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for the conduct of the business of the Court which are not inconsistent with this charter or statute.

The Municipal Judge shall file with the Council promptly after the end of the fiscal year an annual report of the Court in such detail as the Council shall prescribe.

Docket:

Section 16.12. There shall be kept at the place of holding the Municipal Court a docket or dockets in the manner required by statute. Failure of the Municipal Judge to make provision for the maintenance of such a docket shall constitute misconduct in office.

Court Clerk:

Section 16.13. The Council may by ordinance provide for the appointment of a Court Clerk and one or more deputy clerks whose compensation and duties shall be determined in accordance with Section 4.6.

Such Clerk and deputy clerks shall, by virtue of their office, be empowered to administer oaths to persons making affidavits for writs in civil causes and to issue all processes and test the same in the name of the Judge, and shall be required to collect all fees in civil causes and all costs and fines in criminal causes and all moneys paid into court for security for costs, bail or otherwise and to enter a record of the same in books kept by him for that purpose and to pay over the same to the authorities of the city or county or other persons entitled to same, as directed by the proper authorities or by law, and the Council shall cause the books of such clerks to be audited at least once each year to ascertain that such books are correctly kept and all moneys received have been properly accounted for.

Court Officers:

Section 16.14. The City Manager, upon request of the Municipal Judge, may assign one or more police officers of the city to the Municipal Court who shall have all the duties and powers of court officers of the Circuit Court of the state and shall serve in such capacity during the pleasure of the Manager. Such officer shall receive no compensation except such as he may be entitled to as a police officer. All fees and mileage allowances received by such officer in the performance of the duties imposed upon him shall be paid into the city treasury in accordance with Section 5.10.

Constables:

Section 16.15. The City Manager shall appoint one or more police officers of the city as Constables. Such Constables shall have like powers and authority in matters of civil and criminal nature, and in relation to the service of process, civil and criminal, as are conferred by law on Constables in townships. They shall have power also to serve all process issued for breaches of ordinances of the city. The bond of Constables shall be that required of Constables in townships and shall otherwise be subject to the provisions of Section 5.7. The statutory fees received by such Constables shall be paid into the city treasury in accordance with Section 5.10.

Transfer of Causes:

Section 16.16. Any cause coming before the Municipal Judge may be transferred by the Municipal Judge to the Circuit Court of the state at such time as the cause at the time the matter comes before the Court, be transferred upon the order of the Judge or the Associate Judge or, in case of their absence, by the Court Clerk to one of the Justices of the Peace in Oakland County without any notice to the parties in such case, and a note of such transfer shall be entered upon the docket of the case, and when two or more Judges or Justices shall have acted in any one cause or proceeding, the docket shall be signed in the manner and within the time provided by law by the Judge or Justice who shall have given the final judgment in such cause.

The Council shall by ordinance provide for compensation to be paid Justices or Judges for such services and, unless so provided by ordinance, no such Justice or Judge shall so act or be entitled to compensation therefor.

Violations Bureau:

Section 16.17. The Council shall have power and authority to establish by ordinance a Violations Bureau for the purpose of the handling of such violations of ordinances and regulations of the city, or parts thereof, as prescribed in the ordinance establishing such Bureau. Any person who has received any notice to appear in answer to a charge of violating any of such ordinances may within the time specified in the notice of such charge answer at the Violations Bureau to the charges set forth in such notice by paying a fine prescribed by ordinance which cannot be waived by the Bureau, and in writing pleading guilty to the charge, waiving a hearing in court and giving power of attorney to make such a plea and pay such fine in Court. Acceptance of the prescribed fine and the power of attorney by the Bureau shall be deemed to be complete satisfaction for the violation, and the violator shall be given a receipt which so states. The creation of such a Bureau shall not operate so as to deprive any person of a full and impartial hearing in Court should such person so choose.

