blanc, including the drafting of this Charter, the cost of publication thereof, the expense of the several special

elections and for services of attorneys in connection therewith, shall be and the same is hereby assumed by the City of Grand Blanc, and is hereby declared to be a debt thereof.

Resolution of Adoption. Resolved, That the Charter Commission of the City of Grand Blanc, Michigan, does hereby adopt the foregoing proposed City Charter and the Clerk of this Commission is hereby instructed to transmit the same to the Governor of the State of Michigan, in accordance with the provisions of the statute, for his approval.

The vote on the adoption of said resolution was as follows:

Ayes: Nine

Nays: None

ARNOLD E. NELSON  
Clerk of the Grand Blanc Charter Commission

Countersigned by the following commissioners, Sept. 10, 1930.

ALEX D. GUNDRY  
E. SUMNER RUST  
RAY D. GUNDRY  
GEO. H. CHAPEL  
ROY A. BABCOCK  
ERNEST B. CLARK  
CHARLES STONE  
H.W. DAY

Approved: Sept. 26, 1929

FRED W. GREEN, Governor

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Grand Blanc, Michigan, March 5th, 1930

STATE OF MICHIGAN

County of Genesee, ss.

I, Arnold E. Nelson, Clerk of the Charter Commission of the City of Grand Blanc, State of Michigan, do hereby certify that this is the said Charter of the City of Grand Blanc as was drafted by the Charter Commission of the City of Grand Blanc, of the State of Michigan; and the same was, at a special election held in the said City of Grand Blanc on Tuesday, March 4, 1930, adopted by a three-fifths vote of the electors voting thereon.

The vote of such electors being as follows:  
Whole number of votes cast, Three Hundred and Two.  
For said Charter Adoption, Two Hundred and Fifty-Five.  
Against said Charter Adoption, Thirty-Seven.  
Cast Out, Ten.

ARNOLD E. NELSON  
Clerk of the Charter Commission

