

CHARTER⁶¹²

of the

CITY OF DETROIT



**Adopted by the People of the City of Detroit
June 25, 1918**

**Filed with the Secretary of State and in Effect
June 27, 1918**

PREAMBLE

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We, the People of the City of Detroit, desiring to perfect a municipal government which shall more nearly conform to prevailing conditions and meet the growing needs of our city, insure a more efficient system for the administration of its affairs, secure the fullest measure of self-government conferred by the Constitution and laws of the State of Michigan, and promote as far as possible the peace, health, safety and welfare of its people, do ordain and establish this charter.

TITLE I.

INCORPORATION, POWERS, BOUNDARIES AND WARDS.

CHAPTER I.

Incorporation and Powers.

Incorporation:

Section 1. The inhabitants of the city of Detroit shall continue to be one body politic and corporate under the name and style of the "City of Detroit," 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.

Powers:

Sec. 2. The powers of local government possessed by the city are divided into three departments, the legislative, executive and judicial, and no person or body belonging to one department shall exercise powers properly belonging to another, except in cases especially provided for in this charter.

CHAPTER II.

Boundaries.

Corporate Limits:

Section 1. The corporate limits of the city shall include all those lands and parcels of lands in the county of Wayne, state of Michigan, within the following described boundaries:

Beginning at the intersection of the national boundary line in the Detroit river (as adopted August 15, 1913 by the International Waterways Commission under Article IV of the treaty between the United States of America and the United Kingdom of Great Britain and Ireland signed April 11, 1908), with a line two hundred and thirty-three feet easterly from and parallel to the center line of the Alter Road; thence northwesterly on said parallel line to the center line of Mack avenue; thence easterly on the center line of Mack avenue to the center line of Cadieux avenue; thence northwesterly along the center line of Cadieux avenue to a point two hundred feet northerly of (at right angles to) the rear line of Private Claims in Harper avenue; thence westerly along a line two hundred feet north of and parallel to the rear line of Private Claims in Harper avenue, to a point two hundred feet easterly of the center line of Chalmers avenue; thence northerly on a line two hundred feet easterly of and parallel to the center line of said Chalmers avenue to the intersection of a line two hundred feet east of and parallel to the north-and-south quarter line of section 12, town 1, south, range 12, east, extended southerly; thence northerly on said parallel line to a point two hundred feet north of and parallel to the north line of said section 12; thence westerly along a line two hundred feet north of, and parallel to the north line of said section 12 to a point two hundred feet west of the east line of section 11 extended northerly; thence southerly on a line two hundred feet west of and parallel to the east line of section 11, town 1, south, range 12 east, to a point two hundred feet north of the east-and-west quarter line of said section 11; thence west-

erly on a line two hundred feet north of and parallel to the east-and-west quarter line of said section 11 to a point two hundred feet west of the north-and-south quarter line of said section 11; thence southerly on a line two hundred feet west of and parallel to the north-and-south quarter line of said section 11 to a point two hundred feet north of the intersection of said parallel line with the northerly line of Private Claim No. 394; thence southwesterly on a line parallel to and one hundred eighty-two and sixty-eight one-hundredths feet distant from the northerly line of Private Claim No. 394 to a point in the east line of section 10, town 1, south, range 12 east, which is two hundred feet northerly from the intersection of the east line of sections 10 and 15 with the northerly line of Private Claim No. 394; thence northerly on the east line of said section 10, fourteen and thirty-four one-hundredths feet to a point two hundred feet north of the south line of said section 10 (the center line of the Six-Mile Road, east); thence westerly on a line two hundred feet north of, and parallel to, the south line of said section 10 to a point two hundred feet east of the east line of section 9 (the center line of Van Dyke avenue); thence northerly on a line two hundred feet east of the east line of said section 9 to a point in the west line of the Grand Trunk Railroad Company's right-of-way; thence northeasterly along the westerly line of said Grand Trunk Railroad Company's right-of-way to a point two hundred feet north of the south line of section 3 (the center line of Seven-Mile Road, east); thence westerly on a line two hundred feet north of and parallel to the south lines of sections 3, 4, 5 and 6 (the center line of the Seven-Mile Road, east); to a point in the east line of section 1, town 1, south, range 11 east (the center line of Dequindre avenue); thence northerly on the east line of said section 1 to the northeast corner thereof (the center line of Eight-Mile Road, east, being also the north line of Wayne County); thence westerly along the north lines of sections 1, 2 and 3 to the northwest corner of said section 3 (the center line of Livernois avenue); thence southerly along the west line of said sections 3, 10 and 15 to a point two hundred feet north of the common corner to sections 15, 16, 21 and 22 (the center line of Fenkell avenue); thence westerly on a line two hundred feet northerly of and parallel to the south line of section 16 (the center line of Fenkell avenue) to a point two hundred feet east of the west line of said section 16; thence southerly on a line two hundred feet east of, and parallel to the west line of said sections 16 and 21 to a point on the south line of said section 21; thence westerly along the south line of said sections 21 and 20 to a point two hundred feet east of the north-and-south quarter line of section 29; thence southerly on a line two hundred feet east of and parallel to the north-and-south quarter line of sections 29 and 32 of town 1, south, range 11 east, and of section 5 of town 2, south, range 11 east, to a point in the east-and-west quarter line of said section 5 (the center line of Tireman avenue); thence easterly along the east-and-west quarter line of said sections 5 and 4 to the east line of the Detroit Terminal Railroad Company's right-of-way; thence southerly and westerly along the east line of the Detroit Terminal Railway Company's right-of-way to a point in the west line of section 9, town 2, south, range 11 east (the center line of Wyoming avenue); thence southerly along the west line of sections 9 and 16 to a point one hundred thirty feet south of (at right angles to) the south line of Michigan avenue; thence easterly on a line one hundred thirty feet south of and parallel to the south line of Michigan avenue to a point in the west line of Private Claim No. 40; thence southeasterly along the west line of Private Claim No. 40 to the north bank of the Baby Creek, so-called; thence westerly and southerly following the north bank of the Baby Creek to its intersection with the center line of the River Rouge; thence down-stream along the center line of the River Rouge to the national boundary line above described; thence easterly along said national boundary line to the place of beginning; excepting from the above description the three villages of Hamtramck, Highland Park and St. Clair Heights.

CHAPTER III.**Wards.****Wards Continued :**

Section 1. The wards of the city as existing at the time of the adoption of this charter shall continue as wards of the city hereunder, with such alterations as shall from time to time be made by the common council as herein provided. Such wards shall exist for the purpose of the election of constables (but for the election of no other officer of the city) and for such other purposes as may be necessary under the laws of the state and this charter.

Change of Ward Boundaries; New Wards:

Sec. 2. The common council shall have the power by ordinance, from time to time, to increase the number of wards in the city, to change the boundaries of existing wards and to increase or decrease the territory of any of the wards as now established by attaching a portion thereof to an adjoining ward. In the event that the territorial limits of said city shall be extended by annexation or otherwise, the council shall by ordinance provide ward boundaries as recommended by the board of assessors for such newly annexed territory by the creation of a new ward or wards or by attaching such territory or any part thereof to an adjoining ward or wards.

TITLE II.

REGISTRATION OF ELECTORS—ELECTIONS— ELECTION COMMISSION.

CHAPTER I.

Registration and Re-Registration.

Governed by General Law:

Section 1. The registration and re-registration of the qualified electors of the city shall be conducted and the duties of the various officers connected therewith shall be performed in accordance with the provisions of the general laws of the state and this charter.

CHAPTER II.

Elections.

Regular and Special Elections:

Section 1. A general city election shall be held on the first Tuesday after the first Monday in November in the year 1918. A general city election shall be held on the first Tuesday after the first Monday in November in the year 1921 and every second year thereafter. Such other elections shall be held as may be required by law. Special elections may be called by appropriate resolution of the common council, and shall be conducted and the returns canvassed as nearly as may be in the same manner as regular elections.

Non-Partisan Primary:

Sec. 2. Candidates for all offices to be voted for at any municipal election under the provisions of this charter shall be nominated at a non-partisan primary election to be held on the fourth Tuesday prior to such municipal election if in the fall of the year, and on such date prior to the spring election as may be fixed by law for holding state primaries, except that for the first municipal election hereunder a non-partisan primary election shall be held on the last Tuesday in August, 1918. Primary elections shall be conducted in the same manner as herein prescribed for non-partisan municipal elections. Special non-partisan primary elections to nominate candidates for elections to fill vacancies in city offices shall be conducted in the same manner as regular non-partisan primary elections.

Nominating Petitions:

Sec. 3. To obtain the printing of the names of candidates upon the primary election ballots, nominating petitions shall be filed with the city clerk containing the signatures of duly qualified electors equal in number to not less than two per cent or more than four per cent of the total number of registered voters within the city, for a city office, or within any ward of the city for a ward office. Such nominating petitions shall be received by the city clerk up to the hour of four o'clock p. m., on the thirty-first day before such primary election. In determining the number of signatures required hereunder the percentages shall be based upon the total number of registered voters as of the date ninety days prior to the last day for filing nominating petitions. The form of the nominating petitions shall be as follows:

"We, the undersigned qualified electors of the city of Detroit (ofward of the city of Detroit), and residing at the places set opposite our respective names, do hereby request that the name of

.....be placed on the primary election ballot as a candidate for nomination for the office of.....
at the primary election to be held in said city (or in said ward) on the.....day of..... 19...

Names of Qualified Electors	Street and Number	Date

The person circulating any nominating petition for signatures shall certify under oath the genuineness of the signatures appearing on such petition and no petition shall be received and filed by the city clerk unless so certified as herein prescribed. It shall be unlawful for any person to sign more than one such nominating petition for the same office, except when there are two or more candidates therefor, when he may sign as many petitions as there are persons to be elected for such office. The city clerk shall prepare and keep on hand blank forms of nominating petitions for the use of the candidates at primary elections. All nominating petitions shall be open to public inspection after being filed in the office of the city clerk in accordance with such rules and regulations as shall be prescribed by the election commission.

Selection of Candidates:

Sec. 4. The number of candidates for any office to be voted for at the municipal election shall be such number of candidates receiving the highest number of votes at the primary election as shall be equal to twice the number of officers to be so elected. In case there shall not be for any office twice the number of candidates at the primary election, the full number of candidates at such primary election shall be candidates at the municipal election.

Names on Ballots:

Sec. 5. The name of each person who is nominated in compliance herewith, together with the title of the office for which he is a candidate and the term thereof, shall be printed on the official ballot at the election, and the names of no other candidates shall be printed thereon.

No Party Designations on Ballot:

Sec. 6. No ballot used at any city election shall have printed thereon any party or political designation or mark and there shall not be appended to the name of any candidate any such party or political designation or mark or anything showing how he is nominated or indicating his views or opinions.

Blank Spaces for Names:

Sec. 7. On ballots to be used at city elections, blank spaces shall be left at the end of each list of candidates for the different offices equal to the number of officers to be elected thereto, in which blank

spaces the voter may insert the name of any person not printed on the ballot for whom he desires to vote for such office.

Rotation of Names:

Sec. 8. Names on the ballot may be printed in one or more columns, as may be determined by the election commission preparing the same, and shall be arranged alphabetically according to surname and shall then be rotated by the following process: In printing ballots the relative positions of the different names printed in each division shall be changed as many times as there are candidates in the division having the most names. As nearly as possible, an equal number of tickets shall be printed for each change. In making the changes in position, the printer shall take the line of type containing the name of the candidate at the head of the list of candidates under each office division, place it at the bottom of the division and move the column upward so that the name that before was second shall be first after the change. After the ballots are printed and before they are trimmed, they shall be kept in separate piles, one pile for each change in position, and shall then be piled by taking one ballot from each pile and placing it upon the pile to be trimmed in such manner that each alternative ballot shall have the names in a different relative position. Thereupon the ballots shall be numbered consecutively on the upper right hand corner upon the front of the ballot with a perforated line across said corner and underneath said number so that said corner with the number thereon may be torn off.

Headings and Instructions:

Sec. 9. The election commission shall have authority to place on the ballot such headings and instructions and such endorsements as it shall deem proper and sufficient.

Quantity of Ballots:

Sec. 10. The number of ballots to be printed for use at any election in any election district shall be at least twenty-five per cent more than the total number of registered voters in such election precinct as shown by the registration books in the city clerk's office.

Propositions and Amendments:

Sec. 11. When any proposition, amendment or question is to be submitted to the electors of said city by the common council or under any provision of law, it or they may be printed upon the ballot immediately following the names of candidates for office, or may be printed upon a separate ballot or ballots, as may be determined by the election commission. Each proposition, amendment or question shall be stated and followed by the words "yes" and "no," opposite to which words shall be placed squares similar to those opposite names of candidates for office, and any voter desiring to vote affirmatively or negatively may put a cross in one of said squares, and the ballot shall be counted affirmatively or negatively according to the space in which the elector shall make such cross.

Supplies:

Sec. 12. There shall be provided and delivered to the boards of registration or board of inspectors of election in each election precinct such supplies as may be required by law and as the election commission may deem necessary for the conduct of any election. In preparing blanks

for returns and tally sheets for the use of the election boards of the various precincts, the election commission shall provide spaces for certificates by such boards showing the names of inspectors counting, tallying or calling ballots and the kind of ballots so counted, tallied or called by each such inspector.

Duties of Superintendent of Police:

Sec. 13. It shall be the duty of the superintendent of police to procure the necessary registration books and supplies from the city clerk, and deliver them to the respective boards of registration when they are in session in the election houses on days of registration. Said superintendent shall see that all ballot boxes belonging to the city, all of which boxes shall be entrusted to his custody by the city clerk, are kept in good and suitable condition, and prior to every election he shall direct that the boxes be emptied of their contents, and be prepared for use. When notified so to do, said superintendent shall apply to the city election commission for the ballots and to the board of election commissioners for the county for the ballots prepared by it for use in the city, and shall receipt therefor. He shall also receive from the city clerk all necessary supplies, poll books and registration books, and have a trusted messenger deliver the ballots, books and supplies to the respective boards of election inspectors at the various polls at which they are to be used. Said superintendent shall take a receipt from some member of each board for the number of ballots delivered to such board as certified by the commission and upon receiving any unused ballots from such board, shall carefully count and receipt for the number thereof delivered to him by said board, marking on the package, which shall be securely sealed, the number so receipted for, and shall destroy them after having made an entry in a book kept by him for that purpose of the number of the ballots so returned.

Registration Verification:

Sec. 14. When required by the election commission or the city clerk, the department of police shall make a house to house verification of all names and addresses in the registration books in the manner to be prescribed by the commission or the city clerk.

Opening and Closing of Polls:

Sec. 15. On the day of any election the polls shall be opened and closed as prescribed by the general laws of the state: Provided, that when the hour of closing shall have arrived the board of inspectors shall make proclamation that the polls will forthwith be closed except to receive the votes of such electors as may at the time be within the election booth or waiting in line for an opportunity to vote. Thereupon two inspectors designated for the purpose shall together count the number of persons waiting in line outside the election booth for an opportunity to vote and report the same in a loud voice to the board of inspectors. The board shall then cause to be written on the poll books in red ink immediately below the name of the elector last entered there the words ".... o'clock: electors in waiting line," and the blank shall be filled in with the number announced. Before the two inspectors shall re-enter the booth, they shall direct the member of the police force on

duty at the polls to take his stand behind the last person in the line and shall see that he obeys their order. The policeman shall prevent any person not in line from joining it and shall follow it until the last person therein shall have entered the election booth. An inspector shall count each person who shall so enter, and when a number of persons equal to the number announced and recorded have entered or when the policeman shall announce that the last person in line has entered and it shall so appear, the board shall admit no other person and shall permit only such as are within, if they shall be qualified electors, to vote.

Examination of Ballot Boxes:

Sec. 16. Before opening the polls each ballot box to be used at the election shall be examined by the board of inspectors of election, and the contents, if any, removed therefrom; it shall then be locked, and the key thereof delivered to one of the inspectors to be designated by the board. The said box shall not be opened during the election.

Opening of Package of Ballots:

Sec. 17. At the opening of the polls, after the organization of, and in the presence of the board, one of the members of the board shall open the package of ballots in such a manner as to preserve the seal intact. He shall then place in the stalls the pencils to be used for marking ballots.

Initialing Ballots:

Sec. 18. All official ballots before being delivered to electors applying to vote shall be initialed in the manner hereinafter set forth. At the opening of the polls the board shall direct one of the inspectors, or other officer authorized by the election commission, to initial a supply of ballots; and such inspector or other officer shall proceed to write his initials in ink, or with indelible pencil, in his ordinary handwriting and without any distinguishing mark of any kind, or he shall, with a facsimile signature, using indelible ink, stamp his initials on the back of each ballot, directly below the perforated line, so that the initials will not be torn off when the corner of the ballot containing the number is torn off before the ballot is deposited in the box. The said person initialing ballots shall not write or stamp his initials on any ballots which bear the initials of the city clerk. As the supply of initialed ballots shall decrease, additional ballots shall be initialed by an inspector or other person authorized by the election commission so that there shall be a supply of each kind of ballots, so initialed, at all times on hand for delivery to electors applying to vote.

Two Poll Lists Kept:

Sec. 19. At every election two poll lists shall be kept in the manner directed by the election commission. Each person in charge of a poll list shall enter upon the poll list kept by him the names of all electors who are given official ballots, and shall, at the time of entering each such name, place on the same line and immediately following such name, the number of the ballot or ballots given such elector. The names of electors shall be entered on the poll lists in the order in which such electors are given ballots: Provided, that the name of an absent voter and the number of his ballot shall be entered on the poll lists at the time his marked ballot or ballots are taken by the inspector from the

sealed envelope, as provided by law.

Assisting Voters:

Sec. 20. When an elector shall state under oath duly administered by some member of the election board that he cannot read English, or that because of physical disability he cannot mark his ballot and such disability shall be made manifest to said inspectors, he shall be assisted in the presence of the board in the marking of his ballot by an inspector designated by the board for that purpose. An assisted voter's ballot shall be marked on the back with his poll list number and the number shall be covered with a slip of white paper the same as the ballot of a challenged voter.

Spoiled Ballots:

Sec. 21. If any elector inadvertently spoils a ballot, he shall return all of the ballots given him to the board, and said board shall deliver to him another ballot or set of ballots all bearing the same number. Each person in charge of a poll list shall, upon the poll list, note the change in the number of the ballot or ballots given such elector.

Unused and Spoiled Ballots to be Preserved:

Sec. 22. The board of inspectors of election shall preserve the unused ballots, together with the ballots which have been spoiled, and shall deliver the same to the superintendent of police or to his duly authorized messenger, taking his receipt therefor as herein provided. A statement of the number of ballots used shall be enclosed with the ballots returned.

Excess Ballots:

Sec. 23. When the board is ready to proceed with the count of any kind of ballots, the box containing such ballots shall be opened and the whole number of each kind of ballots counted. If the ballots of any kind shall be in excess of the number of electors voting, according to the poll list, the ballots of the kind of which there is an excess shall be replaced in the box, and one of the inspectors shall publicly draw out and destroy, without scrutinizing the face of the ballots himself or permitting the face of them to be scrutinized, a sufficient number of ballots of such kind therefrom as shall be equal to such excess. In all cases where ballots have been drawn out, a minute of the number so drawn shall be made on the last page of the poll lists by the chairman of the board in his handwriting and signed by him.

Void Ballots:

Sec. 24. In the canvass of the votes, any ballot which is not endorsed with the initials of an inspector or other officer of the election designated by the election commission, or of the city clerk, and any ballot which shall bear any distinguishing mark shall be void, and shall not be counted. All such ballots shall be preserved, marked by the inspectors "not counted," and kept apart from the others by being placed in a separate package. Any ballot or part of a ballot, from which it is impossible to determine the elector's choice of a candidate shall be void as to the candidate or candidates thereby affected.

Counting of Ballots and Returns:

Sec. 25. The counting of the votes having been completed, and the ballots returned to the box, the precinct board shall proceed immediately to make and certify a full and true return, in duplicate, of the result of the election. One copy of such return shall be placed, together

with a tally sheet, in an envelope carefully sealed, with the signatures of the members of the board endorsed on the back thereof in such manner that it cannot be opened without breaking the seal and otherwise defacing the envelope and signatures. The envelope shall also have the number of the ward and precinct written thereon, and shall be directed to the board of city canvassers in care of the clerk of the county of Wayne. The duplicate of such return shall be placed in a like envelope and marked, sealed and endorsed in like manner, and directed to the city clerk.

Rules of Election Commission:

Sec. 26. The election commission shall make such rules regulating the counting of ballots, the making and filing of returns, the use of tally sheets, poll lists and the transaction of other business of an election as the commission may deem proper under the law.

Board of Canvassers:

Sec. 27. It shall be the duty of the board of city canvassers, as herein constituted, to convene on the first Thursday after any city election or city primary at 10 o'clock a. m., and elect one of its number to act as chairman. In case of any vacancy on said board, by reason of absence or disability, it may be filled by the members of the board present, who shall select some person to act in place of the absent member. Said person so chosen shall act until the disability of the regular member of the board is removed.

Canvass of Returns:

Sec. 28. The said board shall then proceed without delay to canvass the returns of votes cast for all candidates for office voted for and all questions voted on at said election, according to the returns filed in the office of the county clerk by the several boards of the various election precincts. If it shall be found that the returns from any precinct are missing, incomplete, or incorrect, or for any other reason it is found necessary, said board of canvassers shall have power to adjourn from day to day until said returns shall have been procured or corrected. The board of canvassers is hereby empowered to summon the person or persons having the boxes containing the ballots cast at such election and the keys and seals of the boxes, or having such returns or the poll books or tally sheets used and made at such elections, to bring said boxes, keys, seals, returns, poll books and tally sheets before said board. The board of canvassers is hereby authorized to open the boxes and take therefrom any books or papers bearing upon the count and return of the election inspectors of such election precincts, but it shall not remove or mark the ballots therein. The board of canvassers may summon such election inspectors before it, and require them to make correct returns in case, in its judgment, after examining such returns, poll books or tally sheets, the returns already made are incorrect or incomplete, and it shall canvass the votes from the corrected returns. When the examination of such papers is completed, they shall be returned to the ballot boxes or delivered to the persons entitled by law to them, and the boxes shall be locked and sealed and delivered to the legal custodians thereof. When the canvass shall have been finished, the board of canvassers shall prepare a statement setting forth

its findings and giving in detail the number of ballots cast for each candidate and the result of the votes cast on all questions voted on. When the official canvass is made, the returns filed with the county clerk shall be considered the official returns. If it is found the returns from any precinct filed with the county clerk do not agree with the returns filed with the city clerk, the tally sheet shall be accepted as the deciding medium, and, if it agrees with either return, that return shall be considered the correct and legal one, unless the canvassing board decides to call in the members of the precinct board to make corrections as in this section provided. It shall also be the duty of the board of canvassers to declare and certify the result of the election and file the certificate together with its statement of the canvass and the tabulation of the returns with the city clerk.

Tie Votes:

Sec. 29. If it shall appear on the canvass of the votes polled at such election that two or more persons have received an equal number of votes for the same office, and that a failure to elect to any office is caused thereby, such persons shall proceed to draw lots for the election to said office, in the following manner: The board of canvassers shall appoint a day for the appearance of all such persons before the canvassing board for the purpose of determining by lot among such persons the right to such office, and shall cause notice thereof to be given to all persons interested. The chairman of the board of canvassers shall prepare as many slips of paper as there are such persons, and write the word "elected" on as many slips of paper as there are offices to be filled, and the words "not elected" on the remaining slips, and fold the same so as to conceal the writing, and so that they may appear as near alike as possible. Said slips shall be placed in a box, and at the time and place appointed for the drawing of said lots, each of such persons may draw one of said slips from the box; and any person drawing a slip on which is written the word "elected," shall be deemed legally elected to the office in question. The same procedure shall apply as nearly as possible in the event of a tie vote for president and president pro tempore of the common council.