Chapter 17

Miscellaneous

Vested Rights Continued:

Section 17.1. After the effective date of this charter, the city shall be vested with all property, moneys, contracts, rights, credits, effects and the contents of files, books and papers belonging to it and by virtue of the previous charter. No right or liability, either in favor of or against the city, existing at the time this charter becomes effective and no suit or prosecution of any character, shall in any manner be affected by any change resulting from the adoption of this charter, but the same shall stand as if no change had been made. All debts and liabilities of the city shall continue to be its debts and liabilities and all time and penalties imposed at the time of such change shall be collected by the city.

Records to be Public:

Section 17.2. All records of the city shall be public, shall be kept in city offices except when required for official reasons or for purposes of safe keeping to be elsewhere and shall be available for inspection at all reasonable times.

City Liability:

Section 17.3. The city shall not be liable for damages sustained by any person either to his person or property by reason of the negligence of the city, its officers or employees, nor by reason of any defective condition of or obstruction in any public place unless such person shall serve or cause to be served upon the Clerk within sixty days after the injury resulting in such damages shall have occurred a notice in writing, which notice shall set forth substantially the time and place of such injury, the manner in which it occurred, the extent of such damages (as far as the same has become known, the names and addresses of the witnesses known at the time by the claimant and a statement that the person sustaining such damages intends to hold the city liable for such damages as may have been sustained by him.

The city shall not be liable for any damages to persons or property arising out of any such injury unless there shall have been first presented to the Clerk a claim in writing and under oath setting forth particularly the time, place, nature and extent of such injury and the amount of damages claimed by reason thereof. No person shall bring any action against the city for any damages until such claim shall have been filed with the Clerk and until the Council shall have been given opportunity to act thereon either by allowing or refusing to allow the claim.

It shall be a sufficient bar and answer in any court to any action or proceeding for the collection of any demand or claim against the city under this section that the notice of injury and the verified proof of claim as in this section required were not presented and filed within the time and in the manner as herein provided.

Definitions and Interpretations:

Section 17.4. Except as otherwise specifically provided or indicated by the context:

(1) All words used in this charter indicating the present tense shall not be limited to the time of the adoption of this charter but shall extend to and include the time of the happening of any event or requirement for which provision is made in this charter.

(2) The singular number shall include the plural, the plural number shall include the singular and the masculine gender shall extend to and include the feminine gender and the neuter.

(3) The word "person" may extend and be applied to bodies politic and corporate as well as to individuals.

(4) The words "printed" and "printing" shall include reproductions by printing, engraving, stencil duplicating, lithographing or any similar method.

(5) Except in reference to signatures, the words "written" and "in writing" shall include printing and typewriting.

(6) The word "officer" shall include the Mayor and other members of the Council, the administrative officers, members of city boards and commissions created by or pursuant to this charter, the Municipal Judge, the Associate Municipal Judge and a Court Clerk if one shall be appointed.

(7) The words "statute" and "Constitution" shall denote the Public Acts of the State of Michigan and Constitution, respectively, as in effect at the time the provision of the charter containing the words "statute" and "Constitution" is to be applied.

(8) All references to specific Acts of the State of Michigan shall be to such acts as in effect at the time the reference to such act is to be applied.

(9) The words "law" or "general laws of the state" shall denote the Constitution and the Public Acts of the State of Michigan as in effect at the time the provision of the charter containing the words "law" or "general laws of the state" is to be applied, and applicable common law.

(10) All references to section numbers shall refer to section numbers of this charter.

Definition of Publication; Mailing of Notices:

Section 17.5. The requirements contained in this charter for the publishing or publication of notices or ordinances shall be met by publishing an appropriate insertion in a newspaper published in the English language for the dissemination of news of a general character which newspaper shall have had a general circulation at the time the notice or ordinance is published, or by publishing a copy thereof in one conspicuous place in each precinct of the city. The affidavit of the printer or publisher of such newspaper, or of his foreman or principal clerk, annexed to a printed copy of such notice, ordinance or proceeding taken from the paper in which it was published and specifying the times of publication shall be prima facie evidence of such publication.

