

Section 15. The Commission shall have power to prohibit, restrain, prevent and suppress the following: vice and immorality of all forms, disorderly and houses of ill fame, the sale or giving away of spirituous, fermented or intoxicating liquors, saloons, fraudulent representations, gambling houses, indecent exposure of person, the show, sale, or exhibit for sale of indecent or obscene drawings, pictures, engravings, paintings, books and pamphlets; indecent or obscene shows or exhibitions; wanton destruction of property, riots, disorderly persons, disturbances at any religious meeting, congregation, society or other public meeting assembled for any purpose; the use of a red flag, except for railway and transportation purposes, and except as a sign of danger; nuisances, injury and annoyance; offensive, dangerous or unhealthy, and to provide for the arrest and punishment of vagrants, truant, beggars, drunkards, and persons found drunk in the public streets or places of this City, and all disorderly persons owning, operating, maintaining or doing any of the things enumerated above.

Section 16. The Commission shall have power to prohibit, to provide, to regulate and to license as the case may be: transient traders, auctioneers; sale at auction of live or domestic animals in the streets, alleys, and public places of the City; auctions and sale at auction, except sales at public places, and sale to some order of Court or public law; peddlers, hawkers, peddlers; the use of aeroplanes in and above the City; all vehicles of every kind; used for the transportation of persons or property for hire, and their stands on the streets, alleys and public places in the City; and steam and electric trolley cars, and other vehicles; solicitors of passengers of baggage to or from any hotel, public house, railway station or places where they may be admitted to solicit or receive patronage; draymen, car men, truck men, porters and other persons employed for hire; and the amounts and rates of their compensation; hotels, restaurants; eating houses; theatres, and other places of public entertainment; the use, control and regulation of streams, waters and water courses within its boundaries, but not so as to conflict with the laws or action thereunder where a navigable stream is bridged or dammed; the depositing in such streams, waters and water courses, of driftwood, filth or other noxious matter tending to render the waters impure, unwholesome and offensive; noxious and unsanitary buildings of all kinds; sewers and other offensive, noxious or unwholesome places; construction, repair and removal of all buildings, cellars, cisterns, slips, private drains, sinks, cesspools and privies; partition fences; signs, billboards and advertising devices, awnings; dogs and other domestic animals; the use of the surface of the city streets; alleys and public grounds, and of the space above and beneath them; vehicular and foot traffic, the keeping, selling, and using of dynamite, gun powder, fire crackers, fireworks, and other explosive materials; the making or exhibiting of fireworks; fire arms; the making or lighting of fires in streets, alleys and other open places in the City; the inspection, weighing and measuring of meats, provisions and any other article of merchandise; the inspection and weighing and measuring of all articles of merchandise; the use of proper weights and measures by vendors; the protection and care of papers and the bringing to the City from any other place, of any pauper or other person likely to become a charge upon the City; taking a census of the inhabitants, numbering of buildings and the streets of the City; and all matters relating to the peace, safety, good order, good health and good government of the City, and the general welfare of the inhabitants thereof; and to provide penalties for the violation of all ordinances.

Section 17. The Commission shall by ordinance prescribe the terms and conditions upon which licenses may be granted; and may require and exact payment of such reasonable sums for any licenses as it may deem proper. The persons receiving the license shall, before the issuing thereof, execute a bond to the City with sufficient sureties as prescribed in such sum and with such sureties as prescribed by such ordinance, conditioned for the faithful observance of the Charter of the City, the ordinance under which the license is granted and otherwise conditioned as any such ordinance may prescribe. Such license shall be revocable by the Mayor, at his pleasure; and when any license shall be revoked for non-compliance with the terms and conditions upon which it was granted, the person holding such license shall, in addition to other penalties imposed, forfeit all payment made for such license.

Section 18. No license shall be granted for any term beyond the first Tuesday of May next thereafter, nor shall any license be transferable. The Commission may provide for the punishment by fine, imprisonment, or both, of any person who, without license, shall exercise any occupation of trade, or do anything for or in respect to such occupation, for which a license is required. All license moneys shall be paid into the City Treasury to the credit of the Contingent Fund.