Recount of Votes:

Sec. 30. At least three days previous to closing and certifying the canvass, the board of canvassers shall cause to be printed in one or more daily papers published in the city an announcement that the canvass will be closed and certified on a certain day and that no petitions for recount will be received after that time. Any candidate voted for at any city election or primary, and as to amendments or propositions, anyone voting thereon who conceives himself aggrieved on account of any fraud or mistake in the canvass of the votes or the returns may, on or before the close of the last day upon which the board of canvassers meets, present to and file with the city clerk a written petition which shall be sworn to, setting forth as nearly as may be the nature of the mistakes or frauds complained of, and the precinct in which they occur, and asking for a correction thereof. He shall at the same time deposit with the city clerk the sum of ten dollars for each and every precinct referred to in his petition: Provided, that no candidate or qualified

elector shall be required to deposit more than one hundred dollars, which sum shall be paid by the city clerk to the city treasurer in case such petitioner does not establish a fraud or mistake as set forth in his petition.

Procedure on Recount:

Sec. 31. Upon filing the petition and making the deposit required in the preceding section, and giving at least twelve hours' written notice thereof to the opposing candidate, by handing to such candidate a copy thereof, or, if such candidate cannot be found, by leaving such copy at his last place of residence, (but no notice shall be required upon any petition filed for a recount of the votes cast for or against any amendment or proposition), it shall be the duty of such board of canvassers to investigate the facts set forth in said petition. For such purpose the board shall have power to cause the ballot boxes used in such election precincts to be brought before it. The board shall, thereupon, in some public place where such candidate or persons interested in such amendment or proposition, and their counsel may be present, if they so desire, proceed forthwith to open the ballot boxes from such precincts and to make a recount thereof as to such candidates, and make correct and full return in writing showing the full number of votes given, the names of the candidates and the number of votes given to each, or the number of votes cast for and against amendments or propositions. As soon as the recount is completed, the board shall at once return the ballots to their respective boxes, carefully fasten and seal the same, and deliver them to the officer having the care and custody thereof. The returns made by the board of canvassers upon recount shall be deemed to be correct, anything in the previous returns to the contrary notwithstanding.

Definitions:

Sec. 32. All references herein to elections shall be taken to mean any election, regular, special or primary, held in the city under the provisions of this charter. The word "board" shall be construed to be registrars, inspectors, supervisors, or other officials who have officially taken the oath to perform the duties of election officials and are performing such duties in election precincts.

CHAPTER III.

Election Commission.

Commission Created:

Section 1. A City Election Commission, consisting of the city clerk, recorder and president of the common council, is hereby created.

Meetings and Quorum:

Sec. 2. The meetings of the commission shall be held in the common council chamber and shall be public. At all meetings a majority of the members shall constitute a quorum. The commission shall be in continuous session at the city hall on all election days and on such other days as its duties may require.

Appointments:

Sec. 3. The commission shall have authority to employ such registrars, inspectors, supervisors, clerks or other assistants, independent of

the civil service provisions of this charter, as may be necessary to carry out the duties prescribed hereby: Provided, That the present stenographer and chief clerk shall be included under the civil service provisions of this charter.

Compensation:

Sec. 4. The members of the commission, clerks, registrars, inspectors, supervisors and other persons engaged in the conduct of an election shall receive such compensation for their services as the common council may direct.

General Powers and Duties:

Sec. 5. Said commission shall have power and it shall be its duty:—

(a) To designate, before the first day appointed for the meeting of the boards of registration in the several election precincts in the city, a board of registration for each registration district, which board shall consist of one or more qualified electors residing within the city. The city clerk shall recommend to the commission at least thirty days before any election or official primary, competent persons for appointment as members of such boards; but in making such appointments the commission shall not be limited to the persons so recommended. In case the commission shall fail to appoint members of said boards within the time prescribed herein, the city clerk shall make such appointments.

(b) To provide places for voting which shall, as far as possible, be located in school houses, police stations and other buildings owned by the city, and in cases where voting places cannot be so provided, to build and locate voting houses for use at elections.

(c) To prepare and print election ballots (or ballot labels or slips to be placed on voting machines when used) for all city officers for whom the electors are entitled to vote and for all questions to be submitted to the electors of the city.

(d) To have general supervision of all elections in the city, including power to prevent any and all manner of fraud and corruption in the registration, voting or counting of votes thereat, together with authority to purge the registration books of any precinct of the names of any persons who are not qualified electors thereof.

(e) To change from time to time the boundaries of the election precincts into which the city or the several wards of the city are divided, so that the number of voters in each precinct shall be as near three hundred as possible, and in no precinct to exceed five hundred. The election precincts shall be bounded by streets or alleys or other well-known and established boundary lines. The election precincts in the several wards as now established shall remain until they are changed as herein provided.

(f) To select and appoint three qualified electors of the city as inspectors of election for each election precinct thereof. Such inspectors and such other assistants, clerks, registrars or supervisors as may be appointed by the commission shall constitute the board of election inspectors for such precinct. Such appointments shall be made from a list of citizens who are properly qualified to discharge the duties of election officials. Such qualifications shall be determined in such manner as shall be provided by the commission. No inspector, super-

visor, registrar or other election officer so appointed shall hold any employment or other public office, except the office of notary public.

(g) To provide when necessary, for public examinations of all applicants for the office of registrar or inspector or other election official to be appointed by the commission.

(h) To remove any inspector or registrar or other employe at any time and to appoint some suitable and qualified person to act in his place.

(i) To cause the prosecution of any person whom the commission shall have good cause to believe has been guilty of violation of the election laws.

(j) To subpoena witnesses, administer oaths, adopt, prescribe and publish rules of procedure not inconsistent with the provisions of law and this charter.

(k) To act as a board of city canvassers for the canvass of votes cast at all city elections.

TITLE III.

LEGISLATIVE DEPARTMENT.

CHAPTER I.

Common Council.

Legislative Power:

Section 1. The legislative power of the city, except as reserved to the people by this charter shall be vested in a common council, composed of nine members, to be known as councilmen, and to be elected from the city at large in the manner herein prescribed.

Election and Term of Office:

Sec. 2. At the city election to be held in the year 1918, the members of the council shall be elected for a term of three years from and after the second Tuesday of January thereafter. At the city election to be held in the year 1921, and every second year thereafter, nine councilmen shall be elected for the term of two years from and after the second Tuesday in January following such election.

Vacancies:

Sec. 3. If a vacancy occurs in the office of councilman more than ninety days before the time of holding the next succeeding regular November city election, and any state election, regular, special or primary, shall be held within such time, or any special city election shall be held within such time for any other purpose, the council shall order a special election to be held at the same time as such intervening election to fill such vacancy for the remainder of the unexpired term.

Qualifications and Compensation of Councilmen:

Sec. 4 Any person elected to the office of councilman shall be a citizen of the United States, at least twenty-five years of age and a resident of the city for at least three years. No member of the council shall hold any other civil office (except as otherwise provided in this charter), except the office of notary public. The compensation of councilmen shall be five thousand dollars per year, payable at such times and in such manner as the council may by ordinance direct.

Organization of Council:

Sec. 5. The council shall hold its first meeting on the second Tuesday in January following the regular election of members thereof. The member receiving the highest number of votes at such election shall be president of the council for the ensuing two years and the member receiving the next highest number of votes at such election shall be president pro tempore. The city clerk shall be the clerk of the council. The council shall adopt such rules as it may deem necessary, not inconsistent herewith, to govern its procedure, including, if it shall so order, a rule for the appointment of all committees by the council itself or by a committee thereof to be chosen by the whole body. It shall not require more than a majority vote to suspend or amend any rule of the council or to discharge any committee from the further consideration of any matter. Unless otherwise ordered, the president shall appoint all committees. Before proceeding to the transaction of any other business, the council shall receive the message of the mayor.

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Meetings:

Sec. 6. The council shall meet daily, except Saturdays, Sundays and holidays, as a committee of the whole, for the purpose of receiving communications, complaints, petitions and reports, holding public hearings and discussing pending matters, and shall meet in regular session at least once each week, in the evening. All of such meetings shall be held at such hour as the council may by resolution determine. Special meetings may be called at any time on twenty-four hours' notice by the mayor, the presiding officer of the council, or the city clerk. The proceedings of special meetings shall be limited to the object or objects set forth in the call therefor. All meetings of the council, and of any committee thereof, shall be public.

Quorum:

Sec. 7. A majority of all the members elected to the council shall be a quorum thereof for the transaction of business, but a smaller number may adjourn from day to day. The attendance of absent members may be compelled, as provided by rule, by a majority vote of those present, whether a quorum or not.

Voting:

Sec. 8. No councilman shall vote on any question in which he is financially interested. On all other questions every councilman present shall vote, and, in case of a tie vote, the question shall be lost. On all ordinances, and on all resolutions or proceedings imposing taxes or assessments, or requiring the payment, expenditure or disposal of money or property, or creating a debt or liability therefor, and in all other matters on the demand of one member of the council, the yeas and nays shall be taken and entered on the record.

Records:

Sec. 9. All ordinances, resolutions and written proceedings of the council shall be deposited in the office of the city clerk, who shall safely keep the same. The clerk shall keep in the English language a written or printed journal record of the proceedings of the council, which record shall be signed by the president and clerk of the council. The printed record shall be preserved by the clerk in such manner as may be directed by the council as the official record of the proceedings thereof, and no further record thereof shall be required to be kept. All proceedings and records shall be open to public inspection at reasonable times.

Publication of Proceedings:

Sec. 10. Such part of the proceedings of the council as it may direct may be published in one daily newspaper in the city printed in the English language, or said proceedings or any part thereof may be published in such other form as the council may by resolution prescribe.

Powers and Duties:

Sec. 11. The powers and duties of the council shall be both legislative and administrative in character.

Legislative Powers and Duties:

Sec. 12. The legislative powers and duties of the council shall be as follows:

(a) To judge of the election and qualifications of its own members; by a two-thirds vote of the members elect to expel any of its members as herein provided; and to determine its rules and procedure.

(b) To make investigations, subpoena witnesses and compel their attendance and the production of books and papers, take affidavits and administer oaths in any matter pending before the council or any committee thereof:

(c) To prefer charges involving malfeasance or misfeasance in office, or wilful neglect of the duties of his office, against any elective or appointive officer of the city, except judges of city courts; to institute impeachment proceedings, unless in the case of an appointive officer, the mayor shall remove such officer prior thereto; to hear and determine the same; and if such officer, by a two-thirds vote of all the members-elect to the council, be found guilty of such charges, to remove him from his office:

(d) To enact ordinances to carry into effect the powers conferred and the duties imposed upon the city by the constitution and laws of the state, to make operative the provisions of this charter, and to promote the general peace, health, safety, welfare and good government of the city; and to provide for the enforcement of such ordinances and the punishment of violations thereof, but no such punishment shall exceed a fine of five hundred dollars or imprisonment for ninety days or both such fine and imprisonment, in the discretion of the court:

(e) To make an annual appropriation of money for municipal purposes and such special appropriations as may from time to time be necessary; and to provide for the payment of the debt and expenses of the city; to provide a sinking fund for the payment of bonds (other than serial or special assessment bonds) at maturity, the council shall approve in the budget of each fiscal year subsequent to the sale of said bonds and prior to the fiscal year in which they mature, a sum, to be raised by taxation, bearing the same proportionate relation to the face of the bonds as the years included have to seventy-five per cent of the face of said bonds; in the budget of the fiscal year in which the bonds mature the council shall approve a sum, to be raised by taxation, which, with the sums previously provided and the increment thereof, will be sufficient to pay said bonds at maturity:

(f) To borrow money upon the faith and credit of the city upon bonds to be issued as herein prescribed: Provided, that in case of exigency involving the peace, health or safety of the people of the city, loans may be authorized without issuing bonds, and the amount of such loans incorporated in the next annual budget:

(g) To provide for the management and control of all property, including streets, alleys and other public places, belonging to the city, dedicated to its use, or under its jurisdiction; to make provision for its protection, preservation, and improvement; and to authorize the construction of public buildings, buildings for public assemblages and necessary works of public improvement:

(h) To lease, sell, convey, transfer or dispose of, or to authorize the lease, sale, conveyance, transfer or disposal of any property owned by the corporation; Provided, that it shall not have the power to sell any property of a value in excess of ten cents per capita according to the last preceding United States census, or any park, cemetery or any real estate used in carrying on a public utility, or any part thereof, or any property bordering on a water front, or vacate any street or public

place leading to a water front, or engage in any business enterprise requiring an investment of money in excess of ten cents per capita, unless the sale thereof shall be first approved by three-fifths of the electors voting thereon at any general or special election:

(i) To authorize the purchase or leasing of real estate or other property for the use of the city and the execution of mortgages on the same for any balance remaining unpaid on the purchase price thereof; to take private property for public use, in accordance with the provisions of law and this charter, and to acquire, and to authorize the acquiring of property for municipal purposes by gift, grant, bequest or donation:

(j) To have general regulative control of all persons, partnerships, associations or corporations operating any public utility within the city and to have power to fix rates of fares and charges which may be received in the operation of such public utilities, such powers to be exercised in the manner and with the effect prescribed in this charter:

(k) To purchase or condemn franchises and property used in the operation of companies or by individuals engaged in the cemetery, hospital, almshouse, electric light, gas, heat, water, power and transportation business; and to provide for the construction, ownership and operation within or without its corporate limits of public utilities for supplying water, light, heat and power and transportation to the municipality and the inhabitants thereof; to make a contract or contracts, upon such terms, including present or deferred payment, and upon such conditions and in such manner as it may deem proper to purchase, operate, and maintain such public utilities, and to provide in such contract for the creation of a sinking fund into which sums sufficient to insure the payment of the purchase price and the performance of the obligations of said contract or contracts, to the end that the entire cost of such public utility shall eventually be paid from its earnings; all of such powers to be exercised in the manner provided by the constitution and laws of the state and this charter:

(l) To provide for the use, control and regulation of streams, waters and water courses within the boundaries of the city in a manner not inconsistent with law nor with riparian or littoral rights without the corporate limits:

(m) To provide for the laying and collecting of rents, tolls and excises:

(n) To provide for the regulation of trades, occupations and amusements, and for the regulation and restriction of the territory within which intoxicating liquors are sold or manufactured, if not prohibited by law: Provided, That the council shall by ordinance provide for the regulating, licensing and bonding of private detectives and private detective agencies.

(o) To determine the compensation of all officers and employes of the city except as otherwise provided in this charter, within such limitations as may be herein in any case prescribed; and where, by the provisions hereof, compensation may be fixed by any officer, board or commissioner subject to the approval of the council, to approve, disapprove or modify the same:

(p) To prescribe by ordinance additional duties and liabilities and confer additional rights and powers upon all officers, elective or appoint-

ive, not inconsistent with this charter; and to discontinue any office authorized hereunder and established by the council not specifically named herein:

(q) To require at any time by resolution full and complete information from any officer, board or commission concerning the conduct of affairs in his or its charge:

(r) To provide by ordinance for the perpetuation of the evidence titles to real estate in the city, by the preservation of maps, plats, records and papers relating thereto, and by duly certified copies of such maps, plats, records and papers and which, certified and filed as such ordinance shall prescribe, shall be received in evidence in all courts of the city:

(s) To fix ward boundaries from time to time in the manner hereinafter provided; and in general—

(t) To exercise all legislative powers of the city, including the power to adopt, continue, amend and repeal city ordinances, except as herein otherwise provided, subject to the approval of the mayor whether specifically enumerated or not, through the enactment of ordinances not inconsistent with the constitution and laws of the state and this charter.

Administrative Powers:

Sec. 13. The administrative powers and duties of the council shall be as follows:

(a) To confirm assessment rolls and to sit as a board of review to hear and determine appeals from assessments:

(b) To approve all contracts to which the city or any board or commission thereof is party, except as herein otherwise provided, all bonds given to insure the faithful performance of any work for the city, and all annual reports of city officers and departments made to the council as herein required:

(c) To audit and allow or reject claims and accounts against the city, except as herein otherwise provided; and

(d) To have such other administrative powers and perform such other administrative duties as are prescribed by law or this charter.

(e) SEE AMENDMENT NO. 4 IN APPENDIX.

Council Ex-Officio Members of Certain Boards:

Sec. 14. Members of the common council shall be ex-officio members of the board of supervisors of the county of Wayne. The president of the council shall be ex-officio a member of the pension committee of the police and fire departments. The members of the ways and means committee of the council shall be ex-officio members of the board of sinking fund commissioners, and the chairman of such committee shall be ex-officio a member of the committee to negotiate loans.

Removals from Office:

Sec. 15. In all proceedings by the council to expel a member thereof, or to remove from office any elective or appointive officer of the city, the reason for such expulsion or removal shall be entered on the records of the council, with the names and votes of the members voting on the question. No councilman or other officer shall be expelled or removed by the council unless first furnished with a copy of the charges in writing at least ten days in advance of a hearing thereon, and allowed to be heard in his defense, with aid of counsel. If such officer shall neglect to appear and answer such charges, his failure to do so may be deemed good cause for his removal from office.

Interference with Departments:

Sec. 16. Except in so far as is necessary in the performance of the duties of his office, no member of the council shall interfere directly or indirectly with the conduct of any administrative department, or take any part in the appointment, promotion or dismissal of any officer or employe in the service of the city other than the officers or employes of the council.

Ordinances:

Sec. 17. All matters of legislation shall be presented, considered and enacted by the council in the form of ordinances. The style of all ordinances shall be "It is hereby ordained by the People of the City of Detroit." No ordinance shall embrace within its provisions more than one object. No ordinance shall be revised, altered or amended by reference to its title only, but the section or sections of the ordinance altered or amended shall be re-enacted and published at length. No ordinance shall be passed by the council within five days of its introduction, except in the case of a public emergency involving the peace, health, or safety of the people of the city, and no ordinance shall take effect, except in the case of such an emergency, until the thirtieth day after its approval, including the date of approval, but not the date of taking effect: Provided, that a two-thirds vote of all members elect shall be required to pass any ordinance within the period of five days herein prescribed or to give an ordinance immediate effect in the case of an emergency.

Approval of Ordinances:

Sec. 18. Every ordinance and every resolution or proceeding of the council, except such resolutions and proceedings as relate to the matters set forth in paragraphs "a," "b" and "c" of section 12, and any other matters in this charter specifically excepted, shall, before it takes effect, be presented by the clerk to the mayor for approval. If the mayor approve thereof, he shall write thereupon his approval with the date thereof and sign the same, giving notice of his approval to the council. Such as he may not approve and sign he shall return to the council at its next regular session with his objections thereto in writing, and the council shall thereupon proceed to reconsider the vote by which the ordinance, resolution or proceeding was passed and adopted. If, after such reconsideration, two-thirds of all the members elect shall agree by yeas and nays, which shall be entered of record, to pass or adopt it, such ordinance shall become effective on the thirtieth day thereafter, or immediately if so ordered in the case of a public emergency as herein defined, and any such resolution or proceeding shall take effect at once, or as therein provided. The clerk shall at the time of presenting any ordinance, resolution or proceeding to the mayor for approval make a certificate to be endorsed thereon which shall specify the date on which it was so presented, and a statement by the clerk showing such presentation and the date thereof shall be recorded in the journal of the council. If the mayor shall neglect to approve as aforesaid any ordinance, resolution or proceeding, or return it, as aforesaid, with his objections, at or before its next regular session after it shall have been presented to him for approval, such fact shall thereupon be entered on the record of the council. Such ordinance shall become effective on the thirtieth day after such entry, unless the council shall, in the case of a public emergency, have

ordered it to take immediate effect, in which event it shall become operative on the day following its first publication, and such resolution proceeding shall take effect at once, or as therein provided.

Deposit of Ordinances with the City Clerk:

Sec. 19. All ordinances, resolutions or proceedings receiving approval of the mayor, or having become operative without such approval as herein provided, shall be deposited in the office of the clerk of the city, and he shall safely keep the same.

Publication of Ordinances:

Sec. 20. All ordinances shall be published immediately after their approval for three successive days in a daily newspaper printed in the English language in the city. A compilation of all the ordinances of the city shall be made by the city clerk at least once every two years.

Right of Petition:

Sec. 21. The people of the city shall have the right of petition to the council. ✓

CHAPTER II.

INITIATIVE AND REFERENDUM.

Initiative.

Initiatory Petitions:

Section 1. Any proposed ordinance may be submitted to the common council by a petition filed with the city clerk praying that such ordinance be adopted by the council, and that if it be not so adopted it be submitted to a vote of the electors of the city. Such petition shall be known as an initiative petition. It shall set forth in full the proposed ordinance and shall contain a brief statement of the substance thereof, which statement shall appear on the official ballot herein provided in the event of the submission of the proposed ordinance to a vote of the electors. The petition shall be signed by qualified electors of the city equal in number to five per cent of the total number of votes cast for all candidates for the office of mayor at the last general municipal election prior to the filing of such petition. Before the circulation of such petition for signature, the proposed ordinance as contained therein shall be submitted to the corporation counsel for approval as to form.

Signatures; Affidavit:

Sec. 2. Each signer of a petition shall sign his name in ink indelible pencil, and shall place on the petition after his name his place of residence, by street and number, and the date of signature. The signatures to any such petition need not all be appended to one paper but to each paper constituting a part of such petition 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.

Examination by City Clerk:

Sec. 3. Within ten days from the filing of a petition, the city clerk shall ascertain whether it is signed by the required number of qualified electors and shall endorse thereon a certificate of the result of his examination as to its sufficiency.

Supplemental Petitions:

Sec. 4. If the clerk's certificate shows that the number of signatures to the petition is insufficient, an additional paper or papers may be filed at any time within fifteen days from the date of such certificate in the same manner as provided in case of the original petition.

Insufficient Petitions:

Sec. 5. Upon the filing of such additional paper or papers, the clerk shall attach the same to the original petition, and shall within ten days thereafter, examine such additional paper or papers as so attached, and certify the result. If the petition as a whole is still insufficient, or if no additional paper or papers shall have been filed, the clerk shall file the petition in his office and shall notify the council to the effect that a petition has been filed in his office, but that the number of signatures thereto is insufficient, and shall state the substance of the petition, the number of signatures required and the number of signatures attached thereto. The filing of an insufficient petition shall not prejudice the filing of a new petition for the same purpose.

Presentation to Common Council:

Sec. 6. If the certificate of the clerk shows that the petition is sufficient, he shall present the proposed ordinance to the common council at its next regular meeting. The council shall at once proceed to consider the proposed ordinance, and shall take final action thereon within thirty days from the date of the presentation thereof. If the council fails to adopt the proposed ordinance as presented, or if adopted and the mayor shall veto the ordinance and the council fail to enact it over the mayor's veto, then it shall be submitted to the vote of the electors in the manner herein provided.

Submission of Ordinance:

Sec. 7. Such initiative ordinance shall be submitted at the next regular city or state election held thereafter, or at any primary election, or at any special election called for any purpose, but no special election shall be held solely for the purpose of submitting such proposed ordinance.

Ballots; Vote Required; Taking Effect:

Sec. 8. The ballots used in voting upon any such proposed ordinance shall contain the title of the ordinance to be voted on, and a statement of the substance thereof, as contained in the petition, and the two propositions: "For the ordinance" and "against the ordinance." Immediately at the right 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: Provided, that if the subject matter of such ordinance is such as to require more than a majority vote under the constitution or laws of the state, then it shall not go into effect unless it receive such votes as may be so required. The vote on such proposed ordinances shall be taken, counted, returned, canvassed and certified in the same manner as other votes are taken, counted, returned, canvassed and certified at elections held under this charter. Upon the certificate of the board of city canvassers that a proposed ordinance has been adopted as herein provided, the city clerk shall file in his office with the other ordinances of the city the copy thereof as presented to

the common council prior to submission. The clerk shall forthwith notify the council of the filing of such ordinance, and the notice there shall be entered upon the journal of the council, whereupon such ordinance shall take effect.