It is provided, however, that if at any future date there be no newspaper designed primarily for circulation in the City of Farmington, then the requirement contained in this charter for the publishing or publication of notices or ordinances shall be met by posting a copy thereof in one conspicuous place in each precinct of the city. The affidavit of the person publishing the same shall be prima facie evidence of such publication by posting.

In any case in which this charter requires the mailing of notices, the affidavit of the officer or employee responsible for such mailing that such notice was mailed shall be prima facie evidence of such mailing.

Trusts:

Section 17.6. All trusts established for any municipal purpose shall be used and continued in accordance with the terms of such trust, subject to the cy pres doctrine. The Council may in its discretion receive and hold any property in trust for any municipal purpose and shall apply the same to the execution of such trust and for no other purposes except in cases where the cy pres doctrine shall apply.

Vacancies in Appointive Boards and Commissions:

Section 17.7. Except as otherwise provided in this charter, if a vacancy occurs in the membership of any appointive board or commission, the authority responsible for the appointment of the person whose position has become vacant shall fill such vacancy by appointment of a qualified person for the unexpired term of such person, subject to the same conditions as provided in the case of the original appointment.

Sundays and Holidays:

Section 17.8. Whenever the date fixed by this charter or by ordinance for the doing or completion of any act falls on a Sunday or legal holiday, such act shall be done or completed on the next succeeding day which is not a Sunday or legal holiday.

Restriction on Subdivision of Lands:

Section 17.9. No lands or premises shall hereafter be laid out, divided and platted into streets and alleys within the city except by permission and approval of the Council by resolution passed for that purpose, nor until the proprietor shall file with the Clerk a correct survey, plan and map of the proposed subdivision platted and subdivided as approved by the Council, which plat shall show the location of all such lots, streets and alleys, and other proposed improvements with respect to the adjacent lots and streets of the city.

Penalties for Misconduct in Office:

Section 17.10. Any officer of the city found guilty by a court of competent jurisdiction of any of the acts declared by this charter to constitute misconduct in office may be punished by a fine of not to exceed five hundred dollars or imprisonment for not to exceed ninety days or both in the discretion of the court. The punishment provided in this section shall be in addition to that of having the officer declared vacant as provided in Section 5.2.

Chapter and Section Headings:

Section 17.11. The chapter, section and sub-section headings used in this charter are for convenience only and shall not be considered as part of the charter.

Amendments:

Section 17.12. This charter may be amended at any time in the manner provided by statute. Should two or more amendments adopted at the same election have conflicting provisions the one receiving the largest affirmative vote shall prevail as to those provisions.

Severability of Charter Provisions:

Section 17.13. If any provision, section, article or clause of this charter or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect any remaining portion of application of the charter which can be given effect without the invalid portion or application provided such remaining portions or applications are not determined by the court to be inseparable and to this end this charter is declared to be severable.

Chapter 18

Schedule

Election to Adopt This Charter:

Section 18.1. This charter shall be submitted to a vote of the qualified electors of the City of Farmington at the regular municipal election held on Monday, April 2, 1951. The election shall be conducted by the officers under the existing city charter charged with the conduct and supervision of elections, following usual election procedure.

Form of Ballot:

Section 18.2. The form of ballot for the submission of this charter shall be as follows:

Instructions: A cross (X) in the square ☐ before the word "Yes" is in favor of the proposed charter, and a cross (X) in the square ☐ before the word "No" is against the proposed charter.

Before leaving the booth, fold the ballot so that the initials of the inspector may be seen on the outside.

Shall the proposed charter for the City of Farmington, drafted by the Charter Commission elected on January 2, 1951, be adopted?

☐ Yes

☐ No

Effective Date of this Charter:

Section 18.3. For all purposes not otherwise provided for herein, this charter shall take effect on May 21, 1951.

First Election of Officers Under This Charter:

Section 18.4. For the purposes of nominating and electing officers this charter shall take effect on Monday, April 9, 1951.