Section 19. The Commission shall have power to enact such ordinances and regulations and establish and enforce such regulations as it may deem proper to serve to guard against the occurrence of fire and to protect the property and persons of the inhabitants against damage and accident resulting therefrom; for this purpose to establish and maintain a fire department; to provide for the appointment of all necessary firemen and other employees; to make and establish rules for the government of the department, the employees thereof and for the care and management of the fire houses, apparatus, property and buildings pertaining to the department.

Section 20. The Commission shall have power by ordinance from time to time limits or districts in the City, within which limits or districts, wooden buildings and structures shall not be erected, placed or enlarged, and to direct the manner of constructing buildings within such limits or districts with respect to protection against fire and the material of which the walls, floors, partition and roofs shall be constructed.

Section 21. No lands, or premises shall hereafter be laid out, divided and platted into streets, and alleys within said City, except by and with the approval of the Commission, by resolution passed for that purpose, nor until the proprietor shall file with the City Clerk a correct survey, plan and map of the proposed subdivision platted and subdivided as approved by the Commission, showing the location by lot, street, and alley, and the location of all improvements with respect to the adjacent lots and streets of the City. As a condition of approving such plat the Commission may require all streets shown on said plat to be graded and graveled or otherwise improved, all drains and sewers to be laid out and made such streets, usable constructed and cement sidewalks constructed in the proper place in accordance with the side walk specifications of the City, and the said Commission may accept a bond with sureties satisfactory to it, and conditioned upon the installation of said improvements, as required within a time determined by the Commission and limited in said bond.

Section 22. The Commission shall have power to acquire, own, erect, maintain and control real estate, buildings, institutions and works without the corporate limits of the City, except where prohibited by this Charter, or the general laws of this State, for the purpose of acquiring, owning, erecting, maintaining and controlling such lands, buildings, institutions and property all ordinances and police regulations as may be necessary for the care, protection, control and management thereof in the same manner and to the same extent as if they were located within the City.

Section 23. Subject to the provisions of existing contracts between steam and electric railways and the Township or Village of Farmington, the County of Oakland or the State of Michigan, and subject to the general laws of the State applicable thereto, the Commission shall have power to acquire, own, erect, maintain and control such lands, buildings, institutions and property all ordinances and police regulations as may be necessary for the care, protection, control and management thereof in the same manner and to the same extent as if they were located within the City.

Section 24. The Commission shall have full power to provide for the establishment, construction, operation and maintenance of all public utilities and other public improvements, whether the same be expressly enumerated in this Charter or not; for the enforcement of all such laws, police, sanitary, health and other regulations and ordinances of the State, and to exercise the powers for exercising all municipal powers in the management of municipal property and in the administration of the municipal government, whether such powers be herein expressly enumerated or not; for any act to advance the interest, the good government and prosperity of the City and the general welfare of the inhabitants thereof.

Section 25. Subject to limitations in this Charter or in the Constitution or General Laws of the State contained, the City may borrow money for any public purpose in this Charter specifically permitted, or not specifically forbidden, and may issue the bond or bonds, and may incur the liability therefor, together with any and all interest, not exceeding a legal rate, which may accrue thereon.

Section 26. The granting to the City or Commission of any specific power in this Charter shall not be construed as limiting any general grant of powers unless the intention to so limit is clearly indicated.

Section 27. All power now legally possessed by cities organized and existing under the provisions of Act No. 279 of the Public Acts of Michigan for the year 1909, as amended (commonly known as the "Home Rule Act for Cities"), and all municipal powers and other powers now possessed by cities organized in Michigan, but which may hereafter be granted by constitutional or legislative enactment whether by amendments to the so-called "Home Rule Act for Cities" or by general law are hereby reserved to the City of Farmington and, unless restricted by ordinance or resolution of this Charter contained, may be exercised, enjoyed, and enforced fully as if the same were specifically adopted as provisions hereof.

CHAPTER XVII. JUSTICE COURTS.