Publication; Amendment or Repeal:

Sec. 9. Proposed ordinances for amending or repealing any existing ordinance may be submitted to the council as provided in the preceding sections for initiating other ordinances. Initiated ordinances adopted by the electors shall be published as in the case of other ordinance. Such ordinances shall not be amended or repealed by the council within six months from the date of adoption and thereafter only by a vote of seven members of the council.

Referendum.

Referendum on Ordinances:

Sec. 10. Every ordinance passed by the council, except emergency ordinances as defined in this charter, shall be subject to the referendum. If at any time, before taking effect as herein provided, a petition signed by electors equal in number to ten per cent of the total vote cast for the office of mayor at the last preceding city election at which a mayor was chosen be filed with the city clerk, requesting that such ordinance be repealed by the council or be submitted to the qualified electors for their approval or rejection.

Referendary Petitions:

Sec. 11. The provisions of this chapter relative to the form and manner of signing initiative petitions, the filing, examination, certification and sufficiency thereof, and the presentation thereof to the common council by the city clerk, shall apply to referendary petitions filed under the provisions hereof.

Suspension of Ordinances:

Sec. 12. If any referendary petition or petitions be filed, as herein provided, and the city clerk shall be unable to make his certificate to the sufficiency or insufficiency thereof within thirty days after the enactment of the ordinance the submission of which to a referendary vote is thereby demanded, such ordinance shall be suspended from taking effect after the expiration of said thirty days and until the date of the certificate of the city clerk as to the sufficiency or insufficiency of such petition or petitions, but not for a longer period than ten days thereafter. If by the certificate of the city clerk such petition or petitions are shown to be sufficient, such ordinance shall not go into effect until it shall be adopted by vote of the electors of the city, as hereinafter provided. If by such certificate, such petition or petitions are certified to be insufficient, such ordinance shall go into effect upon the date of such certificate, if thirty days have elapsed since the approval thereof, or if such period has not elapsed, then at the expiration thereof. No supplemental petitions shall be filed after the expiration of said thirty days. In case more than one referendary petition be filed, all such petitions shall be considered in determining the number of signatures of qualified electors and shall have the same force and effect as though all the names had been appended to one petition.

Submission of Ordinances:

Sec. 13. Upon the presentation to the council by the city clerk of a referendary petition, the ordinance, the submission of which to a referendary vote is thereby demanded, must be either repealed by the council without delay, or submitted to a vote of the qualified electors of the city for approval or rejection at the next regular city or state election or primary election occurring subsequent to forty days from the date of the presentation of such referendary petition to the council by the city clerk; Provided, That if before such general or primary election, and subsequent to said forty days, a special election shall be held for any other purpose, then such ordinance shall be so submitted at such special election, or, in the discretion of the council, at any special election called for the purpose.

Ballot; Elections; Vote:

Sec. 14. The form of ballot, the manner of conducting elections, and the votes required to adopt any such ordinance shall be the same as herein provided with reference to ordinances initiated by petition.

Notice to Council:

Sec. 15. The city clerk, upon the certificate of the board of city canvassers that an ordinance has been ratified or rejected hereunder, shall notify the common council forthwith. If such ordinance shall have been rejected, it shall upon the filing of such certificate be deemed to have no force or effect.

Uniform Blanks for Petitions:

Sec. 16. Petitions circulated with respect to any proposition shall be uniform in character. The city clerk shall provide and keep on file forms of blanks to be used in the several instances of petitions required by this chapter.

TITLE IV.
EXECUTIVE DEPARTMENT.

CHAPTER I.

General Provisions.

Executive or Administrative Powers:

Section 1. The executive or administrative powers of the city, except as herein otherwise provided, are hereby vested in the mayor, city clerk and city treasurer, elected from the city at large, and certain officers, boards and commissions appointed by the mayor as herein prescribed.

General Qualifications for Holding Office:

Sec. 2. (a) No person shall be elected or appointed to, or shall hold any office under this charter who shall not be, at the time of his election or appointment, and so long as he shall hold such office, a citizen of the United States and a resident of the city, except as herein otherwise provided. No person shall be elected or appointed to, or shall hold such office for any ward in said city who, at the time of his election or appointment, and so long as he shall hold such office, shall not be a resident elector of the ward from and for which he may be elected or appointed. If any person elected or appointed to any office shall cease to be a resident of the city or of the ward for which he may have been elected, such office shall thereby be vacated.

(b) No person shall be elected or appointed to any office who is a defaulter to the city, or to the state of Michigan, or to any county thereof. Any person shall be considered a defaulter who has refused or neglected, or may refuse or neglect for thirty days after lawful demand made, to account for and pay over to the person authorized to receive the same, any public money which has come into his possession. If any person holding any such office shall become a defaulter while in office, such office shall thereby be vacated.

(c) No person shall be elected or appointed to any office who is not able to read and write the English language intelligibly, and if any such person be elected or appointed, the common council shall declare such appointment or election void.

(d) No officer or employe of the city shall be directly or indirectly interested in any contract or agreement, written or verbal, for the performance of any public work whatever, or involving the expenditure, receipt or disposition of money or property of the city, if such contract pertains to the office, department, board or commission with which he is connected, or if such contract shall require in the course of its execution or for the purpose of making it effective, his vote, recommendation or approval. If any officer or employe of the city shall wilfully violate the provisions of this section, such contract or agreement shall be of no force or effect, his office or position shall be forfeited, he shall be deemed guilty of wilful and corrupt malfeasance in office, and on conviction shall be punished by a fine not exceeding five hundred dollars, or imprisonment not exceeding ninety days, or both, in the discretion of the court.

(e) No elective officer or salaried officer appointed by the mayor shall be a candidate for any public elective office except to succeed himself without first resigning such office as he may hold.

(f) All officers and employes of the city shall be selected with reference to their qualifications and fitness and the good of the public service, and without reference to their political faith or party affiliations. It shall be unlawful for any candidate for office, or any officer of the city directly or indirectly, to give or promise any person or persons any office, position or employment, benefit, or anything of value for the purpose of influencing or obtaining the political aid or vote of any person or persons under penalty of being disqualified to hold the office or position to which he may have been elected or appointed.

Officers to Hold Office Until Successors Elected or Appointed:

Sec. 3. All officers, whether elected or appointed as herein provided, shall hold their offices respectively until their successors shall be duly elected or appointed and qualified, and shall enter upon the discharge of their duties.

Oath of Office:

Sec. 4. Every officer, appointed or elected, before entering on the duties of his office, shall take and subscribe the following oath of office: "I do solemnly swear (or affirm) that I will support the constitution of the United States and of this state, and that I will faithfully discharge the duties of such office to the best of my ability;" and shall file said oath, duly certified by the officer before whom it was taken, in the office of the city clerk.

Official Bonds:

Sec. 5. All officers of the city whose duties involve the custody of public property or the handling of public funds, whether by way of receipt or disbursement, or both, shall, before they enter upon the duties of their respective offices, file in the city clerk's office an official bond, in such sum and with such sureties as the common council shall direct and approve: Provided, That the official bond given by the city clerk and his deputy shall be deposited in the office of the city controller. Such official bond of every officer shall be conditioned that he will faithfully perform the duties of his office, and will, on demand, deliver over to his successor in office, or other proper officer or agent of the city, all books, papers, moneys, effects and property belonging thereto, or appertaining to his office, which may be in his custody as an officer; and such bond may be further conditioned as the council shall prescribe. The official bond of every officer whose duty it may be to receive or pay out money, besides being conditioned as above required, shall be further conditioned that he will, on demand, pay over or account for to the city, or any proper officer or agent thereof, all moneys received by him as such officer. The council may at any time require any officer, whether elected or appointed, to execute and file with the clerk of the city, a new official bond in the same or in such further sums and with new or such further sureties as the council may deem requisite for the best interests of the city.

Entry Upon Duties of Office:

Sec. 6. Officers who are elected at regular city elections shall enter upon their official duties as herein provided. Appointive officers and officers who are elected at special elections or appointed to

fill the unexpired portion of a term shall enter upon their duties within ten days next ensuing after notice of their election or appointment. If any officer shall neglect to take and subscribe his oath of office, or to file his required official bond within the time prescribed, or if any officer required to execute and file a new official bond, as herein provided, shall not comply with such requirement within ten days after notice thereof from the city clerk, the common council may declare the office in such case vacant, and such vacancy may be filled as provided in this charter.

Discontinuance of Certain Offices:

Sec. 7. Any office hereby authorized, but not specifically named, may at any time be discontinued by the common council, and if there be an incumbent in such office, such discontinuance shall, on notice thereof, discharge him from the office and a further execution of its duties, and his office shall be deemed vacant.

Recall and Removal of Officers:

Sec. 8. Any elective officer provided for in this charter, except judges of courts of record and courts of like jurisdiction, may be recalled by the legal voters of the city or ward in the manner provided by the constitution and laws of this state. Such elective officers and any appointive officers may be removed from office as herein provided.

Resignations:

Sec. 9. Resignations from office shall be made in writing, as follows: By the mayor to the common council, by the councilmen to the president of the common council, by all other elective officers to the mayor, who shall report the same to the council for acceptance, and by all appointive officers to the mayor or other officer or board whose duty it is to fill the vacancy.

Vacancies in Office:

Sec. 10. In the case of the expulsion or removal from office, death, resignation, or permanent disability of any officer, his office shall thereby become vacant, and may be so declared by the common council.

Delivery Over of Books, Papers, Money and Effects:

Sec. 11. Whenever any officer shall resign or be removed from office, or the term for which he shall have been elected or appointed shall expire, he shall, on demand, deliver over to his successor in office all the books, papers, moneys and effects in his custody as such officer, and in any way appertaining to his office. Every person violating this provision shall be deemed guilty of a misdemeanor, and shall be punished accordingly. Every officer appointed or elected under this charter shall be deemed an officer within the meaning hereof.

Additional Powers and Duties:

Sec. 12. In addition to the rights, powers, duties and liabilities of officers prescribed in this charter all officers, whether elected or appointed, shall have such other rights, powers, duties and liabilities, subject to and consistent with the provisions hereof, as the common council may deem expedient and shall prescribe by ordinance.

CHAPTER II.

Civil Service Commission.

Commission Created:

Section 1. There shall be a Civil Service Commission consisting of four members.

Appointment; Qualifications:

Sec. 2. The members of the commission shall be appointed by the mayor. No person shall be eligible to appointment who is not a citizen of the United States and a resident of the city. Not more than two members of the commission shall be members of, or adherents to the same political party. The members of the commission shall hold no other public office or employment, except that of notary public.

Term of Office; Compensation:

Sec. 3. The term of office of each member of the commission shall, subject to the provisions hereof relative to removal, be four years. One member shall be appointed to serve for such term from and after the third day of June, 1919, and one member shall be appointed thereafter for a like term beginning on such date in each year. The compensation of the president of the commission shall be twenty-five hundred dollars per annum and of each of the other members thereof two thousand dollars.

Removals From Office; Vacancies:

Sec. 4. Members of the commission shall be subject to removal from office by the mayor for incompetency, neglect of duty or malfeasance in office. No member of the commission shall be removed from office until charges shall have been preferred in writing, due notice given and a full hearing had. The mayor shall within ten days report in writing any such removal to the common council with his reasons therefor. Any vacancy in office shall be filled by the mayor for the remainder of the unexpired term.

Officers and Employees:

Sec. 5. The member of the commission whose term of office shall first expire shall be president thereof, and the member whose term shall next expire shall be vice-president. The commission shall choose by competitive examination a secretary and such other assistants and employes as may be necessary. The compensation of the secretary and other assistants and employes shall be fixed by the commission subject to the approval of the council.

Meetings, Records, Quorum:

Sec. 6. The commission shall hold meetings regularly, and shall designate the time and place thereof. It shall adopt its own rules of procedure and shall keep a record of its proceedings. All meetings and records of the commission shall be public. Three members shall constitute a quorum for the transaction of business.

General Powers and Duties:

Sec. 7. The powers and duties of the commission shall be as follows:

(a) It shall classify all the offices and positions of employment with reference to the examinations herein provided for, excepting as herein otherwise provided;

(b) Shall from time to time make, in accordance with the provisions hereof, rules adapted to carry out the purposes of this chapter and not inconsistent with its provisions for the examination and selection of persons to fill the offices and positions in the classified service, which are required to be filled by appointment and for the selection of persons to be employed in the service of the city;

(c) Shall supervise the administration of the civil service rules, hold examinations thereunder from time to time, giving due notice thereof, prepare and keep an eligible list of persons passing such examinations and certify the names of persons thereon to appointing officers of the several departments;

(d) Shall, by itself or otherwise, investigate the enforcement of the provisions of this chapter, of its own rules and of the action of appointees in the classified service. In the course of such investigation the commission or its authorized representative, shall have power to administer oaths, and the commission shall have power to secure by its subpoena both the attendance and testimony of witnesses and the production of books and papers relevant to such investigation;

(e) Shall provide, through the purchasing department of the city all needed supplies for the use of the commission; and

(f) Shall have such other powers and perform such other duties as may be necessary to carry out the provisions hereof.

Secretary and Chief Examiner:

Sec. 8. The secretary of the commission shall keep minutes of its proceedings and preserve all reports, applications and other documents. The secretary shall ex-officio be the chief examiner of the commission and shall hold office for and during merit and fitness. He shall not be removed except for cause, which cause shall be spread upon the minutes of the commission. It shall be his duty under the direction of said commission, to superintend any examinations held under this chapter, and to perform such other duties as the commission shall prescribe.

Classified Service:

Sec. 9. The offices and positions classified by the commission shall constitute the classified civil service of the city, and all appointments to any such offices or positions shall be made under and according to the civil service rules.

Rules:

Sec. 10. The rules made hereunder by the commission and the system of markings in examinations thereunder shall not be changed for a period of thirty days prior to or after such examinations, and such system of markings shall be published in advance of such examinations and copies furnished to all applicants. No credits shall be allowed for experience until the applicant taking the examination has at least attained the percentage fixed as a minimum.

Examinations:

Sec. 11. All applicants for offices or positions in said classified service, except those herein otherwise specified, shall pass an examination which shall be made public, competitive and free to all citizens of the United States, with specific limitations as to residence, age, health, habits and moral character, which shall be uniform as to each kind of work or occupation: Provided, That such limitations shall not operate

to exclude soldiers, sailors, marines or others in the military or naval service of the United States, or those formerly in such service. Such examinations shall be practical in their character and shall relate to those matters which will fairly test the relative capacity of the persons examined to discharge the duties of the positions to which they seek to be appointed and may include tests of physical qualifications and health and, when appropriate, of manual skill. The commission shall control all examinations and may, whenever an examination is to take place, designate a suitable number of persons, either in or not in the official service of the city to be the examiners. It shall be the duty of such examiners to conduct such examination as the commission may direct and to make return or report thereof to the commission, and the commissioners may themselves at any time act as examiners without appointing others. If said examiners are not in the official service of the city, they shall receive such compensation as the commission may determine, subject to the approval of the common council, but if they are in the official service it shall be part of their duty without extra compensation.

Notices:

Sec. 12. Notice of the time and place and purpose of every examination shall be given by the commission by publication for two weeks preceding such examination in the official paper of the city, and such notice shall be posted by the commission in a conspicuous place in the office and on the city hall bulletin boards for two weeks before such examination. Such further notice of examinations may be given as the commission shall prescribe.

Applications:

Sec. 13. Every person desiring to appear for examination, in order to entitle him thereto, shall file with the commission a statement subscribed by him and made under oath, in which he shall state the facts in relation to the following:

(1) Full name, residence and postoffice address; (2) citizenship; (3) age; (4) place of birth; (5) health and physical capacity for the public service; (6) previous employment in the public service; (7) business or employment and residence for the previous five years; (8) education.

Such other information shall be furnished by the applicant as may reasonably be required by the commission, touching the applicant's fitness for the public service.

Eligible List:

Sec. 14. From the returns of the examination held by the commission, it shall prepare an eligible list for each grade or class of positions in the competitive classified service of the city, of persons whose general average standing upon examinations for such grade or class is not less than the minimum fixed by the rules of the commission, and who are otherwise eligible, and such persons shall take rank upon the eligible list as candidates in the order of their relative excellence as determined by examination without reference to priority or time of examination. In the event of more than one applicant receiving the same mark at an examination, priority in time of filing application shall determine the order in which their names shall be placed on the eligible

list. The commission may strike off names of candidates from the eligible list after they have remained thereon one year. But any list may be extended by the commission for a period of not exceeding one year. The commission may, upon the written request of any person who has previously been in the classified service for a continuous period of not less than one year, and who shall not have been out of the service for more than two years, and who shall have resigned from the service in good standing, reinstate said person in the service in the same kind and grade of work he was performing when his resignation took effect, or place him at the foot of the eligible list applicable to such kind and grade of service, when in the judgment of the commission it would be for the good of the service.

Certifying Names; Appointments:

Sec. 15. The head of any department or office in which a position classified under this chapter is to be filled shall notify the commission of that fact and the commission shall certify to the appointing officer the name and address of the candidate standing highest upon the eligible list for the class or grade to which such position belongs. The appointing officer shall notify said commission of each position to be filled separately, and shall fill such position by the appointment of the person certified to him by the commission therefor, which appointment shall be on probation for a period to be fixed by the rules. At or before the expiration of the period of probation the head of the department or office in which a candidate is employed may, with the consent of said commission, based upon the written reasons submitted to it, discharge him, or the commission may transfer him to another department with the consent of such department. If not discharged prior to the expiration of the period of probation, his appointment shall be deemed complete. To prevent the stoppage of public business or to meet extraordinary exigencies, the head of any department or office may, with the approval of the commission, make a temporary appointment to remain in force not exceeding sixty days, and only until regular appointment under the provisions hereof can be made. Persons performing common labor merely, and receiving the pay of common laborers, may be appointed by the heads of the departments requiring the service of common laborers, but the heads of the departments making such appointments shall forthwith notify the commission, in writing, of the full name, age, residence, citizenship and numbers dependent on the said common laborer, as appointed, and the nature of the work he is appointed to perform, and such common laborer so appointed shall then be considered to have regularly entered the unclassified service of the city.

Promotions:

Sec. 16. The appointing officer, except as otherwise in this charter provided, shall have control over all promotions within his department. In making any promotions, however, the appointing officer shall file a copy of his reasons therefor with the commission. Said commission may, and at the written request of any subordinate in the office where a promotion has been made, shall investigate and if it shall find as the result of such investigation that the promotion was made for political or other considerations or reasons except the interest of the service, it

shall so report to the appointing officer. Upon receiving such report, said promotion shall be set aside and the relative position of the subordinates in said offices shall be the same as before the promotion was made: Provided, that the person who enters the service in the manner provided by this chapter may be promoted to an excepted non-classified position, and shall not be removed therefrom except by restoration to a competitive classified position; and it is Provided further that transfers, except in the case of those who, without taking the civil service examinations, retained their positions when this provision first went into effect, may be made from a competitive classified position in one office or department to a non-classified or to a classified competitive position in another office or department requiring no higher examination than is required for the position from which a transfer is to be made.

Exemptions From Civil Service:

Sec. 17. The following officers and employes shall not be affected by the provisions of this chapter: Officers elected by the people; officers appointed by the mayor; officers and employes of such departments of the city as may be exempt from the provisions hereof under the general laws of the state; registrars, inspectors, supervisors, clerks and other assistants of the election commission; the secretary of each board or commission created by this charter, the one deputy, or assistant in any of the departments or commissions, who in case of a vacancy in an office or inability of the chief executive officer of the department or commission to perform his duties, would be entitled to perform the duties of the office until the vacancy is filled or the inability removed; and the mayor's secretary and other assistants. The provisions of this chapter shall not apply to the selection of persons for the positions of assistant's corporation counsel, city physicians, nurses, laboratory technicians, nor the city engineer, but shall be applicable to such positions in all other respects. All officers, clerks and subordinates, not herein excepted, of all offices, departments and commissions of the city, whether now existing, or hereafter created, shall be selected and appointed as herein provided, but the officers, clerks and other employes holding, without examination, positions in the service of the city, when these provisions take effect, unless removed for cause, shall be entitled to retain their positions except as herein otherwise provided. They shall not be transferred or promoted, however, without first passing a non-competitive examination provided by the commission.

Discharge, Suspension or Reduction; Investigations:

Sec. 18. No person shall, for political or religious reasons, be discharged from the classified service, or reduced in pay or position, or suspended by the departmental head appointing him. In every case of reduction or suspension for more than thirty days and in all cases of discharge, the appointing officer shall furnish the subordinate reduced, suspended or discharged, also the civil service commission, with a copy of the order of removal and his reasons therefor. The commission may, and upon the written request of the subordinate made within ten days, shall, investigate. If it shall find as the result of such investigation that the discharge, reduction or suspension was made for political or for reasons other than the good of the service, it shall so report to

the departmental head, and the person so discharged, reduced or suspended shall thereupon be entitled to resume his position and to receive compensation for the time lost.

Notices of Appointments, Transfers, Promotions, Etc.:

Sec. 19. Immediate notice in writing shall be given by the appointing power to the commission of all appointments, permanent or temporary, made in such classified civil service, and of all transfers, promotions, resignations or vacancies from any cause in such service, and of the date thereof, and a record of the same shall be kept by said commission. When any office or place of employment is created or abolished, or the compensation attached thereto altered, the officer or board affected by such change shall immediately report it in writing to the commission.

Approval of Pay Rolls:

Sec. 20. The commission shall be furnished by each department under its jurisdiction with a copy in duplicate of each pay roll, on the days designated by the commission, and the commission shall examine such copy to determine if all the names and no other names are on said pay roll than those on the active list, and properly certified by the commission. Should said pay roll be found to be correct in its personnel, the said commission shall stamp its approval on one copy of said pay roll and forward it to the city controller, and place the other copy in the files of the commission. Should said pay roll be incorrect in its personnel, the approval of the commission shall be withheld from any entries thereon which shall be incorrect and the remainder of the roll shall be approved and forwarded to the controller. The department submitting such pay roll shall be immediately notified of such incorrect entries, and shall submit any corrections thereof on its next regular pay roll or by supplemental pay roll at any time prior thereto. Neither the controller of said city, nor any other officer concerned in the auditing or paying of any salary or wages or other claims, shall approve of, or in any manner be concerned in the payment of any salary or wages of any persons subject to the jurisdiction of the commission before the commission has forwarded to the controller its approval of the same.

Discrimination:

Sec. 21. No question in any form of application or in any examination shall be so framed as to elicit information concerning the political or religious opinions or affiliations of any applicant, nor shall any inquiry be made concerning such opinions or affiliations, and all disclosures thereof shall be discountenanced. No discrimination shall be exercised, threatened or promised by any person in any manner responsible for the carrying out of the provisions of this chapter against or in favor of an applicant eligible or employe in the classified service because of his political or religious opinions or affiliations, and no recommendations of an applicant eligible or employe involving a disclosure of his political or religious opinions or affiliations shall be considered or filed by the commission or by any officer concerned in making appointments or promotions.

Obstruction of Civil Service:

Sec. 22. No person or officer shall, by himself or in co-operation with one or more other persons, defeat, deceive or obstruct any person in respect to his or her right of examination, or corruptly or falsely mark, grade, estimate or report upon the examination or proper standing of any person examined hereunder, or aid in so doing, or make any false representations concerning the same, or concerning the person examined, or furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, or to be examined, appointed, employed or promoted.

