

Section 7.12. Taxes Due; Notification

The Treasurer Director of Finance - City shall not be required to call upon the persons named in the City tax roll, nor to make personal demand for the payment of taxes...

Section 7.13. Collection of City Taxes

City taxes shall be due and payable on the first 15th day of July of each year. To all taxes paid after August 31, there shall be added a four (4) percent penalty...

Section 7.14. Delinquent Tax Roll to County Treasurer

If the Treasurer Director of Finance - City has been unable to collect any of the City taxes on said roll on real property before the first day of March following the date when said roll was received by him...

Section 7.15. Protection of City Lien

The City shall have power, insofar as the exercise thereof shall not conflict with or contravene the provisions of any general law of the state, to acquire by purchase any premises within the City at any tax or other public sale...

ARTICLE VIII MUNICIPAL BORROWING POWER

Section 8.01. General Power to Borrow

Subject to the applicable provisions of state law and this Charter, the Council, by proper ordinance or resolution, may authorize the borrowing of money for any purpose within the scope of the powers vested in the City and the issuance of bonds of the City...

Section 8.02. Borrowing Limit

The net bonded indebtedness incurred for all public purposes shall not at any time exceed five (5) percent of the assessed valuation of all the real and personal property in the City...

Section 8.03. Special Assessment Bonds

Bonds issued in anticipation of the payment of special assessments may be an obligation of a special assessment district or districts or may be both an obligation of a special assessment district or districts and a general obligation of the City...

Section 8.04. Bond Issuance and Records

Each bond or other evidence of indebtedness shall contain on its face a statement specifying the purpose for which the same is issued and it shall be unlawful for any officer of the City to use the proceeds therefor for any other purpose...

ARTICLE IX UTILITY SERVICES, PUBLIC IMPROVEMENTS AND CONTRACTS

Section 9.01. Public Utility Franchises

All public utility franchises granted after the adoption of this Charter, whether it be so provided in the granting ordinance or not, shall be subject to the right of the City:

- A. To repeal the same for misuse, or nonuse, or for failure to comply with the provisions thereof;
B. To require proper and adequate extension of plant and service and maintenance thereof at the highest practicable standard of efficiency;
C. To establish reasonable standards of service and quality of products, and prevent unjust discrimination in service or rates;
D. To require continuous and uninterrupted service to the public in accordance with the terms of the franchise throughout the entire period thereof;
E. To impose such other regulations as may be determined by the Council to be conducive to the safety, welfare, and accommodation of the public;
F. To require the public utility to which any franchise is granted to permit joint use of its property and appurtenances located in the streets, alleys, and public places of the City, and other utilities insofar as such joint use may be reasonably practicable and upon payment of reasonable rental therefor;
G. To pay such part of the cost of improvement or maintenance of the streets, alleys, bridges and public places of the City as shall arise from its use thereof and to protect and save the City harmless from all damages arising from said use.

Section 9.02. Utility Charges, Collections and Liens

The Council shall provide, by ordinance, for the collection of all public utility charges made by the City and, for such purpose, shall have all the power granted to cities by Act 178 of the Public Acts of 1929, as amended...

Section 9.03. Public Works

The Council shall have power to do any public work or make any public improvement by the employment of the necessary labor and the purchase of the necessary supplies and materials with separate accounting as to each improvement...

Section 9.04. Cost of Acquired Property Added

Whenever any property is acquired by condemnation, or otherwise, for the purpose of any public improvement, the cost thereof, and of the proceedings required to acquire such property, may be added to the cost of such improvement.

Section 9.05. General Powers Relative to Special Assessments

The Council shall have the power to determine the necessity of any local or public improvement, and to determine that the whole or any part of the expense shall be defrayed by special assessment upon the property specially benefited.

Section 9.06. Detailed Procedure to Be Faxed by Ordinance

A. The Council shall prescribe by general ordinance the complete special assessment procedure concerning the initiation of projects, plans and specifications, estimates of costs, notice of hearings, making and confirming assessment rolls in advance of starting the improvement...

