

ing ordinance of the Village of Wood Creek Farms as may supersede the same.

**CHAPTER XIV
VILLAGE UTILITIES**

Public sewers, drains, lighting and water systems shall not be constructed, provided, or maintained, unless the proposed sewers, drains, lighting and water systems shall first have been approved by a two-thirds of electors voting thereon.

**CHAPTER XV
INTERIM LEGISLATION**

The valid provisions of all by-laws, ordinances, resolutions; rules and regulations of the Township of Farmington which are not inconsistent with this charter and which are in force and effect and lawfully applicable to the territory of the Village of Wood Creek Farms at the time of the effective date of this charter shall continue in full force and effect and be administered by and for the village until and unless repealed or amended under provisions hereof or otherwise by law; provided, however, that, if any such by-law, ordinance, resolution, rule or regulation provides for the appointment by the township board or supervisor or any officer or member of a board or commission, future appointments of such persons shall be made by the Council. Fees originally payable to the township under such provisions as to said territory hereafter shall be paid to the Village of Wood Creek Farms.

Any reference in any such by-law, ordinance, resolution, rule or regulation to a Township Board or Commission shall be construed to refer instead to the Village Council.

Within 60 days after the effective date hereof, the Clerk under direction of the Council shall procure, and enter and maintain in a record called "Interim Legislation," a copy of each existing township by-law, ordinance, resolution, rule and regulation disclosed by the public records of the township; and the council shall, within 60 days after such entry, determine by resolution the provisions thereof which apply to said territory under authority of this section. The application of such provisions to this village shall terminate six (6) months after the effective date of this charter. In the interim, as a substitute for such township provisions, the Council shall enact whatever it deems necessary as village legislation, with notices and hearings thereon as required by this Charter.

**CHAPTER XVI
MISCELLANEOUS**

Section 1. Whenever used in this charter, the word "state" shall mean the "State of Michigan;" the word "village" shall mean the "Village of Wood Creek Farms;" the word "clerk" shall mean the "Village Clerk;" unless from the content the contrary shall plainly appear; words referring to the several officers where not preceded by the word "village" shall be deemed to mean such officers of the village unless the context implies otherwise; the word "resolution" shall be deemed to include official action in form of a motion as well as in form of resolution; the terms "commission" and "village commission" shall be construed as meaning "council" or "common council" for the purpose of such general laws of the state as use one or the other of such latter terms in referring to the legislative body of the village; words imparting the singular number only, may extend to and embrace the plural number and words imparting the plural number may be applied and limited to the singular number, words imparting the masculine gender only, may extend and be applied to those of the feminine or neuter gender.

Section 2. Eastern standard time shall be the official time of the village until otherwise changed by the council. Any references herein to time shall be construed to be according to the official time of the village.

Section 3. Words purporting to give joint authority to two or more public officers or other persons either as a board or otherwise shall be construed as giving such authority to a majority of such officers or other persons unless it shall be otherwise expressly declared.

Section 4. The word "person" may extend and be applied to bodies corporate as well as individuals. The words "written" and "in writing" may be construed to include printing, engraving, typewriting and lithographing, except that this rule shall not apply to provisions requiring written signatures, unless it be otherwise expressly herein provided.

Section 5. Should any portion of this chapter be declared void, illegal or unconstitutional, such finding shall not invalidate the remainder of the charter.

Section 6. All records of the village shall be public and open to inspection at all reasonable times.

Section 7. All books, papers, records, and accounts of any officer elected or appointed, or of any office or department of the village, shall be the property of the village and shall at all times be subject to audit, examination or inspection by any member of the council, or by any person employed or designated by the council for that purpose. And all such books, papers, records, files and accounts shall be kept in such place as may be designated by the council.

Section 8. When, by the provisions of this charter, or the laws of the state, notice of any matter or proceedings is required to be published in a newspaper or posted, an affidavit of the publication or posting of the same, made by the printer of the newspaper in which the same was inserted, or by some person in his employ knowing the facts, or by the person posting the same when required to be by posting, shall be prima facie evidence of the fact therein contained. Such affidavit of publication or posting shall be filed with the village clerk.

Section 9. The Village shall not be liable in damages sustained by any person in the Village, or otherwise, either to his person or property, by reason of any matter or thing, unless such person shall serve or cause to be served, within sixty days after such injury shall have occurred, a notice in writing, upon the President or Clerk or deputy Clerk of the Village, which notice shall set forth substantially the time when, and place where such injury took place, the nature of the defect, the manner in which it occurred, and the extent of such injury as far as the same has become known, the names of witnesses known at the time by the claimant, and that the person receiving such injury intends to hold the Village liable for such damages as may have been sustained by him, and shall also, within ninety days next after such injury, present to the Village Clerk his claim in writing and under oath, setting forth particularly the nature and extent of such injury and the amount of damages claimed by reason thereof, which claims shall be presented to the Council by the Clerk at the next regular meeting of such Council.