Corruption of Civil Service:

Sec. 23. No applicant for appointment in the classified service, either directly or indirectly, shall pay or promise to pay any money or other valuable thing to any person whatever for or on account of his appointment, or proposed appointment, and no officer or employe shall pay or promise to pay, either directly or indirectly, to any person any money or other valuable thing whatever for or on account of his promotion.

Political Service:

Sec. 24. No applicant for appointment or promotion in the classified service shall ask for or receive a recommendation or assistance from an officer or employe in the service, or from any person whatever in consideration of any political service rendered or to be rendered to or for such person.

Political Contributions:

Sec. 25. No officer or employe of the city shall discharge, degrade or promote, or in any manner change the official rank or compensation of any officer or employe or promise or threaten to do so for giving or withholding or neglecting to make any contribution of money or other valuable thing for any party or political purpose, or for refusal or neglect to render any party or political service.

Political Assessments:

Sec. 26. No officer or employe of the city shall directly or indirectly solicit or receive or be in any manner concerned in soliciting or receiving any assessment, subscription or contribution for any political party or political purpose whatever; nor shall any person solicit, directly or indirectly, or be in any manner concerned in soliciting any assessment, contribution or payment for any political purpose whatever for any officer or employe in the classified service of the city.

Attendance of Witnesses; Production of Books and Papers:

Sec. 27. Any person who shall be served with a subpoena to appear and testify, or to produce books and papers issued by the commission or by any commissioner, or by any authorized representative of the commission, in the course of an investigation conducted under the provisions of this chapter, and who shall refuse or neglect to appear or to testify, as commanded in such subpoena, shall be guilty of a misdemeanor, and shall, on conviction, be punished as herein provided. The fees of witnesses for attendance and travel shall be the same as the fees of witnesses in the circuit court for the county of Wayne, and shall be paid from the appropriation for the expenses of the commission. The

recorder or judge of the recorder's court, either in term time or vacation, upon application of any such commissioner, shall compel the attendance of witnesses, the production of books and papers and giving of testimony before the commission or before any such commissioner, or authorized representative, by attachment for contempt or otherwise in the same manner as the production of evidence may be compelled before said court. Every person who, having taken an oath or made affirmation in such proceeding, shall swear or affirm wilfully corruptly or falsely shall upon conviction be deemed guilty of a misdemeanor.

Penalties:

Sec. 28. Any person who shall knowingly violate any of the provisions of this chapter, and any person who shall neglect or refuse to perform any duty enjoined upon him thereby shall be guilty of a misdemeanor. When, by this chapter, any act or duty is required to be done by or under the supervision or authority of any officer, and such act or duty shall not be done or performed, then the officer who shall have wilfully neglected to perform such duty, or shall have wilfully permitted the omission or non-performance of such act or duty, shall be guilty of a misdemeanor. Any person who shall be convicted of any of the acts or omissions which are by this chapter declared to be misdemeanors shall be punished by a fine of not less than fifty dollars, nor more than five hundred dollars, or by imprisonment in the Detroit house of correction for a term not exceeding ninety days, or by both such fine and imprisonment, in the discretion of the court.

Conviction a Disqualification for Holding Office:

Sec. 29. If any person shall be convicted under the next preceding section, any public office or place of public employment which such person may hold shall, by force of such conviction, be rendered vacant, and such person shall be incapable of holding any office or place of public employment in said city.

Prosecutions:

Sec. 30. Prosecutions for violations of the provisions of this chapter shall be instituted and conducted by the corporation counsel or his assistants.

Annual Estimate:

Sec. 31. On or before the fifteenth day of January of each year, the commission shall transmit to the city controller its estimate in duplicate of the amount of money required for its purposes for the ensuing fiscal year.

Annual Report:

Sec. 32. The commission shall, on or before the fifteenth day of January in each year, make a written report to the common council relative to the work of the commission and shall include therein a certified copy of all rules adopted under the provisions of this chapter. The report shall be certified by the commission, entered of record by the city clerk, and published in such manner as the council may direct. The commission shall also make such other reports as the council may from time to time require.

Legislation by Common Council:

Sec. 33. The common council shall enact such ordinances as may be necessary to carry out the provisions of this chapter.

CHAPTER III.

Mayor.

Election and Term of Office:

Section 1. There shall be a Mayor, who shall be elected at the city election to be held hereunder on the first Tuesday after the first Monday in November, 1918. The mayor elected at such election shall hold his office for the term of three years from and after the second Tuesday of January thereafter. A mayor shall be elected at the election to be held hereunder on the first Tuesday after the first Monday in November, 1921, and every second year thereafter for a term of two years beginning on the second Tuesday of January following such election.

Qualifications:

Sec. 2. Every person elected to the office of mayor hereunder shall be a citizen of the United States, a resident of the city for a period of at least three years, and at least thirty years of age.

Removal or Recall:

Sec. 3. The mayor shall be subject to removal from office or to recall as herein provided.

Acting Mayor:

Sec. 4. In case of a vacancy in the office of mayor, or his inability to perform the duties of the office by reason of sickness, absence from the city, or other cause, the president of the common council shall be acting mayor, and in case, at the time, there shall be a vacancy in the office of the president of the common council, or he shall be unable to perform the duties of his office by reason of sickness, absence from the city, or other cause, the president pro tempore of the common council shall be acting mayor. Such acting mayor shall be vested with all the powers, and shall perform all the duties of mayor until the vacancy or vacancies aforesaid be filled, or the mayor or president of the common council, as the case may be, shall resume his office. In case of vacancy in the office of mayor, the council shall order a special election to fill such vacancy for the residue of the term, unless it shall occur within six months before the time for holding the regular election, in which event, the council may in its discretion order such election.

Secretary and Other Assistants:

Sec. 5. The mayor may appoint, without reference to the civil service requirements of this charter, a secretary and such other assistants as may be necessary, and, with the approval of the common council, fix the compensation of such secretary and such other assistants.

Salary:

Sec. 6. The mayor shall be paid a salary of not less than eight thousand dollars per annum.

Powers and Duties:

Sec. 7. The mayor shall be the chief executive officer of the city and conservator of its peace, and his powers and duties shall be as follows:

(a) He shall keep an office in some convenient place in the city to be provided by the common council;

(b) See that all laws pertaining to the municipal government of the city, and all ordinances of the common council are faithfully observed and executed and report to the council any violation thereof.

(c) Make appointments to office and make removals therefrom as prescribed in this charter;

(d) See that all officers of the city faithfully comply with and discharge their official duties;

(e) Give the council from time to time such information and recommend such measures as he shall deem necessary or expedient;

(f) Administer oaths and take affidavits;

(g) Pass upon all ordinances, resolutions or proceedings adopted by the council; either approving or withholding approval from the same, and in his discretion veto in whole or in part any action of the council subject to the power of the common council to pass the same over his veto as herein provided.

(h) Submit to the council annually a budget of appropriations for the succeeding fiscal year;

(i) Issue and revoke licenses in all cases where licenses may be granted hereunder and under the ordinances of the city, except as herein otherwise provided, and approve bonds filed on the issuing of such licenses;

(j) Make through the purchasing department of the city purchases of all materials and supplies used in his office; and

(k) Perform all acts required by the constitution and laws of the state and this charter whether herein specifically enumerated or not.

Annual Estimate:

Sec. 8. On or before the fifteenth day of January of each year, the mayor shall transmit to the controller his estimate in duplicate of the amount of money needed for the purposes of his office for the ensuing fiscal year.

Ex-Officio Member of Certain Boards:

Sec. 9. The mayor shall be ex-officio a member of the board of supervisors of the county of Wayne, board of sinking fund commissioners of the city, the committee to negotiate loans, the police pension and fire department pension committees, and the board of estimates, as herein provided.

Legislation by Common Council:

Sec. 10. The common council shall enact such ordinances as may be necessary to carry out the provisions of this chapter.

CHAPTER IV.

City Clerk.

Election and Term of Office:

Section 1. There shall be a City Clerk, who shall be elected at the city election to be held in the year 1918, and hold his office for the term of three years from and after the second Tuesday of January next succeeding his election. At the city election to be held in the year 1921, and every second year thereafter the city clerk shall be elected for the term of two years from and after the second Tuesday of January following such election.

Qualifications:

Sec. 2 Every person elected to the office of city clerk shall be a citizen of the United States and a resident of the city.

Removal or Recall:

Sec. 3. The city clerk shall be subject to removal from office or to recall as herein provided.

Deputy City Clerk:

Sec. 4. The clerk shall appoint a deputy city clerk, who shall, in the absence or inability of the clerk, be vested with all the powers and perform all the duties of the clerk. In case of a vacancy in the office of city clerk, the deputy city clerk shall become the clerk of the city and shall perform the duties of the office for the remainder of the unexpired term.

Clerks and Assistants:

Sec. 5. The clerk shall appoint, subject to the provisions of this charter relative to the civil service, such clerks and other assistants as may be necessary, and, with the approval of the common council, fix the compensation of the deputy clerk and such clerks and other assistants.

Salary:

Sec. 6. The salary of the city clerk shall not be less than five thousand dollars per year.

Powers and Duties:

Sec. 7. The powers and duties of the city clerk shall be as follows:

- (a) He shall keep the corporate seal, and all papers filed in or pertaining to his office;
- (b) Be clerk of the common council, attend its meetings, and make and preserve a record of all its ordinances, resolutions and other proceedings in proper books to be provided therefor;
- (c) Certify, when requested, under the corporate seal, copies of all papers and records in his office;
- (d) Have power to administer oaths and take affidavits;
- (e) Notify in writing all officers of their election or appointment, as soon as practicable thereafter; and of the amount of their official bonds;
- (f) Report the name of any person elected or appointed to any office, who shall have neglected to file his official bond and oath of office, as herein required, to the council at its next meeting after such default;
- (g) Give notices of all registrations and elections and perform all duties herein prescribed in connection with such registrations and elections;
- (h) Purchase through the purchasing department of the city purchases of all materials and supplies used in his office, by the common council and the election commission; and
- (i) Have such other powers and perform such other duties as may be provided by the general laws of the state and by this charter.

Bureau of Information and Complaints Established:

Sec. 8. The city clerk shall on the second Tuesday in January, 1919, establish in his office, or other proper place, a bureau of information and complaints, which shall be a distinct division of his office, and be open to the public at all reasonable hours. It shall be in charge of an officer to be designated by the city clerk and to be known as the chief of the bureau of information and complaints. Such assistants shall be assigned to the bureau as shall be necessary. The bureau shall furnish information relative to the city government and its departments and affairs, and shall receive the complaints of citizens relative to the public

service, refer such complaints to the proper departments for investigation and report, and advise complainants relative thereto.

Procedure on Complaints:

Sec. 9. The procedure to be followed in the handling of complaints shall be as follows:

- (a) Receipt of complaint, which may be either written or verbal.
- (b) Acknowledgement to the complainant of the receipt thereof, if received by mail;
- (c) Recording, in duplicate, upon a proper numbered blank, which shall show the name and address of the complainant, the date and the cause of the complaint, and contain blank spaces for a statement by the department affected, of the facts, the reason, if any, for the lack of service, and the action taken to prevent a recurrence, if blame shall be with such department;
- (d) The sending of one of the duplicate copies of the complaint to the department affected and the retention by the bureau of the other copy in a file to be known as the "open file;"
- (e) The investigation and report by the department affected, which shall be completed within five days, the report to be made upon the blank herein prescribed;
- (f) The entry on the duplicate held by the bureau, of the report, which shall then be transferred to a file to be known as the "closed file;"
- (g) The sending to the complainant of the report made by the department.

Report to Common Council or Mayor:

Sec. 10. The chief of the bureau shall daily consult his open file, and if five days have elapsed without the receipt of a report on any complaint, he shall notify the department in default, and if any such report is not made forthwith, he shall advise the common council, if the officer at the head of such department be elective, or the mayor, if appointive. The council, or the mayor, as the case may be, shall make such investigation as may be warranted, and notify any officer or department at fault to correct the same, any officer failing therein to be subject to public reprimand or removal.

Monthly Financial Report; Daily Balances:

Sec. 11. The city clerk shall, once in each month, file with the controller and city treasurer, a report giving date of collection or receipt of the amounts of all moneys collected or received by his office, and shall daily pay into the city treasury all moneys so collected. All disbursements shall be made through the city treasury.

Annual Estimate:

Sec. 12. On or before the fifteenth day of January of each year, the clerk shall transmit to the controller his estimate in duplicate of the amount of money needed for the purpose of defraying the expenses of his office, the common council, the election commission, and the board of estimates for the ensuing year.

Ex-Officio Member of Certain Boards and Commissions:

Sec. 13. The city clerk shall be ex-officio a member of the board of supervisors of Wayne county, the city election commission, board of city canvassers, police and fire department pension committees, and the board of estimates, as herein provided.

Legislation by Common Council:

Sec. 14. The common council shall enact such ordinances as may be necessary to carry out the provisions of this chapter.

CHAPTER V.**City Treasurer.****Election and Term of Office:**

Section 1. There shall be a City Treasurer, who shall be elected at the city election to be held in the year 1918, and hold his office for the term of three years from and after the first day of July next succeeding his election. At the city election to be held in the year 1921, and every second year thereafter the city treasurer shall be elected for the term of two years from and after the first day of July succeeding such election.

Qualifications:

Sec. 2. Every person elected to the office of city treasurer shall be a citizen of the United States and a resident of the city.

Removal or Recall:

Sec. 3. The city treasurer shall be subject to removal from office or to recall as herein provided.

Deputy City Treasurer:

Sec. 4. The treasurer shall appoint a deputy, who shall, in the absence or inability of the treasurer, be vested with all the powers and perform all the duties of the treasurer. In case of a vacancy in the office, the deputy treasurer shall become the city treasurer and perform the duties of the office for the remainder of the unexpired term.

Clerks and Assistants:

Sec. 5. The treasurer shall appoint, subject to the provisions of this charter relative to the civil service, such clerks and other assistants as may be necessary, and, with the approval of the common council, fix the compensation of the deputy treasurer and such clerks and other assistants.

Salary:

Sec. 6. The salary of the city treasurer shall be fixed by the common council in an amount not less than five thousand dollars per year.

Powers and Duties:

Sec. 7. The powers and duties of the city treasurer shall be as follows:

(a) He shall receive all taxes and other moneys belonging to and receivable by the city, and keep an accurate account of all receipts and expenditures thereof; but no receipt given by the city treasurer shall be valid unless countersigned by the controller; on receipt of all moneys paid for taxes for real and personal property shall place on the tax roll after the description of such property the name and address of the owner of same; and shall perform such other duties with reference to the collection of taxes as are in this charter provided;

(b) Have the custody of all moneys, bonds, mortgages, notes, leases and evidences of value belonging to the city;

(c) Keep an accurate account of, and be charged with, all taxes and moneys appropriated, raised or received for each fund of the city;

(d) Keep a separate account for each fund, and pay every warrant out of the particular fund constituted or raised for the purposes for which the warrant was issued, which warrant shall have the name of such fund indorsed thereon by the controller;

(e) Pay no money out of the treasury except in pursuance of and by authority of law, and on a warrant signed by the controller, which shall specify the purpose for which the amount thereof is to be paid;

(f) The treasurer shall receive, enter and on the last day of each month report to the controller all deposits received from all departments up to and including the last day of each month; and report daily to the controller the amounts received and credited by him to each fund, and on what account received;

(g) Present to the common council annually, and as often and for such period as may be required, a full and detailed account of all receipts and disbursements since the date of his last annual report, classifying them by funds to which such receipts are credited, and out of which such disbursements are made, which account shall show the exact financial condition of the treasury; and shall file a copy of such account in the office of the controller;

(h) Submit to the equalization committee of the board of supervisors of Wayne county, at its annual session in October a report showing all cancellations of taxes made by the common council between the second Tuesday of May and the first day of October of each year, so that such committee may have the true value of the city of Detroit placed before it for consideration when spreading the state and county taxes and shall report to the county treasurer all other cancellations made by the common council during the fiscal year;

(i) Shall provide through the purchasing department of the city, all necessary materials and supplies for the use of the department; and

(j) Perform such other duties as are herein specified or may be necessary to carry out the provisions hereof.

Annual Estimate:

Sec. 8. On or before the fifteenth day of January of each year, the treasurer shall transmit in duplicate to the controller his estimate of the amount of money needed for the purposes of his office for the ensuing fiscal year.

Ex-Officio Member of Certain Boards:

Sec. 9. The treasurer shall be ex-officio a member of the board of supervisors of Wayne county, the board of estimates of the city, and the board of sinking fund commissioners.

Legislation by Common Council:

Sec. 10. The common council shall enact such ordinances as may be necessary to carry out the provisions of this chapter.

CHAPTER VI.

Controller.

Appointment; Qualifications; Term; Removal:

Section 1. There shall be a Controller appointed by the mayor. No person shall be eligible to the office of controller who is not a citizen of the United States and a resident of the city. The controller shall hold his office at the pleasure of the mayor and be removable at his will without cause assigned.

Deputy Controller:

Sec. 2. The controller shall appoint a deputy, who shall, in the absence or inability of the controller, be vested with all the powers

and perform all the duties of the controller. In case of a vacancy in the office of controller, the deputy shall continue to perform the duties thereof until the vacancy is filled by appointment by the mayor.

Clerks and Assistants:

Sec. 3. The controller shall appoint, subject to the provisions of this charter relative to the civil service, such clerks and other assistants as may be necessary, and, with the approval of the common council, fix the compensation of the deputy controller and such clerks and other assistants.

Salary:

Sec. 4. The salary of the city controller shall be fixed by the common council in an amount not less than five thousand dollars per year.

Duties:

Sec. 5. The duties of the controller shall be as follows:

(a) He shall have general supervision of the financial affairs of the city;

(b) Keep a complete set of books, which shall show the financial condition of the city in its various departments and funds, its resources and liabilities, with a proper classification thereof, and each fund or appropriation for any distinct object of expenditure or class of expenditures, in order that the amount of the assets and liabilities of the city of every character may at any time be known at his office;

(c) Keep a list of all the property, real, personal and mixed, belonging to the city;

(d) Countersign all bonds issued by the city;

(e) Receive all accounts and demands against the city, examine them in detail, audit and allow them, or such parts thereof as to the correctness of which he has no doubt, file and number them as vouchers in the order of their allowance, register them, with the amount allowed and date of allowance, in the same order, in a proper book provided for that purpose, and, on their being properly discharged in writing, draw and sign his warrant therefor upon the treasurer, when the same is ordered to be paid by the common council; if he shall have any doubt concerning their correctness, he shall register them in a separate list, and transmit them to the council with his objections and if the same be allowed by the council, in pursuance of its authority under this charter, on their return to the controller, with a certificate of the clerk endorsed thereon that they have been so allowed, he shall then file and register them in the list of allowed claims, in the same manner as provided for the registering of claims audited and allowed by him; and on their being properly discharged in writing, shall draw and sign his warrant therefor on the treasurer;

(f) Make a statement to the council at the first regular meeting thereof after the tenth day of each month, showing the true financial condition of the city and of each of the several funds thereof, in such form as may be prescribed by the council;

(g) Lay before the council, once in each year, in the month of July, a complete classified statement in tabular form of all moneys received and expended by the city during the preceding fiscal year, and of all leases of the property of the city, specifying the names of the lessees, the rates of rent and the period when the leases will terminate;

(h) Receive, on or before the fifteenth day of January in each

year, the estimates of the several officers, boards, commissions and departments of the city showing their financial requirements for the ensuing fiscal year; make up and transmit to the mayor the annual budget therefrom, retabulate such budget from time to time as herein provided, and perform such other duties with reference thereto as are hereby required;

(i) Receive from the board of assessors all tax rolls, examine the same, and, after making proper entries in his books, transmit said rolls to the city treasurer; and perform such other duties in connection with the collection of taxes as are herein provided;

(j) Open an account with the treasurer in which he shall charge him with the whole amount of taxes, general and special, levied in the city, also the whole amount in detail of all bonds, notes, mortgages, leases, rents, interest and other moneys receivable, in order that the value and description of all personal property belonging to the city may, at any time be known;

(k) Open accounts with the treasurer, in which he shall charge him with all moneys appropriated, raised or received for each of the several funds of the city, and credit him for all the warrants drawn thereon, keeping a separate account of debit and credit of each fund, charging every warrant drawn to the account of the particular fund constituted or raised for the specific purpose for which such warrant is drawn, in order that it may be known at the controller's office when each fund has been or may be exhausted, and what balance, if any, may remain therein:

(1) Shall notify the board of assessors of the acquisition or sale of property by the city;

(m) Prescribe the form and manner of keeping accounts which shall conform to any uniform system required by law, in all departments of the city governed by the provisions hereof, and have power to examine all books of account kept by such departments and to require at any time statements therefrom relative to their accounts and finances;

(n) Shall provide, through the purchasing department of the city, all necessary materials and supplies for use in his office; and

(o) Perform such other duties as are prescribed by this charter, or may be prescribed by the common council, subject to the provisions hereof.

Annual Estimate:

Sec. 6. On or before the fifteenth day of January of each year the controller shall make up and include in the annual budget his estimate of the amount of money required for the purposes of his office for the ensuing fiscal year.

Ex-Officio Member of Certain Boards:

Sec. 7. The controller shall be ex officio a member of the board of supervisors of Wayne county, a member of the board of estimates, the sinking fund commission the committee to negotiate loans and the pension committees of the police and fire departments.

Legislation by Common Council:

Sec. 8. The common council shall enact such ordinances as may be necessary to carry out the provisions of this chapter.

CHAPTER VII.

Board of Assessors.

Board Created:

Section 1. There shall be a Board of Assessors consisting of four members.

Appointment; Qualifications:

Sec. 2. The members of the board shall be appointed by the mayor. No person shall be eligible to appointment who is not a citizen of the United States and a resident of the city.

Term of Office; Compensation:

Sec. 3. The members of the first board existing hereunder shall be appointed for the term of one year, two years, three years and four years, respectively, subject to the provisions hereof relative to removal, and shall take office on the first day of July, 1919. Annually thereafter one member shall be appointed for the term of four years. Each member of the board shall devote his whole time to the duties of his office and shall receive a salary of not less than five thousand dollars per annum. Members of the board shall hold no other public office or employment, except that of notary public.

Removals From Office; Vacancies:

Sec. 4. Members of the board shall be subject to removal from office by the mayor for incompetency, neglect of duty or malfeasance in office. No member of the board shall be removed from office until charges shall have been preferred in writing, due notice given and a full hearing had. The mayor shall within ten days report in writing any such removal to the common council with his reasons therefor. Any vacancy in office shall be filled by the mayor for the remainder of the unexpired term.

Officers and Employees:

Sec. 5. The member of the board whose term of office shall first expire shall be president thereof, and the member whose term shall next expire shall be vice-president. The board shall appoint and prescribe the duties of a secretary, and shall appoint in accordance with the provisions of this charter relative to the civil service such other clerks and assistants as may be necessary, and prescribe their duties. The compensation of the secretary and such clerks and other assistants shall be determined by the board subject to the approval of the common council.

Meetings, Records, Quorum:

Sec. 6. The board shall hold meetings when necessary, and shall designate the time and place thereof. It shall adopt its own rules of procedure and the secretary shall keep a record of its proceedings. All meetings and records of the commission shall be public. Three members shall constitute a quorum for the transaction of business. Whenever any communication, report or certificate shall be required to be signed or verified by the signature of said board, it shall be sufficient if the same be signed "By order of the Board of Assessors" by the president of such board, with the addition of the name of his office.