The first election of officers under this charter shall be held on Monday, May 14, 1951, and the Clerk shall on April 9, 1951, make available nomination forms for the officers of Councilmen as provided in this charter. Nomination petitions for this first election of officers shall be filed with the City Clerk not before April 16 and not after 5:00 o'clock p.m. of April 27, 1951, other provisions in this charter notwithstanding. The first election of officers under this charter shall also be conducted by the officers under the now existing city charter charged with the conduct and supervision of elections; however, the provisions of this charter with regard to nominations and form of ballot shall govern.

At the first election of officers under this charter, the electors shall be entitled to vote for not more than five candidates for Council-

man. The two candidates with the most votes respectively shall be declared elected for a term ending at 8:00 p.m. on the Monday following the regular city election in 1955 and the three candidates with the third, fourth and fifth highest number of votes respectively shall be declared elected for a term ending at 8:00 p.m. on the Monday following the regular city election in 1953. Thereafter the provisions contained in this charter on the election and term of Councilmen shall govern.

Taking of Office; Passing of First Budget:

Section 18.5. The Council first elected under this charter shall assemble in the existing official City Commission chambers at 8:00 p.m. Eastern Standard Time, on May 21, 1951. It shall be called to order by the existing Mayor of the city, and when it shall have chosen a Mayor or temporary chairman, the Commission of the City of Farmington previously existing shall cease to be, and the office of each and every member thereof shall terminate.

The terms of office of the City Clerk, City Assessor, City Treasurer and Constables and all other officers of the city by virtue of election under the former charter of the city, with the exception of the Justices of the Peace, shall terminate and their offices cease to exist at the same time that the previously existing Commission ceases to exist. All other officers and employees of the city shall continue in their respective offices and employment as though they had been appointed or employed in the manner provided in this charter, and shall, in all respects, be subject to the provisions of this charter.

The Justices of the Peace existing in the city on May 21, 1951, shall hold office until July 4, 1953, on which date their offices shall be abolished and the Municipal Judge and Associate Municipal Judge provided for in this charter, who will have been elected at the election in 1953, shall take office.

In 1951 the Council may adopt the budget at a later date in June than that provided in Section 8.4.

Transition to Municipal Court:

Section 18.6. The Justice of the Peace courts provided for in Chapter XVII of the charter of the City of Farmington adopted on February 15, 1926, as in effect prior to the effective date of this charter, shall continue in full force and effect without change of any kind until July 4, 1953, on which date said courts shall be abolished as provided in Chapter 16 of this charter. Chapter XVII of the charter of the City of Farmington adopted on February 15, 1926, is hereby incorporated as part of this charter for the period from May 21, 1951, to July 4, 1953, only.

Vacancies arising in the position of Justice of the Peace before July 4, 1953, shall be filled in the manner provided by statute.

At the regular city election in 1955, a Municipal Judge and an Associate Municipal Judge shall be elected for terms beginning on July 4, 1955, and ending at noon on January 1, 1958.

First Board of Review:

Section 18.7. The terms of all members of the Board of Review existing under the previous charter of the city shall expire as soon as the members of the Board of Review herein provided for have been appointed or qualified, but no later than July 1, 1951. In June, 1951, the Council shall appoint a Board of Review of three freeholders who meet the qualifications for such office provided in this charter, and shall fix their compensation. One such member shall be designated to serve for a term expiring in January, 1953, one for a term expiring in January, 1954, and one for a term expiring in January, 1955.

Status of Schedule Chapter:

Section 18.8. The purpose of this schedule chapter is to inaugurate the government of the City of Farmington under this charter, and shall constitute a part of this charter only to the extent and for the time required to accomplish this end.

Resolution of Adoption

At a regular meeting of the Charter Commission of the City of Farmington held on the 31st day of January, 1951, the following resolution was offered by Commissioner Otis:

RESOLVED, that the Charter Commission of the City of Farmington, and the Clerk of this Commission is directed (1) to transmit a copy of this charter to the Governor of the State of Michigan for his approval in accordance with the statutes of the state, (2) to this day file with the City Clerk a copy of this charter and (3) to cause this proposed charter to be published in the Farmington Enterprise.