**CHAPTER XVII
SUBMISSION AND ELECTION**

Section 1. This charter shall be submitted to the electors of the Village of Wood Creek Farms for their approval or rejection at an election to be held on Monday, the 3rd day of June, 1937, at which election the several elective Village officers provided for in this charter shall also be elected.

Section 2. Prior to the submission of this charter, it shall be published once in a newspaper published in the County of Oakland and circulated in the Village of Wood Creek Farms not less than two weeks or more than four weeks preceding said election, together with a notice of said election, which notice shall state that at said election the question of adopting said proposed charter will be voted on and the elective officers provided for therein will be elected and shall also state the location of the polling place for such election and other matters required by law. Notice of said election shall also be posted in at least ten (10) public places within the Village not less than two weeks prior to said election.

Section 3. Candidates for the several Village offices provided for in this charter shall be nominated by petition signed by not less than ten (10) qualified electors of the Village and filed with the secretary of this charter commission on or before twelve o'clock noon Eastern Standard Time on the 4th day of May 1937. Such petitions shall be in substantially the form provided in Chapter IV for nominating petitions. At the said election, the names of the candidates who have filed nominating petitions, and those only, shall be printed on the ballot.

Section 4. The election district shall be the entire Village of Wood Creek Farms, and the polling place for said election shall be designated by this charter commission and published as herein provided.

Section 5. The ballots for elective officers at said election shall be in the form provided in this charter for the election of officers and the form of the ballot on the question of the adoption or rejection of this charter shall be substantially as follows:

OFFICIAL BALLOT

Election held in the Village of Wood Creek Farms, Michigan on June 3, 1937.

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

"Shall the proposed charter for the Village of Wood Creek Farms drafted by the charter commission elected on the 7th day of August, 1936, be adopted?"

YES

"Shall the proposed charter for the Village of Wood Creek Farms drafted by the charter commission elected on the 7th day of August, 1936, be adopted?"

NO

Section 6. The polls for said election shall be opened at 7:00 o'clock in the forenoon, Eastern Standard Time, or as soon thereafter as may be, and shall continue open until 8:00 o'clock in the afternoon, Eastern Standard Time, of the same day.

Said election shall be conducted by such inspectors and clerks as shall be hereafter designated by resolution of this charter commission.

The votes cast at said election shall be canvassed by a canvassing board of three electors to be hereafter designated by resolution of this charter commission.

Section 7. The registration of electors shall be conducted in the manner provided by law for registration in new villages. The secretary of this charter commission shall cause the ballots for said election to be printed and delivered to the polling place before the opening of the polls on said election day. The returns of the election board as to the results of said election shall be made to the canvassing board designated by this charter commission immediately after the counting of the ballots is completed. Except as is in this chapter and in the general laws of the state, otherwise provided, and except as may be otherwise provided by this charter, election shall be conducted as is provided in Chapter IV of this charter so far as the provisions of said chapter are applicable.

Section 8. The canvassing board appointed to canvass the votes cast at said election to be held on June 3, 1937 shall, as soon as practicable after said election, meet and canvass the votes cast at said election and determine the results thereof.

Section 9. If this charter be approved at said election, then two (2) printed copies thereof, with the vote for and against the same, duly certified by the Village clerk, shall within thirty (30) days after the vote is taken be filed with each the secretary of state and county clerk of Oakland County and upon the filing thereof this charter shall become effective.

- Prescott G. Schlottbeck Chairman
- Vernon P. Fisher Secretary
- Alger M. Clark
- Herman A. Dobson
- Fred M. Missal
- Members of the Charter Commission

Moved by Commissioner Clark
Supported by Commissioner Missal
Resolved, that the charter commission of the Village of Wood Creek Farms does hereby adopt the foregoing charter and the secretary is hereby instructed to transmit the same to the Governor of the State of Michigan in accordance with the provisions of the statute, for approval.

Yeas: Commissioners Schlottbeck, Clark, Dobson, Missal.
Nays: None.
Absent: Fisher.

I, Vernon P. Fisher, Secretary of the charter commission elected to frame a charter for the Village of Wood Creek Farms, do hereby certify that the above charter was adopted by said charter commission at a session held on the 11th day of October, 1936; and that the foregoing is a true and correct copy of the resolution and vote thereon by which said charter was adopted. Dated January 8, 1937.

Vernon P. Fisher
Secretary of the Charter Commission
1937

Approved

Philip A. Hart
Lieutenant and Acting Governor
of the State of Michigan

Wendell Brown
Attorney for the Charter Commission
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