General Powers and Duties:

Sec. 7. The powers and duties of the board shall be as follows, all of its actions being subject to correction and revision by the common council:

(a) The board shall assess all property liable to assessment for the purpose of levying the taxes lawfully imposed thereon as in this charter provided;

(b) Make out and complete, prior to the first day of April in each year, the assessment rolls covering such property in the manner herein prescribed;

(c) Have power and authority to demand of every person owning or having charge, as agent or otherwise, of any taxable property, a list of such property, with such description as will enable them to assess the same;

(d) Shall cause a notice to the taxpayers of the city to be published in the official newspaper thereof and in one other daily newspaper published therein for two weeks prior to the first day in April in each year that the assessment rolls will be completed on that date;

(e) Review the assessment of any person considering himself aggrieved and alter or correct the same as to the person charged thereby, the property described therein, and the estimated value thereof;

(f) Cause the amount of all taxes, in dollars and cents, authorized to be assessed and collected in each year, to be ratably assessed after the assessment rolls shall have been fully and finally confirmed by the council, and deliver the same to the controller;

(g) Shall, before turning over the new rolls to the controller each year, take a copy of the names and addresses of persons having paid taxes to the city treasurer in the previous year, and enter such names and addresses in the new tax rolls;

(h) Make copies of such assessment rolls as finally confirmed by the council, and equalized by the board of supervisors of the county of Wayne, upon which they shall ratably assess the county and state taxes, as provided by the general laws of the state, and transmit the same to the county treasurer;

(i) Perform such duties with reference to special assessments, except special assessment for lateral sewers, as are in this charter provided;

(j) Shall recommend to the council such division of all territory annexed to the city into wards or the addition of the same to any existing ward or wards as they may deem best for assessing purposes;

(k) Shall furnish necessary information to the department of buildings and safety engineering relative to titles to real estate upon which buildings are to be erected or removed;

(l) Shall provide through the purchasing department of the city, all necessary materials and supplies for the use of the department; and

(m) Have all the powers and perform all the duties of supervisors pertaining to assessments as provided by the laws of this state, not inconsistent herewith; and have such other powers and perform such other duties as are herein prescribed or may be necessary to carry out

the provisions hereof.

Secretary:

Sec. 8. The secretary of the board shall keep the record of the proceedings of the board, and a record of the proceedings of the board of review.

Annexed Territory; New Wards; Additions to Existing Wards:

Sec. 9. In case of the annexation of territory to the city, the board may divide such annexed territory into proposed new wards or proposed additions to existing wards in such manner as to correspond with the boundaries thereof as it may deem best for assessing purposes; Provided, that in all cases it shall endeavor to use streets or alley lines for ward boundaries. After the board has made such proposed divisions of annexed territory it shall transmit the same to the common council for approval. Upon approval by the council, the recommendations of the board shall be advertised at least three times in at least two daily papers, and posters shall be placed in at least five prominent places in such annexed territory, showing the ward or wards or part or parts thereof to which the annexed territory belongs.

Annual Estimate:

Sec. 10. The board shall, on or before the fifteenth day of January in each year, transmit to the controller its estimate in duplicate of the amount of money required for its purposes for the ensuing fiscal year.

Annual Report:

Sec. 11. The board shall, on or before the fifteenth day of January in each year, make a written report to the common council of its work during the preceding year. The report shall be certified by the board, entered of record by the city clerk, and published in such manner as the council may direct. The board shall also make such other reports as the council may, from time to time, require.

Members of Board, Ex-Officio Members Board of Supervisors:

Sec. 12. The members of the board shall be ex-officio members of the board of supervisors of the county of Wayne.

CHAPTER VIII.

Commissioner of Public Works.

Appointment of Commissioner:

Section 1. There shall be a Commissioner of Public Works who shall be appointed by the mayor, and who shall have charge of the Department of Public Works.

Qualifications; Terms of Office; Vacancies; Compensation:

Sec. 2. No person shall be eligible to appointment as such commissioner who is not a citizen of the United States and a resident of the city for at least ten years and a freeholder therein. The commissioner may be removed by the mayor at any time without cause assigned. Any vacancy in the office shall be filled by the mayor. The compensation of the commissioner shall not be less than seven thousand five hundred dollars per annum.

Officers and Employees:

Sec. 3. The commissioner shall appoint a secretary and a city engineer, and, in accordance with the provisions of this charter relative to

civil service, such other assistants as may be necessary. He shall prescribe the duties of such secretary, city engineer and other assistants, and shall, subject to the approval of the common council, fix their compensation.

Accounts and Records:

Sec. 4. The commissioner shall cause to be kept proper accounts and a record of the proceedings of the department. All accounts, records and proceedings of the department shall be public.

General Powers and Duties:

Sec. 5. The powers and duties of the commissioner, which shall be exercised and performed as herein provided, and in accordance with the general ordinances of the city, shall be as follows:

(a) He shall have power and it shall be his duty to do all paving or repaving, cleaning, and sprinkling of all streets, alleys, public squares or places and bridges, except bridges on Belle Isle and in other parks;

(b) Shall establish grades for all streets, alleys and other public places, and when once established by him such grades shall not be changed unless by a two-thirds vote of the common council;

(c) Shall have charge of the construction, maintenance and repair of all public sewers, drains, culverts, sidewalks, docks, wharves, moles, seawalls, breakwaters and dykes and, on request of the common council, any other work of public improvement;

(d) Shall have charge of the maintenance and repairs of the following public buildings: city hall, municipal court, city service building, health building, Fairview pumping station, memorial hall of the Grand Army of the Republic, all public markets, storage warehouses and supply depots, and such buildings as are necessary for the business of the department: Provided, That the council may prescribe that the maintenance and repair of public markets shall be under the supervision of the welfare commission;

(e) Shall have power to establish and operate a plant for the manufacture of common brick for sewer or other municipal purposes and a plant for the manufacture of creosote block for paving purposes;

(f) Shall provide, through the purchasing department of the city all materials and supplies for the use of the department;

(g) Shall supervise the making of excavations in or under streets, alleys or other public places for ditches, trenches, tunnels, vaults and the like, the laying therein of pipes, wires, cables, conduits and the like, the erection of all poles in such streets, alleys or other public places, and the use thereof generally for purposes similar to those herein named, and shall supervise the back filling of such excavations and the restoration to normal condition of such streets, alleys or other public places;

(h) Shall be charged with the duty of issuing permits for the entry upon or into any street, alley or other public place by any person, firm, corporation or city department for the purpose of doing any of the things referred to in paragraph "g," or for the purpose of the construction, repair or moving of buildings, or for any other purpose whereby the use thereof by the public shall be obstructed, and no person, firm, corporation, or department shall enter upon or occupy such street, alley or other public place for any of such purposes, except at such

times and in such manner as the commissioner shall prescribe: Provided, that no permit of any kind, involving possible injury to trees in streets, alleys and public places of the city shall be issued without the approval of the commissioner of parks and boulevards.

(i) Shall decide as between two or more persons, firms, corporations or departments, or any of them, the order in which work proposed to be done by them at or about the same time in streets, alleys or other public places shall be performed;

(j) Shall prescribe uniform standard rules governing the doing of any kind of work in streets, alleys or other public places by any person, firm, corporation or department, the entry thereon for the purpose and the proper completion of such work, such rules and all amendments thereto to be subject to the approval of the common council: Provided, That such rules shall not be subject to amendment after the first day of March nor prior to the first day of November in any year;

(k) Shall make proper charges to be prescribed by the rules of the department for the supervision herein referred to and the inspections necessary in connection therewith: Provided, That all charges to other departments for all materials and work done shall be on the basis of the actual cost thereof;

(l) Shall make all connections with lateral or main sewers, and prepare plans therefor, and assessment rolls for lateral sewers;

(m) Shall have charge of the disposal of all sewage, as authorized by the common council;

(n) Shall supervise the collection and disposal of all garbage in the manner provided by the common council; and with the approval of the common council construct, operate and maintain, within or without the city, a plant for the disposal of garbage and dispose of the by-products therefrom;

(o) Shall keep official records of plans, maps, and plats of the city for the department; and make and publish an official map of the city.

(p) May, with the approval of the common council, in the name of the city, take and hold, by purchase, gift, devise, bequest or otherwise, such real and personal property as may be needful for carrying out the intents and purposes for which it is established;

(q) Shall recommend to the common council the institution of condemnation proceedings whenever, in his judgment, private property should be taken in the name of the city for the purposes of the department;

(r) May, with the approval of the common council, sell and convey or lease lands whenever required by the interests of the city;

(s) May establish all reasonable rules and regulations to protect the rights and property vested in the city and under the control of the department;

(t) Make, with the approval of the common council, contracts to carry out the objects and purposes of the department as herein provided;

(u) Shall be empowered to bid on the construction of any pavements or repavements, public sewers or lateral sewers or any part thereof in public streets, alleys or public places, and, if the lowest bidder shall be awarded the contract; and

(v) Shall have such other powers as are herein prescribed or may be necessary for the proper discharge of his duties.

Secretary:

Sec. 6. The secretary is hereby vested with all powers necessary to carry on the work of the department during the temporary absence of the commissioner.

City Engineer:

Sec. 7. The city engineer shall, under the supervision of the commissioner, have charge of, and do all the civil engineering for the department of public works. He shall devote his entire time to the duties of his office.

Public Improvements:

Sec. 8. Whenever the common council shall order any work of public improvement, it shall cause notice to be given forthwith to the commissioner of public works, who shall proceed to do such work or to make contracts therefor, subject to the approval of the council.

Contracts for Repaving:

Sec. 9. Contracts for repaving may be made at any time after the mayor and common council have determined the amount of money which shall be raised for the next fiscal year, such work to be paid for from the tax for the repaving fund of the next fiscal year or from money which may be borrowed in anticipation of the collection of such tax.

Contracts for Work in Special Assessment Districts:

Sec. 10. The work of making public improvements in special assessment districts shall be bid for and let separately by districts, and such bidding and letting shall show:

First, The cost of all paving and grading, except that of the intersection of the cross-streets and alleys, the cost of the cross-walks at such intersections and the cost of repaving;

Second, The cost of the grading and paving of each portion of the street included within the lines of intersection of any cross-street and alleys;

Third, The cost of the crosswalks at such intersections; Provided, That in case where a side street merely opens upon and does not extend across the street to be paved, the space formed by extending the lines of the former street to the middle of the latter street shall, for the purposes of this charter, be treated as the spaces formed by the intersection of cross streets.

Forced Paving:

Sec. 11. The commissioner shall not, in any one year, enter into contracts for the grading and paving of streets, alleys and public places, the cost of which will exceed in the aggregate seven hundred fifty thousand dollars, except upon the petition of the holders of the larger portion of the real estate directly abutting upon the portions of the street or alley proposed to be improved.

Cutting New Pavements:

Sec. 12. Before any street, alley or other public place shall be paved or resurfaced, notices thereof shall be published by the commissioner in at least three issues of at least two newspapers of the city, ninety days or more prior thereto, and copies of such notice shall forthwith be furnished to all public service corporations, all city departments and to all owners of real estate, so far as it may be possible to locate them, abutting on such street, alley, or other public place, in order that such corporations, departments and property owners, may lay

therein wires, pipes, cables, conduits and the like. After such pavement or resurfacing shall have been completed, it shall not be cut for any purpose or by any person, firm, corporation or department during the first year thereafter, unless there be paid in advance treble the estimated cost of the restoration of such pavement, and during the second year thereof double the estimated cost thereof, and thereafter the estimated cost. If the actual expense of restoring such pavement after the second year shall exceed the estimated cost, the difference shall be collected from the person, firm, corporation or department, and, if the estimated cost shall exceed the actual expense, the excess shall be refunded. No permit shall be issued for the cutting of the pavement of any boulevard without the approval of the common council.

Monthly Financial Report:

Sec. 13. The commissioner shall, on the last day of each month, file with the controller and city treasurer a report giving the date of collection or receipt and the amounts of all money collected or received by the department, and shall daily pay into the city treasury, all moneys collected. All disbursements shall be made through the treasury.

Application of Funds; Annual Estimates:

Sec. 14. All moneys paid into the city treasury by the department shall apply exclusively on the payment of expenses incurred by it. On or before the fifteenth day of January of each year, the commissioner shall transmit to the city controller his estimate in duplicate of the amount of money required for the purposes of the department for the ensuing fiscal year.

Annual Report:

Sec. 15. The commissioner shall, on or before the fifteenth day of January in each year, make a written report to the common council relative to the work of the department and the condition of the property in his charge. The report shall be certified by the commissioner, entered of record by the city clerk, and published in such manner as the council may direct. The commissioner shall also make such other reports as the council may, from time to time, require.

Complaints:

Sec. 16. The commissioner shall promptly investigate and make report to the bureau of complaints concerning all complaints referred by such bureau to the commissioner relative to the administration of the department.

Members of Board of Supervisors:

Sec. 17. The commissioner shall be ex-officio a member of the board of supervisors of the county of Wayne.

Legislation by Common Council:

Sec. 18. The common council shall enact such ordinances as may be necessary to carry out the provisions of this chapter.

CHAPTER IX.

Commissioner of Parks and Boulevards.

Appointment of Commissioner:

Section 1. There shall be a Commissioner of Parks and Boulevards, who shall be appointed by the mayor, and who shall have charge of the Department of Parks and Boulevards.

Qualifications; Term of Office; Vacancies; Compensation:

Sec. 2. No person shall be eligible to appointment who is not a citizen of the United States and a resident of the city. The commissioner may be removed by the mayor at any time without cause assigned. Any vacancy in the office shall be filled by the mayor. The compensation of the commissioner shall not be less than five thousand dollars per annum.

Officers and Employees:

Sec. 3. The commissioner shall appoint a secretary, and, in accordance with the provisions of this charter relative to civil service, such superintendents, engineers, clerks and other subordinates as may be necessary. He shall prescribe the duties of such secretary, superintendents, engineers, clerks and other subordinates, and shall, subject to the approval of the common council, fix their compensation.

Accounts and Records:

Sec. 4. The commissioner shall cause to be kept proper accounts and a record of the proceedings of his department. All accounts, records and proceedings of the department shall be public.

General Powers and Duties:

Sec. 5. The powers and duties of the commissioner, which shall be exercised and performed in pursuance hereof and in accordance with the general ordinances of the city, shall be as follows:

(a) He shall control and manage all parks, public grounds, except as otherwise provided, and boulevards, including bridges to Belle Isle Park and their approaches;

(b) Shall erect, repair and maintain all buildings and structures necessary for the use of the department or provided under its supervision for the use of the public;

(c) Shall macadamize or pave and keep in repair all roadways in the parks and the boulevards of the city.

(d) May establish all reasonable rules and regulations for the protection of the rights and property vested in the city and under the control of the department, for the use, care, maintenance and management of parks and their dockage, bridges on Belle Isle, public grounds, and boulevards; and concerning waters surrounding Belle Isle, subject to the control of the United States Department of War;

(e) May call upon the police department to assist in enforcing all ordinances, rules and regulations governing parks and boulevards, and it shall be the duty of the police department to render such assistance when required;

(f) Shall provide, through the purchasing department of the city all necessary materials, supplies, horses, tools, implements and apparatus used in the management of the department;

(g) Shall have authority to conduct at reasonable charges such facilities for the amusement, entertainment, refreshment or transportation of the public as are suitable to public parks, and may let privileges therefor, but such privileges shall be subject to his supervision and direction;

(h) Shall plant, set out, or place and protect and care for flowers, vines, shrubs, and trees to adorn and improve the public squares, grounds, streets, avenues, alleys or spaces within the city, the cost of which or any part thereof to be provided for by general taxation or by special assessments in local assessment districts, or both, as may be

prescribed by ordinance: Provided, that all original landscape work in parks and boulevards hereafter acquired shall be approved by the city plan commission;

(i) May, with the approval of the common council, in the name of the city, take and hold, by purchase, gift, devise, bequest or otherwise, such real and personal property as may be needful for carrying out the intents and purposes of the department;

(j) Shall recommend to the common council the institution of condemnation proceedings whenever, in his judgment, private property should be taken in the name of the city for the purposes of the department;

(k) May, with the approval of the common council, sell and convey or lease lands whenever required by the interests of the city;

(l) May make, with the approval of the common council, all contracts to carry out the objects and purposes of the department as herein provided; and

(m) Shall have such other powers and perform such other duties as may be necessary for the proper administration of the affairs of his department.

Monthly Financial Report:

Sec. 6. The commissioner shall, on the last day of each month, file with the controller and city treasurer a report giving the date of collection or receipt and the amounts of all money so collected or received by the department, and shall daily pay into the city treasury all moneys collected. All disbursements shall be made through the treasury, except as herein otherwise provided.

Application of Funds; Annual Estimate:

Sec. 7. All moneys paid into the city treasury by the department shall apply exclusively on the payment of all expenses incurred by it. On or before the fifteenth day of January of each year, the commissioner shall transmit in duplicate to the city controller his estimate of the amount of money required for the purposes of the department for the ensuing fiscal year.

Annual Report:

Sec. 8. The commissioner shall, on or before the fifteenth day of January in each year, make a written report to the common council relative to the work of the department and the condition of the property in his charge. The report shall be certified by the commissioner, entered of record by the city clerk, and published in such manner as the council may direct. The commissioner shall also make such other reports as the council may, from time to time, require.

Complaints:

Sec. 9. The commissioner shall promptly investigate and make report to the bureau of complaints concerning all complaints referred by such bureau to the commissioner relative to the administration of the department.

Member of Board of Supervisors:

Sec. 10. The commissioner shall be ex-officio a member of the board of supervisors of the county of Wayne.

Legislation by Common Council:

Sec. 11. The common council shall enact such ordinances as may be necessary to carry out the provisions of this chapter.

CHAPTER X.

City Plan Commission.

Commission Established:

Section 1. There shall be a City Plan Commission, which shall consist of nine members.

Appointments; Qualifications.

Sec. 2. The members of the commission shall be appointed by the mayor, and shall include an architect, a civil engineer, a structural engineer, a real estate dealer, a builder, an attorney and a physician. No person shall be eligible to appointment who is not a citizen of the United States and a resident of the city.

Term of Office; Compensation:

Sec. 3. Three members of the first commission existing hereunder shall be appointed, subject to removal from office as herein provided, for a term of one year, three for a term of two years, and three for a term of three years, and annually thereafter three members shall be appointed for a term of three years. The term of office in each instance shall begin on the first day of March. Members shall serve without compensation.

Removals from Office; Vacancies:

Sec. 4. Members of the commission shall be subject to removal from office by the mayor without cause assigned. Any vacancy in office shall be filled by the mayor for the remainder of the unexpired term. Appointments to fill vacancies shall be made as herein provided for appointments in the first instance.

Officers and Employees:

Sec. 5. The members of the commission shall select a president and vice-president. The commission shall choose a secretary, and, in accordance with the provisions of this charter relative to the civil service, such other assistants as may be necessary. The commission shall prescribe the duties of the secretary and other assistants, and, subject to the approval of the common council, fix their compensation. The commission may from time to time employ engineers and other experts and pay for their services out of such funds as shall have been appropriated in the budget for the purposes of the commission or shall be made available by special appropriation.

Meetings; Records; Quorum:

Sec. 6. The commission shall hold meetings regularly, at least once in each week, and shall designate the time and place thereof. It shall adopt its own rules of procedure and keep a record of its proceedings. Proper accounts of its receipts and disbursement of money shall be kept. All meetings, records and accounts of the commission shall be public. Five members shall constitute a quorum for the transaction of business.

General Powers and Duties:

Sec. 7. The general powers and duties of the commission, which shall be exercised and performed as herein provided, and in accordance with the general ordinances of the city, shall be as follows:

(a) The commission shall procure information and make recommendations to the mayor and the common council as to all facts bear-

ing upon the needs of the city with regard to recreation grounds, the development and improvement of parks and boulevards, the improvement of river fronts, the extension or opening of streets and avenues, or other public ways or places and city plans and improvements generally;

(b) Shall receive and report on suggestions offered by citizens or officials within the scope of its powers and when it deems such suggestions practicable to report them to the mayor and the common council with its recommendations;

(c) Shall provide plans for all original landscape work to be done by the city in parks and boulevards hereafter acquired.

Shall provide plans for all landscape work to be done by the city of Detroit;

(d) Shall formulate a plan to regulate and restrict the location of trades and industries and the location of buildings designed for specific uses, to regulate and limit the height and bulk of buildings hereafter erected, and for such purposes to divide the city into zones in such number, shape and area as may seem best suited to carry out a definite plan for the betterment of the city, and upon its approval and adoption by the common council, shall have the power and authority to enforce its provisions;

(e) Shall pass upon all questions involving the custody, possession, removal or alteration in any way of any work of art belonging to the city, except such as are under the supervision and control of the art commission, and no action with reference to such works of art under the jurisdiction of the city plan commission, which shall include monuments, and other memorials, fountains, statuary and the like, shall be taken by any officer or department, unless approved by the commission;

(f) Shall have power to determine whether property shall be acquired for park and boulevard and recreation purposes, or condemned for the enlarging of any park or the widening or extension of any boulevard and no property shall be so acquired or condemned without the approval of the commission; and shall have power to pass upon the acceptance of all plats of land within and for a distance of three miles beyond the limits of the city.

(g) Shall be authorized to approve any sketch or plan of any gift to the city in the form of a monument or memorial, and the proposed location thereof, and no gift shall be accepted unless the plan or sketch and the location of such monument shall have been so approved;

(h) Shall, when requested by the mayor and the common council, or either of them, or by any other commission or department, act in an advisory capacity in respect to plans for and the location of public buildings, bridges, approaches, or other structures erected or to be erected by the city;

(i) Shall have power to call on any other department for assistance in the performance of its duties hereunder and it shall be the duty of such other department to render such assistance as may be reasonably required, all questions as to what shall constitute a reasonable requirement to be determined by the common council;

(j) Shall provide, through the purchasing department of the city, all necessary materials and supplies for the use of the department;

(k) Make, with the approval of the common council, contracts to carry out the objects and purposes of the commission as herein provided; and

(l) Shall have such other powers as are herein prescribed or may be necessary hereunder for the proper discharge of its duties.

Limitation of Time for Approval:

Sec. 8. If the commission shall fail to decide upon any matter submitted to it within ninety days after such submission, its decision or approval shall be deemed unnecessary.

Annual Estimate:

Sec. 9. On or before the fifteenth of January of each year, the commission shall transmit in duplicate to the city controller its estimate of the amount of money required for its purposes for the ensuing fiscal year.

Annual Report:

Sec. 10. The commission shall, on or before the fifteenth of January of each year, make a written report to the common council of the work of the commission during the preceding year. The report shall be certified by the commission and entered of record by the city clerk, and published in such manner as the council may direct. The commission shall also make such other reports, as the council may, from time to time, require.

Member of Board of Supervisors:

Sec. 11. The president of the commission if an elector qualified to vote for mayor shall be *ex-officio* a member of the board of supervisors of the county of Wayne.

Legislation by the Common Council:

Sec. 12. The common council shall enact such ordinances as may be necessary to carry out the provisions of this chapter.

CHAPTER XI.

Public Lighting Commission.

Commission Established:

Section 1. There shall be a Public Lighting Commission consisting of four members, which shall have charge of the Department of Public Lighting.

Appointment; Qualifications:

Sec. 2. The members of the commission shall be appointed by the mayor. No person shall be eligible to appointment who is not a citizen of the United States and a resident of the city.

Term of Office; Compensation:

Sec. 3. The term of office of each member of the commission shall, subject to the provisions hereof relative to removal, be four years. On or before the fourth day of April, 1919, one member shall be appointed for the term of two years, one for the term of three years, and one for the term of four years from and after such date, and annually thereafter one member shall be appointed for the term of four years. Members of the commission shall serve without compensation.

Removals From Office; Vacancies:

Sec. 4. Members of the commission shall be subject to removal from office by the mayor without cause assigned. Any vacancy in office shall be filled by the mayor for the remainder of the unexpired term.

Officers and Employees:

Sec. 5. The member of the commission whose term of office shall first expire shall be president thereof, and the member whose term shall next expire shall be vice-president. The commission shall appoint a secretary, and, subject to the provisions hereof relative to civil service, a general superintendent and city electrician, who shall be an electrical engineer, and such other superintendents, engineers, clerks and employes as may be necessary. The commission shall prescribe the duties of such secretary, general superintendent and city electrician, and other assistants, and shall, subject to the approval of the common council, fix the compensation thereof.