Section 1. At the first election held under this Charter there shall be elected one justice of the peace, and one justice of the peace shall be elected every two years at the municipal election for the term of four years. The term of office of a justice elected under the provisions of this Charter shall commence on the second Monday of April next following his election. He shall take and file an oath of office with the County Clerk of Oakland County, within the same time and in the same manner as in and to the City of Farmington. The term of office of a justice shall also, within the time limited for filing his official oath, file with the County Clerk the security for the performance of the duties of his office required by law in cases of justices of the peace elected in townships, except that said official bond or surety shall not be required to be filed, provided by the Mayor of the City of Farmington and any Justice of the Peace elected under this Charter, who shall enter upon the execution of his office before he has filed his official oath and bond or security and such other securities to the City as may be required by law or by ordinance or resolution of the Commission, shall be liable to the same penalties as are provided in cases of justices of peace elected in townships.

Section 2. Said justices of the peace shall have the same jurisdiction and powers in all civil and criminal cases, suits and proceedings, and shall perform the same duties in all respects, so far as occasion may require, as are or may be conferred upon or required of justices of the peace under the general laws of the state; provided, that in all civil matters, suits and proceedings, ex contractu and ex delicto, said justices of the peace shall have concurrent jurisdiction to the amount of five hundred (\$500.00) dollars with such exceptions and restrictions as are provided by law; and provided further, that the justice of the peace before whom such cause shall have been tried, shall upon legal cause shown therefor have the same power and authority as the Circuit Courts of the State possess to set aside the verdict or judgment and grant a new trial therein whenever a motion in writing is made and a motion for a new trial within five days after the rendition of the verdict or judgment in said case, which said motion shall briefly and plainly set forth the reasons and ground upon which it is made and shall be supported by an affidavit or affidavits setting forth the facts relied upon in support of such motion; and a motion for a new trial of the hearing of such motion with a copy of the motion and affidavits filed as aforesaid, shall be served upon the adverse party or his attorney at least two days before the hearing thereof, and such motion shall be heard within two days after the same shall have been heard and submitted, and such motion shall be submitted and heard within one week after the same shall have been filed. The time for taking an appeal from judgment in case of a motion for a new trial shall be overruled, in no case shall the pendency of such motion stay the issuing and levy of an execution in such case, but in case of a levy under execution pending such motion, no sale of the property so levied on shall be made until the final determination of such motion.

Section 3. Said justices of the peace shall also have authority, and it shall be their duty to hear, try and determine all suits and prosecutions for the recovery and enforcing of fines, penalties and forfeitures imposed by this Charter, and the ordinances of the City of Farmington, and such motions as the violation of said Charter and Ordinances as therein prescribed and directed, when the fine or

forfeiture imposed shall not exceed one hundred (\$100.00) dollars, or when the offender may be imprisoned for a term not exceeding three months; all such fines, penalties and forfeitures over and above the fees allowed the Justice of the Peace hearing the cause as hereinafter provided, shall upon being collected, be paid over to the City Treasurer by the County of Oakland, and the amount of the violation of this Charter or the Ordinances thereunder, shall be paid over to the City Treasurer by said Justice of the Peace on the first Monday of the month following the collection thereof.

Section 4. The proceedings in all suits and actions before the said Justices of the peace and in the exercise of the powers and duties conferred upon and required of them, shall be according to and be governed by the general laws applicable to Justice of the Peace, and to the procedure in such Courts, in all suits and prosecutions arising under the Charter and ordinances of the City of Farmington the right of appeal or certiorari from said Courts to the Circuit Court for the County of Oakland, or to any other Court of competent jurisdiction, shall be allowed to the parties or any of either of them, and the same recormization or bond shall be given as is or may be required by law in case of appeal or certiorari from Justice Courts in analogous cases.

Section 5. Every Justice of the peace shall enter in a docket kept by him in all suits and prosecutions commenced or prosecuted before him, and all the proceedings and judgment rendered in every such cause, and the items of all costs taxed or allowed therein; and also the amounts and dates of payment of all fines, penalties and forfeitures, moneys and costs received by him on account of any such suits or proceeding. Such docket shall be submitted by the justice at all times to the examination of any person desiring to examine the same, and shall be produced by the justice to the Commission whenever required.