B. When the City may, by law, participate in intergovernmental improvements, the cost of which may be defrayed in whole or in part by special assessment, the procedure therefor shall be as provided by the law permitting such participation.

Section 9.07. Additional Assessments and Refunds

When any special assessment roll shall prove insufficient to meet the costs of the improvement for which it was made the Council may make an additional pro rata assessment, but the total amount assessed shall not exceed the value of benefits received by any lot or parcel of land.

Section 9.08. Limitations on Suits and Actions

No suit or action of any kind shall be instituted or maintained for the purposes of contesting or enjoining the collection of any special assessment unless within thirty (30) days after confirmation of the special assessment roll, written notice is given to the Council of intention to file such suit or action...

Section 9.09. All Real Property Liable for Special Assessments

All real property, including such as is exempt from taxation by law, shall be liable for the cost of public improvements benefiting such property, unless specifically exempted from special assessments by law.

Section 9.10. Lien for and Collection of Special Assessments

Upon the confirmation of each special assessment roll, the special assessments thereon shall become a debt to the City from the persons to whom they are assessed and, until paid, and be continue to be a lien upon the property assessed for the amount of such assessments and all interest and collection charges which may accrue thereon.

Section 9.11. Certain Postpayments of Payments

The Council may provide that any person who resides in a single family residence, who in the opinion of the Assessor and Council, by reason of poverty is unable to contribute toward the cost of the making of a public improvement by special assessment on said single family residence, may execute to the City an instrument creating a lien for the benefit of the City on all or any part of the real property owned by him...

Section 9.12. Contracts

Purchases shall be made under such rules and regulations as may be established by the Council, provided, if any purchase or contract for purchasing, including a continuing order or contract for the purchase of the same commodity over a period of time, involves the expenditure of three thousand (\$3,000) dollars or more, the purchasing agent, unless it shall be determined by the Council to be against the best interests of the City, shall invite sealed bids or proposals...

ARTICLE X GENERAL PROVISIONS

Section 10.01. Governmental Ethics

The following rules shall govern the conduct of City officers in their dealing with the City:

A. Employment of Relatives. The appointment or employment of relatives by blood or marriage within the second degree of consanguinity or affinity of any Council member, appointee or employee of the City, shall require the approval of the Council.

B. Conflict of Interest. No member of the Council or any commission or board of the City shall vote on any issue or matter in which he or a member of his family shall have a proprietary or financial interest or as the result of which he may receive or gain a financial benefit.

C. Business Dealings with City. Any Council member, appointee, or employee of the City, who intends to have business dealings with the City, either directly or indirectly, whereby he may acquire from the City an income or benefits other than that provided as remuneration for his official duties, shall file with the City Clerk a statement, under oath, setting forth the nature of his interest therein and that his participation therein is to the general welfare of the City.

Section 10.02. Surety Bonds

The City shall provide, at its expense, bonds for personnel required to be bonded in such surety and in such amounts as the Council may require by resolution.

Section 10.03. City Records

The ordinary records of the City shall be deemed to be public records, shall be kept in the City offices except when required for official reasons or for purposes of safekeeping to be kept elsewhere and shall be available for inspection at all reasonable times.

Section 10.04. Tense and Headings

Except as otherwise specifically provided or indicated by the context, 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 therein...

Section 10.05. Effect of Illegality of Any Part of the Charter

Should any provision or section, or portion thereof, of this Charter be held by a court of competent jurisdiction to be invalid, illegal, or unconstitutional, such holding shall not be construed as affecting the validity of this Charter as a whole or of any remaining portion of such provision or section.

Section 10.06. Amendment of Charter

This Charter may be amended from time to time in the manner provided for by Act No. 279 of the Public Acts of 1929, as amended, or other applicable statute of the State of Michigan.

Section 10.07. Penalties

Violations of Section 10.01 of this Charter or willful violation of any provision of this Charter or any duty imposed upon any official of the City by this Charter shall constitute misconduct in office and, in addition to any penalty imposed by law, shall subject the offender to removal from office by the Council.