Meetings, Records, Quorum:

Sec. 6. The commission shall hold meetings regularly, at least once in each week, and shall designate the time and place thereof. It shall adopt its own rules of procedure and shall keep a record of its proceedings. Proper accounts shall be kept of the receipt and disbursement of money. All meetings, records and accounts of the commission shall be public. Three members shall constitute a quorum for the transaction of business.

General Powers and Duties:

Sec. 7. The powers and duties of the commission, which shall be exercised and performed as herein provided, and in accordance with the general ordinances of the city, shall be as follows:

(a) The commission shall supervise and control all public lighting and public lighting plants;

(b) May erect and maintain all buildings, and structures necessary for its purposes;

(c) Shall, through the purchasing department of the city, purchase all engines, dynamos, and other machinery, tools, lamps, lines, conduits, poles, towers, other apparatus and appliances, fuel, and all other materials and supplies required in the operation and management of the lighting plant and necessary for lighting the city by electricity or by other means or system;

(d) May, in the highways, alleys or public places, lay pipes and conduits for gas or electricity, erect poles, towers or posts for wires or lamps, and place, construct and maintain necessary lines of wires either below or above ground: Provided, That the commissioner of public works shall have the supervision of the laying of conduits in the public streets, and the necessary excavation, refilling and repaving caused thereby;

(e) May, with the approval of the common council, purchase the property of any company manufacturing and supplying gas to the city or its inhabitants, and may operate a municipal gas plant;

(f) Shall furnish on requisition, and at cost, power to the street railway commission for its purposes;

(g) May furnish and sell light, heat and power to any person, firm or corporation within the city limits and outside the boundaries thereof to the extent permitted by the constitution and laws of the state;

(h) May, with the approval of the common council, in the name of the city, take and hold, by purchase, gift, devise, bequest or otherwise, such real and personal property as may be needful for carrying out the intents and purposes for which it is established.

(i) Shall recommend to the common council the institution of condemnation proceedings whenever, in its judgment, private property should be taken in the name of the city for the purpose of the commission;

(j) May, with the approval of the common council, sell and convey or lease lands, whenever required by the interests of the city;

(k) May establish all reasonable rules and regulations to protect the rights and property vested in the city and under the control of the commission;

(l) May make, with the approval of the common council, a contract for the lighting of public buildings, streets, avenues, parks, public grounds and places for any period not exceeding three years, and all contracts to carry out the objects and purposes of the commission as herein provided; and

(m) Shall have such other powers and perform such other duties as may be necessary to carry out the provisions hereof.

Monthly Financial Report:

Sec. 8. The commission shall, on the last day of each month, file with the controller and city treasurer a report giving the date of collection or receipt and the amounts of all money collected or received by the commission, and shall daily pay into the city treasury all moneys so collected.

Application of Funds; Annual Estimate:

Sec. 9. All moneys paid into the city treasury by the commission shall apply exclusively on the payment of all expenses incurred by it. On or before the fifteenth day of January of each year, the commission shall transmit to the city controller its estimate in duplicate of the amount of money required for its purposes for the ensuing fiscal year.

Annual Report:

Sec. 10. The commission shall, on or before the fifteenth day of January in each year, make a written report to the common council of the work of the department during the preceding year and the condition of the property in its charge. The report shall be certified by the commission, entered of record by the city clerk, and published in such manner as the council may direct. The commission shall also make such other reports as the council may, from time to time, require.

Complaints:

Sec. 11. The commission shall promptly investigate and make report to the bureau of complaints concerning all complaints referred by such bureau to the commission relative to the performance of its duties.

President and Vice-President Ex-Officio Members of Board of Supervisors:

Sec. 12. The president and vice-president of the commission shall be ex-officio members of the board of supervisors of the county of Wayne.

Legislation by Common Council:

Sec. 13. The common council shall enact such ordinances as may be necessary to carry out the provisions of this chapter.

CHAPTER XII.**Board of Water Commissioners.****Commission Created:**

Section 1. A Board of Water Commissioners is hereby created, consisting of four members, which shall have charge of the Department of Water Supply.

Appointment, Qualifications:

Sec. 2. The members of the board shall be appointed by the mayor. No person shall be eligible to appointment who is not a citizen of the United States and a resident of the city. At least one of the members of the board shall be a mechanical engineer.

Term of Office; Compensation:

Sec. 3. The term of office of members of the board shall, subject to the provisions hereof relative to removal, be four years. The members of the first board existing hereunder shall be appointed for the term of one year, two years, three years and four years, respectively, and annually thereafter one member shall be appointed for the term of four years. The term of office in each instance shall begin on the first day of March in each year. Members of the board shall serve without compensation.

Removals From Office, Vacancies:

Sec. 4. Members of the board shall be subject to removal from office by the mayor without cause assigned. Any vacancy in office shall be filled by the mayor for the remainder of the unexpired term.

Officers and Employees:

Sec. 5. The member of the board whose term of office shall first expire shall be president thereof, and the member whose term shall next expire shall be vice-president. The board shall appoint a secretary, and, in accordance with the provisions of this charter relative to civil service, a superintendent, and such other officers and employes as shall be necessary. The board shall prescribe the duties of the secretary, superintendent and other officers, and with the approval of the common council, fix their compensation.

Meetings, Records, Quorum:

Sec. 6. The board shall hold meetings regularly, at least once in each week, and shall designate the time and place thereof. It shall adopt its own rules of procedure and shall keep a record of its proceedings. Proper accounts of the receipt and expenditure of money shall be kept. All meetings, records and accounts of the board shall be public. Three members shall constitute a quorum for the transaction of business.

General Powers and Duties:

Sec. 7. The powers and duties of the board, which shall be exercised and performed as herein provided, and in accordance with the general ordinances of the city, shall be as follows:

(a) The board shall be charged with the duty of supplying the city with a sufficient quantity of pure and wholesome water to be taken

from the Detroit River or such other sources as may be deemed expedient;

(b) Shall, at all times, whenever the necessary funds shall have been provided, erect and maintain within or without the city such reservoirs, buildings, machinery and fixtures, lay such pipes, construct such aqueducts and other works, and secure and maintain the same as shall be required to furnish a full supply of water for public or private use in the city;

(c) Shall conduct, discharge, dispose of and distribute the same;

(d) Shall, through the purchasing department of the city, purchase all engines, machinery, tools, and other appliances and all materials and supplies necessary for the purposes of the department.

(e) May, in the name of the city, take and hold, by purchase, gift, devise, bequest or otherwise, such franchises and real and personal property, either within or without the city, as may be needful or convenient for carrying out the intents and purposes for which it is established;

(f) Shall recommend to the common council the institution of condemnation proceedings whenever, in its judgment, private property should be taken in the name of the city for the purpose of the board;

(g) May, by and with the consent of the common council, sell and convey or lease lands whenever required by the interests of the city;

(h) May establish all reasonable rules and regulations to protect the rights and property vested in the city and under the control of the board;

(i) May make, subject to the approval of the common council, all contracts to carry out the objects and purposes of the board as herein provided, but contracts for the laying of water mains as herein authorized shall not require the approval of the council;

(j) May issue vouchers in payment of all claims and accounts incurred in accordance with the budget appropriations for the department, which vouchers when approved by the controller shall be authority to the city treasurer to issue warrants against the proper fund; and

(k) Shall also have such other powers as are herein prescribed or may be necessary hereunder for the proper discharge of its duties.

Hydrants, Fountains, Aqueducts:

Sec. 8. The board may erect drinking hydrants in each block of the city; may, with the approval of the city plan commission and the consent of the common council, erect fountains in such public grounds as may be deemed expedient; may, by and with the approval of the commissioner of public works, conduct pipes and construct aqueducts over or under any water course or under any street, boulevard, road, alley or highway, and in such manner as not unnecessarily to obstruct or impede travel; and may, under the supervision and direction of the commissioner of public works, enter upon, dig up and back-fill, with like restrictions as to travel, any such boulevard, road, alley or highway for the purpose of laying such pipe or constructing such aqueducts and other works beneath the surface thereof and maintaining and renewing the same: Provided, That the consent of the common council shall be received for the cutting of the pavement of any boulevard. The commissioner of public works shall cause to be restored the concreting and pavement of any such street,

boulevard, road, alley or highway to its former condition, so far as may be, and the expenses of such restoration shall be charged against the board.

Water Rates, Assessment and Collection:

Sec. 9. The board shall, from time to time, fix and cause to be assessed the water rates to be paid by the owner or occupant of each house or building having the use of water and against any person or persons using water upon such basis as shall be equitable, and such water rates shall become and be, until paid, a lien upon such house or other building and upon the lot or lots upon which such house or building shall be situated. The board may make, subject to the approval of the common council, and enforce all necessary rules and regulations for the collection of the water rates. All water rates shall be promptly collected by, and paid to the board, and all moneys so received shall be turned over when, and as collected, to the city treasurer on daily balances, and the city treasurer shall give a receipt therefor. All necessary adjustments in the collection of water rates shall be made by the board. Whenever any person or persons using water shall fail to pay the rates fixed by the board, the water may be shut off, or suit may be instituted by the city for the collection of the same in any court of competent jurisdiction, or the same may be collected by the sale of the lot or premises upon which the rate shall have become a lien: Provided, That such sale shall be conducted in the same manner and shall have the same force, virtue and effect as a sale of a lot delinquent for city taxes. But no attempt to collect such rates by any process herein provided shall in any way invalidate the lien upon the lot or premises.

Application of Funds; Annual Estimate:

Sec. 10. All moneys paid into the city treasury by the board shall apply exclusively on the payment of expenses incurred by it, including the interest or principal of all bonds issued on account of the water system of the city. On or before the fifteenth day of January of each year the board shall transmit to the city controller its estimate in duplicate of the amount of money required for its purposes for the ensuing fiscal year.

Assessment Lists and Reports:

Sec. 11. The board shall cause to be kept an accurate list of all assessments for water rates, which shall be subject to inspection at all times; and shall make an annual report to the common council, stating the condition and operation of the works, the number of contracts let and the number of contracts completed. This statement shall be certified by the board, entered of record by the city clerk, and published in such manner as the council may direct. The board shall also make such other reports as the council may, from time to time, require.

Pipes, Etc., City Property:

Sec. 12. The material of all pipes, aqueducts and other works, wherever laid shall be and remain the sole property of the city, subject to the control and management of the board. No person shall interfere or meddle therewith without the written consent of the board, signed by its president and secretary.

Polluting Water:

Sec. 13. Any person who shall wilfully do or cause to be done, any act whereby any work, materials or other property whatsoever, erected

or used within or without the city by the board, or by any person acting under its authority for the purpose of procuring or keeping a supply of water, shall be injured, or who shall wilfully throw or place or cause to be thrown or placed any deleterious or filthy substance whatever, into any reservoir pipe or aqueduct through which water for private or public use is conveyed or who shall throw or place, or cause to be placed any such deleterious or filthy substance into the Detroit River or Lake St. Clair, within a distance of six miles above any inlet pipe extending into the river, and through which the supply of water, or any part thereof is received, or who shall wilfully do or cause to be done any other act to pollute such water, shall be guilty of a misdemeanor and, on conviction shall be punished as herein provided. The board shall cause to be erected notices of so much of this section as relates to reservoirs and the Detroit River and Lake St. Clair at conspicuous points on such reservoirs and along the American shore of the river and lake within the distance above mentioned, and for this purpose the board or its agents may enter upon private property.

Tapping Pipes, Etc.:

Sec. 14. Any person who shall, without authority of the board or of its proper agents, perforate or bore or cause to be perforated or bored, any distributing pipe, main, log or aqueduct belonging to the city or make or cause to be made any connection or communication with such pipes, aqueducts or logs, or who shall meddle with or move the same or any machinery, apparatus or fixture of the city, or who shall take down or deface any notice herein provided or cause the same to be done, shall be guilty of a misdemeanor, and, on conviction, shall be punished as herein provided.

Breaking Pipes, Etc.:

Sec. 15. Any person who shall wilfully and maliciously break or cut any inlet pipe, main distributing pipe, log, or aqueduct used by the board for conducting water, or who shall dig up or break up any reservoir filled or partially filled with water, or who shall break or injure any pumping engine or any part thereof, or any machinery connected therewith, belonging to the city, or who shall cause any of these acts to be done, shall be guilty of a misdemeanor and shall be punished as herein provided.

Violations, Penalties:

Sec. 16. All violations of the provisions of this charter governing the water system shall, when committed within the city limits be tried in the recorder's court, and when committed beyond the city limits in such courts as shall be prescribed by the laws of the state. Upon conviction in the recorder's court of any of the offenses herein defined, the person so convicted shall be punished by a fine not exceeding five hundred dollars or by imprisonment for a period not exceeding ninety days, or by both such fine and imprisonment in the discretion of the court.

Power to Supply Water to Non-residents:

Sec. 17. The board may extend distributing pipes, aqueducts and mains and erect hydrants without the city, and may regulate, protect and control such portions of the works and the water supply therefrom in the same manner as it may regulate and control the works and

water supply within the city. But before any water shall be supplied to any person or persons residing without the city, the entire cost of laying such distributing pipes, including the cost of superintendence and engineering shall be paid to the city, and all such distributing pipes through which any water shall be supplied by the board shall be the property of the city and form a part of its system of distributing pipes. The board may determine the rates at which water shall be sold to persons residing without the city; but such rates shall not be more than double the amount charged to the inhabitants of the city. The amount of water sold to persons residing without the city limits shall not exceed twenty-five per cent of the amount furnished within the city.

Property Transferred to City:

Sec. 18. All lands, lots, docks, buildings, machinery, pipes, logs, hydrants, and all fixtures whatsoever, purchased, designated or used for the water works of the city at the time of the adoption of this charter are hereby conveyed and vested in the city, which shall have full power to regulate, protect and control the same through the common council and board of water commissioners.

Complaints:

Sec. 19. The board shall promptly investigate and make report to the bureau of complaints concerning all complaints referred by such bureau to the board relative to the performance of its duties.

President and Vice-President of Board ex-Officio Members of Board of Supervisors:

Sec. 20. The president and vice-president of the board shall be ex-officio members of the board of supervisors of Wayne county.

Legislation by Common Council:

Sec. 21. The common council shall enact such ordinances as may be necessary to carry out the provisions of this chapter.

CHAPTER XIII.

Street Railway Commission.

Municipal Ownership and Operation of Street Railway System:

Section 1. The city shall at once proceed to, and as soon as practicable acquire or construct and own, maintain and operate a street railway system beneath, upon and above the surface of the streets of the city and within a distance of ten miles from any portion of its limits that the public convenience may require; and as soon as practicable said system shall be made exclusive. Nothing herein contained shall be construed to prevent the city from making a grant to private parties in relation to said street car system beneath, upon and above said streets.

Commission Created; Appointment; Compensation; Removal:

Sec. 2. There shall be a board to be known as the Board of Street Railway Commissioners, which shall consist of three members, who shall be appointed by the mayor. Said board shall serve without salary and be subject to removal at the will of the mayor.

Oath; Bond; Vacancies; Officers and Assistants:

Sec. 3. Each commissioner shall take and file in the office of the city clerk the oath of office prescribed for city officers and shall execute a bond in a sum to be determined by the mayor, conditioned as is pre-

scribed for city officers. Any vacancy on said board shall be filled by the mayor. The board shall name a president and secretary. Said board shall have full power and authority to appoint a general manager, and to employ inspectors, accountants, attorneys and other officers, agents and servants for the purpose of enabling it to properly perform all of the duties incumbent upon it, and shall pay them out of the earnings of the said railway system.

Assistance of Other Departments:

Sec. 4. The board shall have power to call upon the city engineer, city clerk, commissioner of public works or other city officers for any service that may be required in connection with the work of said board.

Deeds; Contracts; Leases; Purchases:

Sec. 5. All deeds, contracts, leases or purchases shall be made in the name of the city of Detroit by the president of said board and the secretary thereof.

Duties of Board:

Sec. 6. It shall be the duty of said board to proceed promptly to purchase, acquire or construct and to own and operate a system of street railways in and for the city, and as soon as practicable to make said system exclusive. Said board shall, whenever it deems it necessary, build extensions and new lines. Such extensions and new lines shall be first approved by the common council.

Acquisition of System:

Sec. 7. Said board may purchase or lease, or by appropriate proceedings prescribed by law and in the name of the city condemn all or any part of the existing street railway property in the city, and in like manner said board shall have power to acquire a street railway property without the limits of the city as prescribed by law, if the board shall determine; or it may make the necessary purchases of lands, machinery, engines, ties, rails, poles, wires, conduits, cars, tools and all other articles, apparatus, appliances, instruments and things necessary to construct, own, maintain and operate, and said board shall construct, own, maintain and operate in said city for said city and within a distance of ten miles from any portion of its limits as aforesaid, a system of street railways beneath, upon and above such streets and other places in the city and outside thereof as aforesaid as the common council shall from time to time elect.

Approval by Electors:

Sec. 8. Any contract to purchase or lease herein contemplated, or any plan to condemn existing street railway property shall be void unless approved by three-fifths of the electors voting thereon at any regular or special election, and upon such proposition women tax payers having the qualifications of male electors shall be entitled to vote.

General Bonds:

Sec. 9. The common council shall on the request of the board issue, in such amounts as will not exceed the legal bonding limit of the city, bonds of the city to be known as public utility bonds up to the amount of two per cent of the assessed value of the real and personal property of the city. Said bonds shall be payable by the city at such time or times and at such rate of interest as the board and common council may determine. The common council shall sell all or any part of said bonds at any time and from time to time upon the request of

the board and pay the proceeds to the city treasury, and said proceeds shall be used for the purpose of securing in some one of the ways herein provided a public street railway system in the city and within the ten miles outside aforesaid.

(SEE AMENDMENT NO. 6 IN APPENDIX.)

Street Railway Bonds:

Sec. 10. The common council shall likewise on request of the board issue further or additional bonds of the city, to be known as street railway bonds in such denomination and payable at such time or times and bearing such rate of interest as the council and said board may determine. These bonds may be issued regardless of the city's bonding limit. Said bonds shall impose no liability on the city and shall be secured only upon the property and revenues of the street railway system, including a franchise stating the terms upon which in case of foreclosure and purchase, the purchaser may operate the same, which franchise shall in no case extend for a longer period than twenty years from the date of purchase of the street railway system and the franchise on foreclosure.

Franchise to Secure Bonds:

Sec. 11. The board shall prepare a franchise and submit the same to the common council and the council shall submit it to the electors of said city, and if approved by three-fifths of the electors voting thereon said franchise shall be valid. If not approved by the electors, the board shall continue to prepare and present franchises as aforesaid until a franchise is approved by three-fifths of the electors voting thereon at any general or special election.

Issue and Sale of Street Railway Bonds:

Sec. 12. When the franchise has been submitted and approved by the electors as herein provided, then the board may request, and the common council shall issue and sell enough of said street railway bonds to complete the payment of the purchase price or the award in condemnation proceedings or the cost of construction, and whenever any extension to said street railway system is authorized as herein provided, the common council shall issue and sell a further and additional amount of said street railway bonds sufficient to pay the actual cost of the extension and no more. It shall pay and deliver into the city treasury the proceeds of said additional issue of street railway bonds and out of said proceeds the board shall pay the cost and expenses of said extension.

Powers Vested in Commission:

Sec. 13. The board, subject to the approval of the mayor, shall have the supervision, management and control of the entire public street railway system of Detroit, both in its construction and maintenance and operation as fully and completely as if said board represented private owners. The board shall report its doings to the common council annually and at such other times as the council may direct.

Rate of Fare:

Sec. 14. The rate of fare on said street railway system shall be sufficient to pay, and the said board shall cause to be paid:

(a) Operating and maintenance expenses, including paving and watering between tracks;

(b) Taxes on the physical property of the entire street car system, the same as though privately owned;

(c) Fixed charges;

(d) A sufficient per cent per annum to provide a sinking fund to pay the principal of the mortgage bonds issued at their maturity and such other additional per cent per annum to provide, in the sound discretion of the board, a sinking fund to pay the principal of the general bonds issued as soon as practicable, to the end that the entire cost of said street railway system shall be paid eventually out of the earnings thereof.

Apparatus; Appliances; Sale of Light, Heat and Power:

Sec. 15. Said board shall have power to secure, erect or install the necessary apparatus, appliances and connections and to supply or sell from its surplus, if any, electric light, heat and power to any and all applicants therefor at a reasonable price, but not below cost: Provided, That whenever the public lighting commission is prepared to furnish all or any part of the power required by the board for its purposes, such board shall procure said power from such commission.

Plant: By-Products:

Sec. 16. The board shall as soon as practicable, have in use and shall thereafter maintain a plant or plants with suitable modern economies and may sell, consume or distribute all its by-products.

Claims:

Sec. 17. All claims that may arise in connection with said railway system shall be presented as are ordinary claims against the city. Provided, That written notice of all claims based upon injury to persons or property must be served upon the city clerk, within sixty days from the happening of the injury, but the disposition thereof shall rest in the discretion of the board and the cost of investigation, attorney's fees, all claims that may be allowed and final judgments obtained from said claims shall be paid from the operating revenues of said railway.

Penalty for Injury to Property:

Sec. 18. Any person who shall cut, break, injure or destroy any of the property owned by the city and in control of said board, with intent to prevent or interrupt the business of the board, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars or by imprisonment not exceeding sixty days or both fine and imprisonment in the discretion of the court. Proof that the act was wilful shall be prima facie evidence of such intent.

Arbitration of Disputes with Employees:

Sec. 19. In case of dispute over wages or condition of employment, said board is hereby authorized and directed to arbitrate any question or questions, provided each party shall agree in advance to pay half the expense of such arbitration.

Annual Estimate:

Sec. 20. On or before the fifteenth day of January of each year, the board shall transmit to the city controller its estimate in duplicate of the amount of money required for its purposes for the ensuing fiscal

year. The common council may adopt ordinances not in conflict herewith to carry out the purposes and provisions of this chapter.

Disbursements:

Sec. 21. All money received from any source in relation to said street railway shall be paid into the city treasury and disbursed and paid out only upon vouchers signed by the president and secretary of the board and duly approved and countersigned by the controller.

President of Commission ex-Officio Member of Board of Supervisors:

Sec. 22. The president of the commission shall be a member ex-officio of the board of supervisors of the county of Wayne.

CHAPTER XIV.

Board of Health.

Board Established:

Section 1. There shall be a Board of Health, consisting of four members, which shall have charge of the Department of Health.

Appointment; Qualifications:

Sec. 2. The members of the board shall be appointed by the mayor. No person shall be eligible to appointment who is not a citizen of the United States and a resident of the city. Two of such members, and no more, shall be graduates in medicine of at least five years' practice in the city of Detroit.

Term of Office; Compensation:

Sec. 3. The term of office of the members of the board shall, subject to the provisions hereof relative to removal from office, be four years. On or before the twenty-eighth day of February, 1919, one member of the board shall be appointed for the term of four years, and annually thereafter one member shall be appointed for a like term. Members of the board shall serve without compensation.

Removals From Office; Vacancies:

Sec. 4. Members of the board shall be subject to removal from office by the mayor without cause assigned. Any vacancy in office shall be filled by the mayor for the remainder of the unexpired term.

Officers and Employees:

Sec. 5. The member of the board whose term of office shall first expire shall be president thereof, and the member whose term shall next expire shall be vice-president. The board shall appoint a secretary and a commissioner of health, shall fix the salary of such commissioner at an amount not less than five thousand dollars per annum, and shall, subject to the approval of the common council, determine the compensation of the secretary and other officers, physicians, attendants and employes of the board.