Section 6. All fines, penalties, and forfeitures collected or received by any Justice of the Peace for or on account of violations of the penal laws of the State, shall be paid over by such Justice to the County Treasurer on or before the first Monday of the month next after the collection or receipt thereof. And the Justice shall take the receipt of the County Treasurer therefor and file the same with the City Clerk.

Section 7. Every such Justice shall report, on oath to the Commission, just at the first regular meeting thereon in each month, the name of every person against whom prosecution has been commenced, or judgment rendered for any fines, penalties, or forfeitures mentioned in the preceding section, and the amount of all moneys received by him on account of such suits or proceedings, and the amount thereof paid to the City Treasurer since the last preceding report.

Section 8. All fines recovered for the violations of the penal laws of the State, when collected and paid into the County Treasury shall be disposed of as provided by law. The expenses of prosecution before Justice of the Peace of the City for violation of said criminal laws and in punishing the offenders, shall be paid by the County in which the City is located.

Section 9. Each Justice of the peace in addition to any other security required by law to be given for the performance of his official duties shall, before entering upon the duties of his office give a bond to the City, in a penalty of five hundred dollars, with sufficient sureties to be approved by the Mayor and subject to the approval of the City Council, conditioned for the faithful performance of the duties of justice of the peace within and for the City.

Section 10. Any Justice of the Peace who shall be guilty of misconduct in office, or who shall willfully neglect or refuse to perform any of the duties of his office required by this act or any of the ordinances of the City, shall be deemed guilty of a misdemeanor and punishable accordingly, and may be suspended from office by the Commission during his absence.

Section 11. Every Justice of the Peace of the City shall account on oath to the Commission at its first meeting in each month, for all such moneys, goods, wares and property seized as stolen property, as shall then remain unclaimed in his office, and shall make such disposition thereof as shall be prescribed by the ordinance of the City.

Section 12. In case of vacancy in the Office of Justice of the Peace, by reason of death, resignation, removal or otherwise the Commission of the City shall fill such vacancy by an eligible elector of the City, by appointing an eligible elector of the city, who shall hold the Office of Justice of the Peace by virtue of such appointment only, until the next succeeding city election.

Section 13. The Justice of the Peace holding Office under this Charter shall be paid no salary by the City, but shall be entitled to fees in civil and criminal cases, in accordance with the provisions of Sections 14397 of Compiled Laws of Michigan 1915, and Act Number 30 of the Public Acts of Michigan for the year 1919, and Section 16897 of the Compiled Laws of Michigan, respectively, and any amendments thereto that may hereafter be enacted to affect the fees of the Justices of the Peace; said Justice of the Peace of the City of Farmington shall receive no other fees or compensation in civil and criminal actions than provided for herein.

CHAPTER XVIII. Finance and Taxation

Section 1. The fiscal year of the City shall commence on the first day of July of each year and end on the 30th day of June of the succeeding year. The Commission shall have authority, within the limits of the law, to raise moneys for the City by taxation such sums of money as may be necessary to defray the expenses and pay the liabilities of the City, and carry into effect the powers in this Charter granted.

Section 2. The revenue raised by general taxation upon all property in the City, or by loan to be repaid by such tax, shall be divided into such and so many funds as the Commission may by ordinance or resolution determine. Revenues and moneys raised by taxation in any special assessment district, whether the same shall be divided into special assessment funds 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 per cent of the amount collected, as the Commission may determine, but if it exceeds such amount it shall be returned to those from whom collected.

Section 3. The aggregate amount which the Commission may raise by general tax upon the taxable real and personal property in the City for the purpose of defraying the general expenses and liabilities of the City of Farmington, shall not exceed in any year two per cent of the assessed value of all real and personal property in the city, according to the as-

essment roll last confirmed prior to the beginning of such fiscal year.

Section 6. In addition to the above amount, the Commission may raise by special assessment, in a special assessment district, for the purpose of grading, paving, curbing and otherwise improving the streets, and for constructing sewers and drains, and for building retaining walls upon or along any stream or water front and making other local improvements chargeable upon the lands and property in the district, according to frontage or benefits, and for all other purposes for which the special assessment funds are constituted, such sums as they shall deem necessary, but not exceeding in any year five per cent on the assessed value of the property in such special assessment district, as shown by the last preceding assessment roll of the City.