The resolution was seconded by Commissioner Erdmann, and adopted by the following vote:

YEAS: Commissioners Alexander, Blakeslee, Checketts, Conroy, Erdmann, Layton, Otis, Warner and Weaver.

NAYS: None.

The Chairman declared the foregoing resolution carried unanimously and requested the members of the Charter Commission to authenticate said resolution and also the copies of the charter to be presented to the Governor and filed with the City Clerk by attesting their names thereto in the following manner:

EDWARD ALEXANDER

VICTOR R. BLAKESLEE

MABEL B. CHECKETTS

TRACY G. CONROY

ROY ERDMANN

CHARLES W. LAYTON

GEORGE W. OTIS

HOWARD M. WARNER

G. F. WEAVER

All of the Commissioners having attested as to said resolution, the meeting adjourned subject to the call of the Chairman.

STATE OF MICHIGAN)
(SS.
COUNTY OF OAKLAND)

Harry W. Moore, Clerk of the Charter Commission of the City of Farmington, being duly sworn says that at an election duly called and held in the City of Farmington on the 2nd day of January, 1951, the following named persons were duly elected as the Charter Commission to frame a revised charter for the City of Farmington, namely: Edward Alexander, Victor R. Blakeslee, Mrs. Mabel B. Checketts, Tracy G. Conroy, Roy Erdmann, Charles W. Layton, George W. Otis, Howard M. Warner and G. F. Weaver, and that the annexed and foregoing charter was duly adopted by said Charter Commission by the foregoing resolution which is a true and correct copy thereof, and that the said Charter Commission directed that said charter be presented to the electors of the City of Farmington in accordance with the requirements of this charter and the laws of the State of Michigan.

Further deponent sayeth not.

(Signed) HARRY W. MOORE

HARRY W. MOORE

Clerk of the Charter Commission of the City of Farmington.

Subscribed and sworn to before me this 7th day of February, 1951.

(Signed) KATHRYN D. COTTER

KATHRYN D. COTTER

Notary Public, Oakland County, Michigan

My Commission expires August 8, 1953.

I do hereby approve the above and foregoing charter of the City of Farmington.

Approved: (Signed) G. MENNEN WILLIAMS

Governor of the State of Michigan



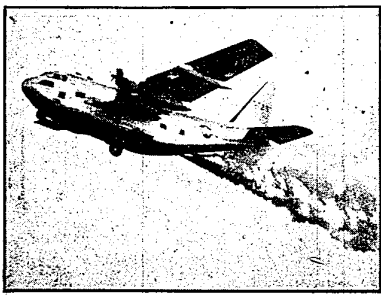
SPLASH PARTY—Sailors of the U. S. destroyer-tender, Dixie, splashed into the news as they played host to a group of washed war orphans at an undisclosed Korean port. The lot at left seems to be marveling at the powers of a bar of soap, while child at right is finding out that the stuff wasn't made for the eyes.



BULLDOG AND POODLE—Winston Churchill, often considered a symbol of the British spirit in the British Isles, is shown here as he was joined by his poodle after arriving in London recently from a Paris vacation. Although Winnie's pooch hardly looks British or resolute, the Conservative Party leader seems well satisfied with his companion.



BALANCING HIS BUDGET—This smiling Haitian basketmaker has good reason to be happy, for the huge hamper he is carrying will bring him a total of \$3.00—enough to feed him for two weeks. However, the craftsman must travel 22 miles down through the hills to Port-Au-Prince in order to sell his seven hand-made articles.



QUICK LIFT—This Chase Aircraft C-123 troop and cargo-carrying transport required only six seconds to leave the ground in a jet-assisted take-off during tests at West Trenton, N. J. The huge craft, which can carry more than 20,000 pounds of cargo, traveled but 400 feet on the runway before rising into the air.



YANKS YANK IN VAIN—These smooth operating GIs in Korea found that their slick job of milking this temperamental cow was wasted as medical authorities forbade the use of the milk. Reluctant Bossy proved to be a two-man task for the frustrated soldiers, with one Yank making with the sweet talk while the other tried to fill his all-purpose helmet.