Meetings, Records, Quorum:

Sec. 6. The board shall hold meetings regularly, at least once in each week, and shall designate the time and place thereof. It shall adopt its own rules and procedure and shall keep a record of its proceedings. Proper accounts shall be kept of the receipt and expenditures of money. All meetings, records and accounts of the board shall be public. Three members shall constitute a quorum for the transaction of business.

General Powers and Duties:

Sec. 7. The general powers and duties of the board, which shall be exercised and performed as herein provided, and in accordance with the laws of the state and the general ordinances of the city, shall be as follows:

(a) It shall so far as possible prevent and suppress the spread of infectious and contagious diseases within the city, and shall cause to be enforced all laws and ordinances within its jurisdiction relative to the public health;

(b) Shall provide for the care and treatment of all persons in the city having any malignant, infectious or contagious disease, or who have been exposed to such disease; and may, when the public safety requires, remove such persons to such hospital, quarantine building, or other place as it may determine, and there detain and treat them;

(c) Shall have supervision of all the property and records and all offices, hospitals and assets of every name and nature in the possession or control of the board of health of the city of Detroit, at the time of the adoption of this charter and shall, subject to the approval of the common council, have power to provide such other hospitals and buildings within the county of Wayne, as may be necessary for the protection and preservation of the health of the inhabitants of the city;

(d) May enter upon or within any place or premises, where conditions dangerous to the public health shall be known or believed to exist, and may, by appointed members or other persons, inspect and examine the same for the protection of life and health and for no other purpose;

(e) May designate the person who shall grant permits for the burial or removal of the dead from the city, and provide that no burial or such removal shall be made until a certificate of the death and its causes, if known, shall have been filed with said board, and until a permit for burial or such removal shall have been granted; may also grant to licensed undertakers permits for the removal of the remains of deceased persons interred within the city;

(f) Shall prescribe the powers and duties of the officers, physicians, attendants and employes under its supervision; and establish all reasonable rules and regulations to protect the rights and property vested in the city and under the control of the board;

(g) Shall provide, through the purchasing department of the city, all materials, supplies and apparatus necessary for its use;

(h) May, with the approval of the common council, in the name of the city, take and hold, by purchase, gift, devise, bequest or otherwise, such real and personal property as may be needful for carrying out the intents and purposes for which it is established;

(i) Shall recommend to the common council the institution of condemnation proceedings whenever in its judgment, private property should be taken in the name of the city for the purposes of the board;

(j) May, with the approval of the common council, sell and convey or lease lands whenever required by the interests of the city;

(k) May make, with the approval of the common council, all contracts to carry out the objects and purposes of the board as herein provided; and

(l) Shall have such other powers as are herein prescribed or may be necessary hereunder for the proper discharge of its duties.

Commissioner of Health:

Sec. 8. The commissioner of health shall be a graduate in medicine and shall have practiced his profession for at least five years, or have a degree in public health from a college preparing men for such position. He shall hold office during the pleasure of the board, and shall appoint and prescribe the duties of such physicians, attendants and employes as the board shall deem necessary. The commissioner shall devote his entire time to the duties of his office. He shall have power to call upon the commissioner of police to enforce the orders of the board, and it shall be the duty of the commissioner of police to render such assistance as may be required.

Birth and Death Certificates:

Sec. 9. On the death of any person in the city, the attending physician during the last illness, and every coroner holding an inquest, shall within twenty-four hours file with the board a certificate stating, to the best of his knowledge, information and belief, the date and cause of death, the name, age, sex, nativity, occupation or profession of the deceased. The physician or other person attending at the birth of any child shall file with the board a statement or certificate of the birth of the child, which shall indicate the sex, place of birth, the names and color of its parents and such other particulars, as may be required by law or any ordinance. The board shall keep a record of all matters thus certified to it.

Reports From Hospitals, Schools, Etc.:

Sec. 10. The board shall have power to demand reports and information from all public dispensaries, hospitals, asylums, infirmaries, prisons, schools or other public institutions relating to the safety of life and promotion of health, which in its opinion may be required for the better discharge of its duties, and it shall be the duty of all officers, managers, superintendents or other persons connected with any such institution, when so called on promptly to give such information and make such reports as the board may require.

Monthly Financial Report:

Sec. 11. The board shall, on the last day of each month, file with the controller and city treasurer a report giving the date of collections and the amounts of all money collected or received by the board from any source, and shall daily pay into the city treasury all moneys so collected or received.

Application of Funds; Annual Estimate:

Sec. 12. All moneys paid into the city treasury by the board shall apply exclusively on the payment of expenses incurred by it. On or before the fifteenth day of January of each year, the board shall transmit to the city controller its estimate in duplicate of the amount of money required for its purposes for the ensuing fiscal year.

Emergency Appropriation:

Sec. 13. In the presence of a great and imminent peril to the public health by reason of impending pestilence, the board may report to the common council that, in its judgment, the security of the public health requires the expenditure of moneys in the current fiscal year in excess of the annual appropriation for the purposes of the board. The council may thereupon cause to be placed to the credit of the board

such sum of money as may, in the judgment of the council, be required, which sum may be taken from the contingent fund or provided in such other manner as the council may determine.

Annual Report:

Sec. 14. The board shall, on or before the fifteenth day of January in each year, make a written report to the common council relative to the work of the board during the preceding year and the condition of the property in its charge. The report shall be certified by the board, entered of record by the city clerk, and published in such manner as the council may direct. The board shall also make such other reports as the council may, from time to time, require.

Complaints:

Sec. 15. The board shall promptly investigate and make report to the bureau of complaints concerning all complaints referred by such bureau to the board relative to the performance of its duties.

President and Vice-President Members of Board of Supervisors:

Sec. 16. The president and vice-president of the board shall be ex-officio members of the board of supervisors of the county of Wayne.

Legislation by Common Council:

Sec. 17. The common council shall enact such ordinances as may be necessary to carry out the provisions of this chapter.

CHAPTER XV.

Board of Fire Commissioners.

Board Established:

Section 1. There shall be a Board of Fire Commissioners, consisting of four members, which shall have charge of the Fire Department.

Appointment; Qualifications:

Sec. 2. The members of the board shall be appointed by the mayor. No persons shall be eligible to appointment who is not a citizen of the United States and a resident of the city.

Term of Office; Compensation:

Sec. 3. The term of office of the members of the board shall, subject to the provisions hereof relative to removal from office, be four years. The members of the first board existing hereunder shall be appointed for the term of one year, two years, three years and four years, and annually thereafter one member shall be appointed for the term of four years. The term of office in each instance shall begin on the first day of March in each year. Members of the board shall serve without compensation.

Removals From Office; Vacancies:

Sec. 4. Members of the board shall be subject to removal from office by the mayor without cause assigned. Any vacancy in office shall be filled by the mayor for the remainder of the unexpired term.

Officers and Employees:

Sec. 5. The member of the board whose term of office shall first expire shall be president thereof, and the member whose term shall next expire shall be vice-president. The board shall appoint a secretary, and in accordance with the provisions of this charter relative to civil service, a chief of the fire department, a fire marshal, and such other assistants and employes as may be necessary. The board shall prescribe the duties of such secretary, chief of the department, fire marshal and other assist-

ants and employes, and, with the approval of the common council, fix their compensation.

Meetings, Records, Quorum:

Sec. 6. The board shall hold meetings regularly, at least once in each week, and shall designate the time and place thereof. It shall adopt its own rules of procedure and shall keep a record of its proceedings. Proper accounts of the receipt and expenditure of money shall be kept. All meetings, records and accounts of the board shall be public. Three members shall constitute a quorum for the transaction of business.

General Powers and Duties:

Sec. 7. The powers and duties of the board, which shall be exercised and performed as herein provided, and in accordance with the general ordinances of the city, shall be as follows:

(a) It shall possess and exercise fully all the powers and perform all the duties pertaining to the government, management, maintenance and direction of the department and of the premises and property thereof;

(b) Shall provide, through the purchasing department of the city all needed supplies, horses, tools, implements, engines and apparatus of all kinds for the extinguishment of fires;

(c) Shall select suitable locations for engine houses, reservoirs and fire hydrants;

(d) Shall construct, repair and maintain engine houses, reservoirs and fire hydrants;

(e) Shall establish a bureau of signal service;

(f) May send, in its discretion, any steam fire or other engines, with hose and apparatus, to the relief of any community in the vicinity;

(g) Shall cause to be enforced all ordinances and provisions of law relative to the prevention and extinguishment of fires, and may at any time call upon the commissioner of police for aid, in the enforcement thereof, which aid, when requested, shall be promptly rendered;

(h) May, with the approval of the common council, in the name of the city, take and hold, by purchase, gift, devise, bequest or otherwise, such real and personal property as may be needful for carrying out the intents and purposes for which it is established;

(i) Shall recommend to the common council the institution of condemnation proceedings whenever, in its judgment, private property should be taken in the name of the city for the purpose of the department;

(j) May, with the approval of the common council, sell and convey or lease lands whenever required by the interests of the city;

(k) May establish all reasonable rules and regulations to protect the rights and property vested in the city and under the control of the board;

(l) May make, with the approval of the common council, all contracts to carry out the objects and purposes of the board as herein provided; and

(m) Shall have such other powers as are herein prescribed or may be necessary hereunder for the proper discharge of its duties.

Right of Way:

Sec. 8. The department, with apparatus of all kinds, shall have the right of way in any highway, street or avenue, over any and all vehicles

of any kind. Any person in or upon or owning any vehicle, who shall refuse the right of way or in any way obstruct any fire apparatus or any employe of the department while in the performance of duty, shall be guilty of a misdemeanor, and, on conviction, shall be punished accordingly.

Powers and Duties of Fire Marshal:

Sec. 9. The fire marshal shall hold his office at the pleasure of the board, and be vested with police powers; shall, where practicable, be present at all fires in the city; make recommendation, when necessary, of precautionary measures for the prevention of fires; enforce, under the direction of the board, all ordinances relative to the transportation and storing within the city limits of all explosive oils, naphtha, benzine, or their products, under whatever name, fireworks, fire-crackers, powder, nitro-glycerine, dynamite, or any other dangerous substances, and all ordinances regulating the cleaning of chimneys; make a detailed report, on or before the fifteenth day of November in each year, to the board of all business transacted in his office during the year, which report shall be embodied in the annual report of the board; and perform such other duties as the board may require.

Inquiry Into Origin of Fires:

Sec. 10. The fire marshal shall examine into the cause, circumstances and origin of all fires occurring in the city by which any building, vessel or valuable personal property shall have been accidentally or unlawfully burned, destroyed or damaged. He shall especially inquire and examine whether such fire shall have been the result of carelessness or the act of an incendiary. He shall take the testimony, under oath, of all persons thought to be cognizant of any facts connected with such fire. He shall have the testimony reduced to writing and transmit it to the board, together with a report embodying his opinions and conclusions thereon. He shall also report to the commissioner of police, to the prosecuting attorney of the county of Wayne, to the Detroit board of underwriters, and to the owners of the property or other persons interested in the subject matter of such investigation any facts or circumstances ascertained by him which shall, in his opinion, require attention from or by any of them.

Right of Entry for Inspection:

Sec. 11. The fire marshal shall, from time to time, under the direction of the board, inspect all buildings, warehouses, shops, yards and places in the city for the purpose of enforcing the ordinances for the prevention of fires. In the performance of such duties he may enter into and upon any private property, and any person who shall refuse or obstruct such right of entry or shall refuse to comply with any lawful order of said fire marshal shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished accordingly.

Promotions:

Sec. 12. Promotions in the fire department shall be based on length of service therein. The officer or employe thereof having served the longest period in any position shall be advanced to fill any vacancy in the next higher position, if he shall have the qualifications therefor.

Leave of Absence:

Sec. 13. The leave of absence of all employes of the department shall be, for each employe, one day of twenty-four hours off duty in

every four days and a furlough of twenty days in each year, of which at least ten days shall be consecutive.

(SEE AMENDMENTS NOS. 1 AND 2 IN APPENDIX.)

Retirement:

Sec. 14. Any person, a confirmed member of the fire department of the city for a period of twenty-five years (computed as to the past and future) may be placed, by order of the board, and the board shall, on application of the member, place the applicant on the list of retired firemen. Any confirmed fireman or any employe totally disabled while in the discharge of his duties shall be placed on the retired list. Those retired shall be paid as follows: chief of the department and assistants \$75.00 per month, captains \$60.00 per month, lieutenants and engineers of apparatus \$55.00 per month, and all others \$50.00 per month. Whenever anyone is retired as herein provided the board shall forthwith report its action to the controller, giving the name of the person retired, and the controller shall register the name of such person on the retired list. Provided, That the provisions of this section shall not be construed to apply adversely to any members of the department who shall, at the time of the adoption of this charter, be in the employ of the department.

List of Retired Firemen:

Sec. 15. The secretary of the board shall keep a book to be known as the retired list. This book shall contain a full and complete history and record of the action of the board in retiring any and all members or employes hereunder, including the names of each and every member or employe retired, the date of confirmation or employment, the retirement and the reason therefor.

Pensions:

Sec. 16. In case any person, a confirmed member of the fire department or an employe shall be killed while in the discharge of his duties or shall receive injuries which result in his death, the widow first, or, if there be no widow, then the mother of such person, if dependent upon him for support, shall, by vote of the fire department pension committee, be paid a pension. The widow or dependent mother, as the case may be, shall receive the sum of six hundred dollars annually in equal monthly payments of fifty dollars each during the term of her natural life or until she remarries, in which case all payment of moneys under this charter to such widow or dependent mother shall cease. If there be a widow and a child or children, there shall be paid, in addition to said fifty dollars per month, the sum of ten dollars per month for each such child under the age of sixteen years, which amount shall continue to be paid on account of each such child until it shall reach the age of sixteen years, unless such widow shall die or remarry, in which case, or in case such deceased person shall leave no widow, but shall leave one or more children, there shall be paid to the person responsible for the care of each such child as shall be under the age of sixteen years the sum of twenty dollars per month. Nothing herein contained shall be construed to affect any pensions heretofore authorized: Provided, however, that nothing shall be due hereunder except in consideration of a waiver of, and in lieu of any provisions of the "Workmen's Compensation Act," so-called; and Provided further, that to or on account of any beneficiary hereunder who resides in any foreign country, payments of but one-half the sums herein mentioned shall be made.

Application for Pension:

Sec. 17. When the widow, children or dependent mother of any deceased employe of the department shall be entitled to a pension as herein provided, such widow, children or dependent mother shall make application therefor to the pension committee through the board on the form to be provided by the department. The application shall be accompanied by such proofs as the committee may require. All applications and proofs shall be retained in the custody of the department.

Fire Department Pension Committee:

Sec. 18. The fire department pension committee shall be composed of five members as follows: The mayor, president of the board of fire commissioners, president of the common council, city clerk and controller. The mayor shall be chairman of the committee. The committee shall consider any petition presented to the committee, determine whether the applicant is entitled to a pension hereunder, and report its determination to the council at its next regular meeting. If the committee shall find the applicant entitled to a pension, the council shall order the name of the applicant placed upon the pension roll to be provided by the city clerk, and thereafter the applicant shall be entitled to draw such pension as herein provided. The board of fire commissioners shall inspect from time to time the record of pensions granted and examine any pensioners whose names appear thereon to ascertain whether such pensioners are still entitled to pensions under the provisions hereof. If it shall at any time appear that any such pensioner is no longer entitled to such pension the board shall so certify to the committee and the name of such pensioner shall be stricken from the pension roll and no further payments made.

Payment of Pension:

Sec. 19. The pension herein provided for shall be paid on a voucher drawn by the city clerk, and upon which voucher the controller shall issue a warrant countersigned by the city controller upon the city treasurer, and shall be paid out of the fire department pension and retirement fund. The city clerk shall designate at least one day in each month for the payment of such pensions, notification of which day shall be sent to each person entitled thereto, and such day when fixed shall not be changed during the official term of said clerk. The city clerk may require proper proofs of identity before issuing any voucher hereunder. In all cases pensions shall be paid from the date of the death of an officer or employe.

Monthly Financial Report:

Sec. 20. The board shall, on the last day of each month, file with the controller and city treasurer a report giving the date of collection or receipt and the amounts of all money collected or received by the department, and shall daily pay into the city treasury all moneys so collected or received.

Application of Funds; Annual Estimate:

Sec. 21. All moneys paid into the city treasury by the board shall apply exclusively on the payment of all expenses incurred by it. On or before the fifteenth day of January of each year, the board shall transmit to the city controller its estimates in duplicate of the amount of money required for its purposes for the ensuing fiscal year.

Annual Report:

Sec. 22. The board shall, on or before the fifteenth day of January in each year, make a written report to the common council of the condition of the department, together with a list of fires, alarms, losses and insurances on all property destroyed during the year. The report shall be certified by the board, entered of record by the city clerk, and published in such manner as the council may direct. The board shall also make such other reports as the council may, from time to time, require. The board shall from time to time make recommendations to the council for fixing, extending and changing fire limits within the city as may be deemed necessary.

Complaints:

Sec. 23. The board shall promptly investigate and make report to the bureau of complaints concerning all complaints referred by such bureau to the board relative to the performance of its duties.

President and Vice-President Members of Board of Supervisors:

Sec. 24. The president and vice-president of the board shall be ex-officio members of the board of supervisors of the county of Wayne.

Legislation by Common Council:

Sec. 25. The common council shall enact such ordinances as may be necessary to carry out the provisions of this chapter.

Sec. 26. (SEE AMENDMENT NO. 2 IN APPENDIX.)

CHAPTER XVI.

Commissioner of Buildings and Safety Engineering.

Department Created:

Section 1. There shall be a Commissioner of Buildings and Safety Engineering, who shall have charge of the Department of Buildings and Safety Engineering.

Appointment; Qualifications; Compensation:

Sec. 2. The commissioner shall be appointed by the mayor not later than March 1st, 1919, and shall be removable at his pleasure. No person shall be eligible for appointment who is not a citizen of the United States and a resident of the city. He shall be an architect, structural or mechanical engineer, general building contractor or general superintendent of building construction, with at least twelve years' practical experience, including five years in responsible charge of important work. His compensation shall not be less than five thousand dollars per year. Any vacancy in office shall be filled by the mayor.

Officers and Employees:

Sec. 3. The commissioner shall appoint, in accordance with the provisions of this charter relative to civil service, a chief inspector of building construction, a chief inspector of safety engineering, and a chief of the bureau of licenses and permits, and shall prescribe their duties. Each of such officers shall, with the approval of the commissioner, appoint, subject to the civil service provisions hereof, such assistants as may be deemed necessary and prescribe their duties. The commissioner, subject to the approval of the common council, shall fix the compensation of all officers and assistants in the department.

Accounts and Records:

Sec. 4. The commissioner shall cause to be kept proper accounts and a record of the proceedings of the department, and all such accounts, records and proceedings shall be public.

General Powers and Duties:

Sec. 5. The powers and duties of the commissioner, which shall be exercised and performed as herein provided, and in accordance with the building code and general ordinances of the city, shall be as follows:

(a) He shall have general supervision and control of the construction and alteration of all buildings;

(b) Supervision and control of the construction and installation of all elevators, steam and hot water boilers, boiler furnaces, smoke stacks, pressure tanks, jacketed kettles and any other form of gas, gasoline, air, steam, electric or hydraulically operated apparatus dangerous to life and property;

(c) The inspection and regulation of all plumbing and drainage, except main and lateral sewers;

(d) The supervision and control of smoke inspection;

(e) The supervision and examination of all applicants for licenses pertaining to work controlled by the department;

(f) The testing of all gas and oils, for which he shall maintain a laboratory;

(g) Shall provide, through the purchasing department of the city, all necessary materials and supplies for the use of the department; and

(h) Such other powers and duties as are herein prescribed or may be necessary to carry out the provisions hereof:

Provided, That nothing herein contained shall be deemed to conflict with the powers or rules of the board of health in relation to housing and plumbing.

Departmental Subdivisions:

Sec. 6. The commissioner shall divide the administration of the business of the department into the three bureaus of buildings, safety engineering, and licenses and permits. The departments of building and safety engineering existing at the time of the adoption of this charter shall become the bureaus of buildings and safety engineering hereunder. The heads thereof shall be the first heads of such bureaus, respectively. The inspectors and other employes thereof shall be the inspectors and employes of such bureaus. He shall assign to the bureau of buildings the inspection of all new building and all repairs and alterations to existing buildings; to the bureau of safety engineering the inspection from time to time of boilers, furnaces, smoke stacks, pressure tanks, jacketed kettles and all apparatus operated by steam, gas, air or water pressure and by electricity which may become by deterioration, or otherwise, dangerous to life or property; smoke inspection, and the testing of gas and oils; and to the bureau of licenses and permits the issuing of all licenses and permits.

Building Inspection:

Sec. 7. The commissioner shall cause to be inspected from time to time all buildings of public assembly, school buildings, halls, armories, theaters, buildings used for manufacturing and commercial purposes, hotels, hospitals, apartment houses, tenement houses, and all other buildings occupied or used by large numbers of persons; and fences, billboards, signs and other structures, for the purpose of ascertaining the safety thereof. If any structure shall be found dangerous or unsafe, the commissioner shall forthwith notify the owner thereof to render such structure safe. If the owner shall fail unreasonably to comply with the

order, and, after a hearing, the commissioner shall find the structure to be dangerous and unsafe, he may cause the structure or a part thereof found dangerous or unsafe to be demolished and preliminary thereto, shall direct the occupants to vacate the premises. The owner of the structure found to be unsafe shall be liable for all expenses incurred by the department in demolishing the structure, and if he shall fail to pay the same within thirty days after notice, the commissioner shall transmit a report thereof to the assessors, and the assessors shall forthwith assess the expense against the property.

Issuance of Licenses and Permits:

Sec. 8. Before any person shall begin the work of installing or making alterations or repairs to boilers, high pressure piping or other apparatus dangerous to life or property, or shall operate any apparatus in connection therewith; or when any person shall desire to have constructed, enlarged, altered, repaired or removed any building or other structure; or when any person shall desire to engage in the business of plumbing as a master or journeyman plumber; or when any plumber shall desire to install or alter any plumbing or drainage; or when any person shall desire to install or alter any electric wiring; such persons shall apply to the bureau of licenses and permits for a license or permit, as the case may be, which shall be issued to him, if in the opinion of the commissioner, all the requirements of the various codes and ordinances have been complied with or such person shall be properly qualified. No person shall do any work for which he desires a license or permit until a license or permit shall have been issued to him. The commissioner may, after reasonable notice and hearing, revoke any license or permit issued by him hereunder, for any violation of any rule or regulation of the department, or any code or ordinance under which the department operates.

Inspection:

Sec. 9. The commissioner shall, from time to time, cause to be inspected all work for which a permit shall have been issued, and if the same shall not have been performed according to the specifications called for by the permit, he shall have a right to stop the work and demand that the same shall be performed in accordance with such specifications, and that the particular construction thus violating the said specifications shall be made right, torn down, removed or destroyed.

Board of Rules:

Sec. 10. A board of rules is hereby constituted consisting of the commissioner of this department, the superintendent of the public lighting commission, the sanitary engineer of the board of health, the fire marshal, and a mechanical engineer, a structural engineer and a fire prevention engineer, to be appointed by the mayor and to serve at his will and pleasure. Each of the three members of the board last named shall receive such compensation as may be prescribed by ordinance. The board of rules shall provide rules and regulations for the issuance of all licenses and permits pertaining to the work of the department as may be required by all codes and ordinances of the city. The board shall, by general rules, prescribe the fees for examinations, permits, licenses, inspection of boilers, buildings, elevators, and all other work of the department. No code or ordinance under which the depart-

ment operates, or any clause thereof, shall be changed, amended, altered or repealed within a period of one year from the date of its enactment, and thereafter within periods of two years each, unless upon the recommendation or requirement of some competent national or state authority, or in accordance with the initiatory or referendary provisions of this charter.