ARTICLE XI TRANSITION PROVISIONS

Section 11.01. Statute of Transitional Provisions

The purpose of this chapter is to provide for an orderly transition from Township to City government. It shall constitute a part of this Charter only to the extent and for the time required to accomplish this end.

Section 11.02. Election on Adoption of Charter

A. Date. This Charter shall be submitted to a vote of the registered electors of the Township of Farmington at a special election to be held on Tuesday, May 8, 1973.

B. Form of ballot. The form of ballot for the submission of this Charter shall be as follows:

Shall the proposed Charter for the City of Farmington Hills, as drafted by the Charter Commission elected May 16, 1972, be adopted?
YES
NO

C. Election Procedure. The special election at which this Charter is submitted shall be conducted by the officials of the Township of Farmington subject to the same statutes, rules and regulations applicable to Township special elections except as otherwise provided in this Charter or by Act No. 279 of the Public Acts of 1929 as amended.

D. Publication of Charter and Notice of Election. The Charter Commission shall cause this Charter to be published in two newspapers of general circulation in the Township at least once, not less than two (2) weeks and not more than four (4) weeks preceding the said election, together with notice of the election.

Section 11.03. First Election of Council

The first election of Council members provided for in this Charter shall be held on May 8, 1973, in conjunction with the election of the adoption of this Charter.

A. Terms. At the election at which this Charter shall be submitted there shall be elected seven (7) Council members whose terms of office shall begin on the taking effect of this Charter. The three (3) candidates receiving the highest number of votes shall serve until twelve (12:00) o'clock noon on January 1, 1978.

B. Nominations. There shall be no primary election for the first election of Council members. Candidates shall be nominated by petition in the manner provided for in Section 3.02 hereof.

C. Petitions. Petitions shall be filed with the Township Clerk, who shall perform all of the duties in connection with such nomination petitions as are herein required of the City Clerk. Nomination petitions shall be filed by 4:00 o'clock P.M. on March 20, 1973.

Section 11.04. Effective Date of Charter

If this Charter is approved at the election provided for in Section 11.02, it shall take effect on July 1, 1973 at 12:01 o'clock A.M.

Section 11.05. First Meeting of Council

The Council first elected under this Charter shall meet at eight (8:00) o'clock P.M. on Monday, July 2, 1973. This meeting shall be called to order by the Chairman of the Charter Commission. The Council members shall take the constitutional oath of office which shall be filed with the Township Clerk prior to July 1, 1973.

Section 11.06. Continuation of Appointed Officers and Employees

Except as otherwise provided for herein, after the effective date of this Charter, all appointive officers and employees of the Township of Farmington shall continue in that City office or employment which corresponds to the Township office or employment which they held prior to the effective date of the Charter as though they had been appointed or employed in the manner provided for in this Charter and they shall in all respects be subject to the provisions of this Charter.

Section 11.07. Township and Village Assets and Liabilities

A. On the effective date of this Charter, all of the financial and other assets and property of the Township of Farmington and of the Villages of Quakerstown and Woodcreek Farms, including special assessments levied and all delinquent taxes and other obligations owed to the Township and Villages, shall become the assets of the City, as the successor to such governments, subject to such encumbrances as may exist against any of them and the payment of the principal of and the interest on any bonds which have been issued by the said Township and Villages, and for payment of any indebtedness incurred by them.

B. No right or liability, lease or franchise, or contract existing at the time this Charter became effective, and no suit or prosecution of any character by or against said Township or Villages shall be affected in any manner by any change resulting from the incorporation of territory in said Township and Villages as a City, but the same shall stand or proceed as if no change had been made and shall run to or against the City, as the case may be, as the successor municipality of the territory in the said Township and Villages.

C. All trusts established for any municipal purposes of said Township and Villages shall be continued as trusts for the City in accordance with the terms thereof, subject to the cy pres doctrine.

Section 11.08. Interim Taxation

The Council shall have the authority, for the first fiscal year, to levy taxes in accordance with law and subject to limitations provided by this Charter based upon the current assessment roll of the Township of Farmington as certified by the Township Board of Review.