Section 7. On or before the 30th day of May in each year the City Clerk and Mayor (and for that purpose they shall be known as the Board of Estimates) shall furnish to the Commission estimates in writing of the probable expenses and liabilities to be incurred for the ensuing fiscal year, specifying in detail such probable expenditures, including a statement of the salaries of all City officers, of the amount necessary for the payment of all debts and interest to fall due, of lands to be acquired, or buildings to be erected or repaired or bridges to be built, for paving or other improvements of the streets, for constructing sewers, for the support of the various departments, and for every other purpose for which in their opinion any money will be required to be paid from any of the several general funds of the City during the year; and also the estimated amount of revenue from all sources other than tax levy. The estimate thus made shall be styled the "Annual City Budget".

Section 8. The annual City budget provided for in the last section shall also contain a statement of the amount expended in each fund during the current year, together with the amount then on hand in each. It shall also contain a fairly concise statement showing the use to which all money is intended to be put, together with such recommendations as to them may seem best. The budget when completed shall be studied by the board of estimates and filed with the City Clerk.

Section 9. 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 general tax law.

Section 10. On the first Monday in each year the City Assessor shall make and complete an assessment roll of the City, upon which he shall set down the name of every person liable to be taxed in the City, with a full description of all real and personal property therein liable to taxation, 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 in detail, such as in making such assessment roll, the City 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 11. The Mayor and Board of Review shall constitute a Board of Equalization and Review the assessment roll of the City, and the Mayor by virtue of his office be supervisor of the City, and as such represent the City upon the Board of Supervisors of the County of Oakland, for which service he shall receive five dollars (\$5.00) per annum, and a clerk employed. A majority of the Board shall constitute a quorum for the transaction of business. They shall have power, and it shall be their duty to examine the said assessment roll and they shall have authority to add to and shall correct any errors or deficiencies found therein, either by adding to the assessment roll, or by their own motion, or cause shown, may reduce or increase the valuations of any property, and shall add to said assessment roll any property in said City that may have been omitted, and shall value the same, and shall strike from said roll any property wrongfully assessed, and they shall perfect said roll in any respect deemed necessary and proper, for which services they shall each receive four (\$4.00) dollars per day while actually employed.

Section 12. The said board shall meet on the first Tuesday in June in each year, in the room of the Commission, at nine o'clock in the forenoon, at which meeting and the time and place of holding the same shall be given by the City Clerk at least two weeks prior to the time of meeting by publishing a notice thereof in one of the newspapers of the City, and by posting the same in three public places in said City, at which time and place the assessor shall submit to said board the general assessment roll. They shall select one of their number as Chairman, and shall continue in session at least two days successively, and at least eight hours in each day, during each session, and any persons desiring to do so may examine his, her or their assessments on such roll and may show cause, if any exists, why the valuation thereof should be changed and the said board shall forthwith consider and act upon such cause, and may increase or decrease the same, and their decision shall be final. They may examine on oath any person or persons touching on the matter of his, her, or their assessment, and the chairman or any member of said board may administer oaths. They shall keep a record of the proceedings and all changes made in said roll, and the amount added to or deducted from the total valuation shall be entered upon such record, which record shall be deposited with the City Clerk, who shall be Clerk of said board. The decision of a majority of all members of said board upon all questions shall govern. The roll so prepared shall be a true and correct stand as approved and adopted as the act of the Board of Review, except when changed as herein provided. Said Board shall have the same power and perform the same duties in all respects as the Board of Review in townships, in reviewing and correcting assessments made by the assessors of townships, except as in this Charter otherwise provided. After the said Board of Review 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 the Board of Review. Such statement may be in the following form, namely:

STATE OF MICHIGAN } ss.
COUNTY OF OAKLAND }
I hereby certify that the Board of Review of the City of Farmington has reviewed, equalized and corrected the within assessment roll, and has deducted therefrom (or added to as the case may be) the valuation of the real estate made by the assessor, and has determined the aggregate value of such real estate to be \$..... and the total value of the personal estate to be \$..... for the year A. D. 1926. Dated.....
City Clerk.