Appeals:

Sec. 11. In case of dissatisfaction with the decisions of the commissioner, except in respect to insecure and unsafe buildings and equipment requiring immediate action, the question in dispute may be referred to the board of rules, and such board shall proceed to hear and determine the appeal. The person taking the appeal shall pay a fee of not to exceed twenty-five dollars. If the appeal shall be decided against such person, the fee shall be retained by the board and paid into the department, but if in favor of such person, it shall be returned to him, and the cost and expenses of the appeal shall be paid by the city.

Penalties:

Sec. 12. Any person who shall violate any provision hereof or who shall injure or destroy any property or notice of this department, or who shall interfere with any of the work of this department, shall be guilty of a misdemeanor, and on conviction, shall be punished in the recorder's court by a fine not to exceed five hundred dollars and costs, or by imprisonment in the house of correction for not more than ninety days, or by both fine and imprisonment in the discretion of the court.

Monthly Financial Report:

Sec. 13. The commissioner shall, on the last day of each month, file with the controller and city treasurer a report giving the date of collection or receipt and the amounts of all money collected or received by the department, and shall daily pay into the city treasury all moneys so collected. All disbursements shall be made through the treasury.

Application of Funds; Annual Estimates:

Sec. 14. All moneys paid into the city treasury by the department shall apply exclusively on the payment of expenses incurred by it. On or before the fifteenth day of January of each year the commissioner shall transmit to the city controller his estimate in duplicate of the amount of money required for the purposes of the department for the ensuing fiscal year.

Annual Report:

Sec. 15. The commissioner shall, on or before the fifteenth day of January in each year, make a written report to the common council relative to the work of the department and the condition of the property in his charge. The report shall be certified by the commissioner, entered of record by the city clerk, and published in such manner as the council may direct. The commissioner shall also make such other reports as the council may, from time to time, require.

Complaints:

Sec. 16. The commissioner shall promptly investigate and make report to the bureau of complaints concerning all complaints referred by such bureau to the commissioner relative to the administration of the department.

Members of Board of Supervisors:

Sec. 17. The commissioner shall be ex-officio a member of the board of supervisors of the county of Wayne.

Legislation by Common Council:

Sec. 18. The common council shall enact such ordinances as may be necessary to carry out the provisions of this chapter.

CHAPTER XVII.**Public Welfare Commission.****Department Established:**

Section 1. There shall be a Public Welfare Commission which shall consist of four members and shall have charge of the Public Welfare Department.

Appointment; Qualifications:

Sec. 2. The members of the commission shall be appointed by the mayor. No person shall be eligible who is not a citizen of the United States and a resident of the city.

Term of Office; Compensation:

Sec. 3. The term of office of the members of the commission shall, subject to the provisions hereof relative to removal, be four years. The members of the first commission existing hereunder shall be appointed for the term of one year, two years, three years and four years respectively, and annually thereafter one member shall be appointed for the term of four years. The term of office in each instance shall begin on the first day of March in each year. Members of the commission shall serve without compensation.

Removals From Office; Vacancies:

Sec. 4. Members of the commission shall be subject to removal from office by the mayor without cause assigned. Any vacancies in office shall be filled by the mayor for the remainder of the unexpired term.

Officers and Employees:

Sec. 5. The member of the commission whose term of office shall first expire shall be president thereof and the member whose term shall next expire shall be vice-president. The commission shall appoint a secretary and, subject to the provisions of the charter relative to civil service, a general superintendent and such other assistants and employes as may be necessary for the efficient working of the department. The commission shall prescribe the duties of such secretary, superintendent and other assistants, and shall, subject to the approval of the common council, fix their compensation.

City Physicians; Powers and Duties:

Sec. 6. The commission shall also appoint a sufficient number of physicians to properly attend sick persons under its care and to perform such other duties as the commission may prescribe. Such physicians shall be citizens of Detroit, regularly licensed practitioners of three years' active practice. The compensation of each such physician shall be fixed by the commission, subject to the approval of the common council, in an amount not less than two thousand dollars.

Meetings, Records and Quorum:

Sec. 7. The commission shall hold meetings regularly, at least once in each week, and shall designate the time and place thereof, shall adopt

its own rules of procedure, and shall keep a record of its proceedings. Proper accounts shall be kept of the receipt and expenditure of money. All meetings, records and accounts of the commission shall be public. Three members shall constitute a quorum for the transaction of business.

General Powers and Duties:

Sec. 8. The powers and duties of the commission which shall be exercised as herein provided and in accordance with the general laws of the state and the ordinances of the city, shall be as follows:

(a) The commission shall have charge and control of all cases of persons applying for public aid in the city and the disbursement of funds for their relief;

(b) Shall provide medical aid and treatment for sick persons who shall have become charges of the city or who temporarily are unable to obtain medical relief or treatment;

(c) Shall receive from the board of commissioners of the house of correction such amounts as may be determined by the common council for the relief of dependent members of families of prisoners in the house of correction and make distribution of such amounts;

(d) Shall distribute funds apportioned and paid to the city by the county of Wayne for relief work;

(e) Shall make, through the purchasing department of the city, purchases of materials and supplies in all cases where such purchases can, consistently with the objects and purposes of the commission, be made in quantity or bulk, any question as to whether such purchases should be so made to be determined by the common council;

(f) May aid and treat, in its discretion, cases of alcoholism, insanity and emergency accident cases occurring in the city;

(g) May establish, construct, operate, and control municipal hospitals, infirmaries, and farm colonies, within or without the city limits, for the care of the sick, except persons afflicted with contagious or dangerous communicable diseases;

(h) Shall be empowered to investigate questions of supply and demand, transportation, and distribution of all food products, and all questions pertaining thereto and to make recommendation to common council. The commission shall have power to conduct educational campaigns to promote more general use of markets by the public and to secure a more economical distribution of food products;

(i) Shall have power to erect and operate such storage warehouses, supply depots, market buildings and places, for rental only, and to enforce such regulations to govern the use of such buildings and places and the sale or storage of merchandise therein as may be approved by the council.

(j) May receive and disburse donations for relief work and act for such purpose in connection with any society or organization for charitable purposes;

(k) May, with the approval of the common council, in the name of the city, take and hold, by purchase, gift, devise, bequest or otherwise, such real and personal property as may be needful for carrying out the intents and purposes for which it is established;

(l) Shall recommend to the common council the institution of condemnation proceedings whenever, in its judgment, private property

should be taken in the name of the city for the purposes of the department;

(m) May, with the approval of the common council, sell and convey or lease lands whenever required by the interests of the city;

(n) May establish all reasonable rules and regulations to protect the rights and property vested in the city and under the control of the board;

(o) May make, with the approval of the common council, contracts with any hospital or asylum in and adjoining the city, for the care of sick and such others as may come under their care and control and all other contracts to carry out the objects and purposes of the board as herein provided;

(p) Shall enforce all laws and ordinances relative to the work of the department; and

(q) Shall have such other powers as are herein prescribed or may be necessary for the proper discharge of its duties. All authority vested by the laws of the state in the board of poor commissioners or its officers is hereby continued in the public welfare commission.

Public Relief:

Sec. 9. The commission may purchase clothing, provisions, fuel, medicines and supplies for distribution among the persons applying for relief; may issue orders for provisions, supplies, wearing apparel, fuel, water taxes, rent and transportation; and may make cash disbursements under such rules and regulations as the common council may prescribe.

Deceased Persons:

Sec. 10. The commission shall have charge of the remains of all deceased persons who may be public charges within the city and arrange for their proper burial.

Dispensary and Laboratory:

Sec. 11. The commission shall maintain a dispensary properly equipped for the treatment of the sick and in connection therewith they shall establish a laboratory fitted with chemicals and other necessary equipment for the purpose of having examinations and diagnosis of cases made for sick persons of the city who are unable to pay for such service.

Old Couples' Support:

Sec. 12. The commission may provide that monthly payments be made to dependent aged couples of an amount not to exceed the cost of their maintenance in institutions, in order to preserve the family ties and to keep such couples from becoming separated.

Bureau of Social Service:

Sec. 13. The commission shall maintain a bureau of welfare work or social service, which shall be charged with the visitation and control of deserted or neglected families with a view of furthering the moral training of the children of such families; establishing proper sanitary and hygienic environments; the betterment of the condition of indigent and aged persons; the procuring of employment for those who are able to work and in need of help; the providing of proper vocations for young people employed in unsuitable environments; assistance in

the temporary care of foundlings, and the procuring of homes for such by adoption or otherwise; and, generally, to perform such services as are incident to welfare work for the betterment of conditions of needy persons within the city.

Monthly Financial Report:

Sec. 14. The commission shall on the last day of each month file with the controller and city treasurer a report giving the date of collection or receipt of moneys, and shall daily pay into the city treasury all moneys so collected.

Application of Funds; Annual Estimate:

Sec. 15. The moneys paid into the city treasury by the commission shall apply exclusively on the payment of expenses incurred by it. On or before the fifteenth day of January of each year, the commission shall transmit to the mayor its estimate in duplicate of the amount of money required for its purposes for the ensuing fiscal year.

Complaints:

Sec. 16. The commission shall promptly investigate and make report to the bureau of complaints concerning all complaints referred by such bureau to the commission relative to the performance of its duties.

Commissioners, Members of Certain Boards:

Sec. 17. The commissioners shall be members of the board of superintendents of the poor for the county of Wayne, as provided by law, and the president and vice-president of the commission shall be ex-officio members of the board of supervisors of the county of Wayne.

Legislation by Common Council:

Sec. 18. The common council shall enact such ordinances as may be necessary to carry out the provisions of this chapter.

CHAPTER XVIII.

Recreation Commission.

Commission Created:

Section 1. There shall be a Recreation Commission, consisting of four members.

Appointment; Qualifications:

Sec. 2. The members of the commission shall be appointed by the mayor. No person shall be eligible to appointment who is not a citizen of the United States and a resident of the city. At least one of the members of the commission shall be a woman.

Term of Office; Compensation:

Sec. 3. The term of office of the members of the commission shall, subject to the provisions hereof relative to removal, be four years. The members of the first commission existing hereunder shall be appointed for the term of one year, two years, three years and four years, respectively, and annually thereafter one member shall be appointed for the term of four years. The term of office in each instance shall begin on the first day of March in each year. Members of the commission shall serve without compensation.

Removals From Office; Vacancies:

Sec. 4. Members of the commission shall be subject to removal from office by the mayor without cause assigned. Any vacancy in office shall be filled by the mayor for the remainder of the unexpired term.

Officers and Employees:

Sec. 5. The member of the commission whose term of office shall first expire shall be president thereof, and the member whose term shall next expire shall be vice-president. The commission shall appoint, in accordance with the provisions of this charter relative to civil service, a superintendent of recreation, an assistant superintendent and such other assistants and employes as may be necessary. The commission shall prescribe the duties of such superintendent, assistant superintendent, and other assistants, and shall, subject to the approval of the common council, fix the compensation thereof.

Meetings; Records; Quorum:

Sec. 6. The commission shall hold meetings regularly, at least once in each week, and shall designate the time and place thereof. It shall adopt its own rules of procedure and shall keep a record of its proceedings. Proper accounts of the receipt and expenditure of money shall be kept. All meetings, records and accounts of the commission shall be public. Three members shall constitute a quorum for the transaction of business.

General Powers and Duties:

Sec. 7. The powers and duties of the commission, which shall be exercised and performed as herein provided and in conformity with the general ordinances of the city, shall be as follows:

(a) The commission shall have power to conduct playgrounds and indoor recreation facilities on the grounds and in the buildings in charge of the board of education, subject to its consent; to supervise and equip playgrounds and playfields on property under the control of the commissioner of parks and boulevards; and to manage and direct such playgrounds, play-fields, indoor recreation centers, debating clubs, gymnasiums, public baths and other means of recreation as may be provided by the common council;

(b) Shall have power to inspect all forms of commercial recreation such as theaters, moving picture shows, pool and billiard halls, bowling alleys and other commercial recreation places for which license is required by the ordinances of the city, and such license shall be issued only on the written recommendation of the commission that such recreation place is furnishing recreation of a wholesome and moral quality: Provided, That nothing in this section shall be construed to abridge the powers of the police department to enforce order in such commercial recreation places, or to abridge the powers of the building and safety engineering, lighting, health and fire departments to insure the safety and sanitary conditions of the buildings where such commercial recreations are conducted;

(c) Shall have the power, subject to the general regulative control of the common council, to call upon any other department of the city government for assistance in performing its duties, and it shall be the duty of such other department to comply with any proper request of said commission, and any question as to what shall constitute a proper request for assistance shall be decided by the council;

(d) May, with the approval of the common council, in the name of the city, take and hold, by purchase, gift, devise, bequest or other-

wise such real and personal property as may be needful for carrying out the intents and purposes for which it is established;

(e) Shall recommend to the common council the institution of condemnation proceedings whenever, in its judgment, private property should be taken in the name of the city for the purposes of the commission;

(f) May, with the approval of the common council, sell and convey or lease lands whenever required by the interests of the city;

(g) May make, with the approval of the common council, all contracts to carry out the objects and purposes of the commission as herein provided;

(h) May establish all reasonable rules to regulate recreation and the means thereof, in accordance with the provisions hereof, and rules to protect the rights and property vested in the city and under the control of the commission;

(i) Shall be charged with the duty of issuing permits for the use of grounds under its supervision, including playgrounds on Belle Isle;

(j) Shall provide, through the purchasing department of the city, all necessary materials and supplies for the use of the department; and

(k) Shall have such other powers as are herein prescribed or may be necessary hereunder for the proper discharge of its duties.

Care of Buildings, Grounds and Apparatus:

Sec. 8. All buildings and grounds and all apparatus under the control of any other department used by the commission hereunder for the purpose of furnishing recreation shall remain under the care of such other department, and the actual expense of such care, together with the cost of renewals, properly chargeable to the commission shall be paid by the commission on bills rendered monthly by such other department. Any question as to what shall constitute a proper charge hereunder shall be determined by the common council. The care of all other buildings, grounds and apparatus shall devolve on the commission.

Annual Estimate; Taxes; Bonds:

Sec. 9. On or before the fifteenth day of January of each year, the commission shall transmit to the city controller its estimate in duplicate of the amount of money required for its purposes for the ensuing fiscal year. The city shall raise by annual tax the necessary funds to provide for the operation and extension of the recreation system through the use of facilities already owned by the city, and the common council may raise moneys by annual tax, or by the issue of bonds, for the acquirement of additional property, the erection of necessary buildings or the purchase of additional facilities.

Annual Report:

Sec. 10. The commission shall, on or before the fifteenth day of January in each year, make a written report to the common council of the work of the commission during the preceding year and of the condition of the property under its charge. The report shall be certified by the commission, entered of record by the city clerk, and published in such manner as the council may direct. The commission shall also make such other reports as the council may, from time to time, require.

Complaints:

Sec. 11. The commission shall promptly investigate and make report to the bureau of complaints concerning all complaints referred by such bureau to the commission relative to the performance of its duties.

President ex-Officio Member of Board of Supervisors:

Sec. 12. The president of the commission, if an elector and qualified to vote for mayor, shall be ex-officio a member of the board of supervisors of the county of Wayne.

Legislation by Common Council:

Sec. 13. The common council shall enact such ordinances as may be necessary to carry out the provisions of this chapter.

CHAPTER XIX.

Arts Commission.

Department Established:

Section 1. There shall be an Arts Commission, consisting of four members.

Appointment; Qualifications:

Sec. 2. The members of the commission shall be appointed by the mayor. No person shall be eligible to appointment who is not a citizen of the United States and a taxpayer of the city.

Term of Office; Compensation:

Sec. 3. The term of office of members of the commission, shall, subject to the provisions hereof relative to removal, be four years. The members of the first commission existing hereunder shall be appointed for the term of one year, two years, three years and four years, respectively, and annually thereafter, one member shall be appointed for the term of four years. The term of office in each instance shall begin on the first day of March in each year. Members of the commission shall serve without compensation.

Removals From Office; Vacancies:

Sec. 4. Members of the commission shall be subject to removal from office by the mayor without cause assigned. Any vacancy in office shall be filled by the mayor for the remainder of the unexpired term.

Officers and Employes:

Sec. 5. The commission shall select a president and vice-president. It shall appoint a director, and in accordance with the provisions of this charter relative to civil service, such other officers, assistants, and employes as may be necessary, and prescribe the duties thereof. The compensation of the director and other assistants and employes shall be fixed by the commission, subject to the approval of the common council.

Meetings; Records; Quorum:

Sec. 6. The commission shall hold meetings regularly, at least once in each week, and shall designate the time and place thereof. It shall adopt its own rules of procedure and shall keep a record of its proceedings. Proper accounts of the receipt and expenditure of money shall be kept. All meetings, records and accounts of the commission shall be public. Three members shall constitute a quorum for the transaction of business.

General Powers and Duties:

Sec. 7. The powers and duties of the commission, which shall be exercised and performed as herein provided and in conformity with the

general ordinances of the city, shall be as follows:

(a) The commission shall hold, in the name of the city, such real estate as may be necessary for the accomplishment of its objects;

(b) Shall build, operate and maintain suitable buildings to be used for the exhibition of paintings and works of art and auditorium purposes, to be known as the Detroit Institute of Arts, and to which, under proper rules and regulations, the public may have access free of charge, except that on occasions when special exhibitions, public concerts or other entertainments are held in any of said buildings, the commission may in its discretion make a reasonable charge for admittance, and shall have the right to rent to other organizations or individuals any of the buildings for special occasions.

(c) Shall acquire, collect, own and exhibit, in the name of the city, works of art, books and other objects such as are usually incorporated in Museums of Art.

(d) Shall have the management and direction of the several buildings, premises and property of the city under its control, and shall make reasonable rules and regulations concerning the same;

(e) May, with the approval of the common council, in the name of the city, take and hold, by purchase, gift, devise, bequest or otherwise, such real and personal property as may be proper for carrying out the intents and purposes for which it is established;

(f) Shall recommend to the common council the institution of condemnation proceedings whenever, in its judgment, private property should be taken in the name of the city for the purposes of the commission;

(g) May, with the approval of the council, sell and convey or lease any of the buildings or land under its control, whenever required by the interests of the city;

(h) May make, with the approval of the common council, all contracts to carry out the purposes and objects of the department as herein provided; and

(i) Shall have such other powers as are herein prescribed or may be necessary hereunder for the proper discharge of its duties.

Monthly Financial Report:

Sec. 8. The commission shall, on the last day of each month, file with the controller and city treasurer a report giving the date of collection or receipt of all money collected or received by the commission, and shall daily pay into the city treasury all moneys so collected.

Application of Funds; Annual Estimate:

Sec. 9. All moneys paid into the city treasury by the commission shall apply exclusively on the payment of expenses incurred by it. On or before the fifteenth day of January of each year, the commission shall transmit to the city controller its estimate in duplicate of the amount of money required for its purposes for the ensuing fiscal year.

Annual Report:

Sec. 10. The commission shall, on or before the fifteenth day of January in each year, make a written report to the common council of the work of the department during the preceding year and the condition of the property under the control of the commission. The report shall be certified by the commission, entered of record by the city clerk, and published in such manner as the council may direct. The

commission shall also make such other reports as the council may, from time to time, require.

Complaints:

Sec. 11. The commission shall promptly investigate and make report to the bureau of complaints concerning all complaints referred by such bureau to the commission relative to the performance of its duties.

Legislation by Common Council:

Sec. 12. The common council shall enact such ordinances as may be necessary to carry out the provisions of this chapter.

CHAPTER XX.

Commissioner of Purchases and Supplies.

Appointment of Commissioner:

Section 1. There shall be a Commissioner of Purchases and Supplies, who shall be appointed by the mayor, not later than the first day of March, nineteen hundred and nineteen, and who shall have charge of the Department of Purchases and Supplies.

Qualifications; Term of Office; Vacancies; Compensation:

Sec. 2. No person shall be eligible to appointment who is not a citizen of the United States, and a resident of the city. The commissioner may be removed by the mayor at any time without cause assigned. Any vacancy in the office shall be filled by the mayor. The compensation of the commissioner shall not be less than five thousand dollars per annum.

Officers and Employees:

Sec. 3. The commissioner shall appoint a secretary, and in accordance with the provisions of this charter relative to civil service, such clerks and other assistants as may be necessary. The commissioner shall prescribe the duties of such secretary, clerks and assistants, and shall, subject to the approval of the common council, fix their compensation.

Records:

Sec. 4. The commissioner shall cause to be kept a record of the proceedings and accounts of the department and all such records, proceedings and accounts shall be public.

General Powers and Duties:

Sec. 5. The powers and duties of the commissioner, which shall be exercised as herein provided, and in conformity with the general ordinances of the city, shall be as follows:

(a) He shall, in the manner provided by ordinance, purchase, according to specifications furnished by the various departments and approved by the common council, all supplies, materials and equipment for all departments, offices, boards, courts, commissions and institutions, except for the house of correction and institute of arts and except material and supplies for the public welfare commission not purchased in bulk, but shall make any and all purchases for such departments at their request: Provided, That where two or more departments use

materials and supplies of the same character, standard specifications shall be made to apply to all such materials and supplies, and the requirements of each such department shall be purchased in accordance therewith;

(b) Sell all personal property of the city no longer necessary, or which shall have become unsuitable for public use, or which may have been condemned as useless by any of the various departments, offices, boards, courts, commissions and institutions;

(c) Have charge of such store rooms and warehouses, except such as are under the control of the public welfare commission, as may be established by the common council and all supplies and materials stored therein and furnish the same on the requisition of the various departments, offices, boards, commissions and institutions;

(d) Shall inspect, or cause to be inspected all supplies delivered to determine conformity to specifications, quality and quantity of deliveries, and no voucher shall be passed by the city controller with the exception of those drawn by the board of commissioners of the house of correction and arts commission, unless the accompanying invoice shall be approved by such commissioner;

(e) Shall secure for departments, offices, boards, courts, commissions and institutions such contractual services as may be determined by ordinance;

(f) May make, with the approval of the council, all contracts to carry out the objects and purposes of the department as herein provided; and

(g) Shall have such other powers and perform such other duties as are herein prescribed or may be necessary hereunder for the proper discharge of his duties.

Purchase and Furnishing of Materials and Supplies:

Sec. 6. The commissioner shall not purchase nor furnish any supplies, materials or equipment for any department, office, board, commission or institution, unless there is to the credit of such department an available appropriation balance in excess of all unpaid obligations sufficient to pay therefor. Upon certification that funds are available in the proper appropriations, such goods shall be purchased and shall be paid for from funds of the proper department for that purchase. Such goods as have been bought and paid for out of the store account and furnished the several departments on requisition shall be paid for by the department furnished therewith by warrant or by transfer of funds made payable to the credit of the department.

Revolving Fund:

Sec. 7. There shall be provided by the common council a revolving fund to be used by the commissioner, the amount of which shall be determined by the council, for the purpose of purchasing articles used by the several departments in large quantities and in anticipation of their needs.

Competitive Bids:

Sec. 8. All purchases and all sales by the commissioner shall be on a competitive basis. Before making any purchase or sale of over five hundred dollars, the commissioner shall advertise for bids, and all proposals shall be made upon precise specifications and under such rules and regulations as the common council shall establish.

Monthly Financial Report:

Sec. 9. The commissioner shall, on the last day of each month, file with the controller and city treasurer a report giving the date of collection or receipt and the amounts of all money collected or received by the department, and daily pay into the city treasury all moneys so collected. All disbursements shall be made through the treasury, except as herein otherwise provided.

Application of Funds; Annual Estimate:

Sec. 10. All moneys paid into the city treasury by the department shall be credited to such other departments of the city as may be entitled thereto. If any such funds cannot be identified as belonging to any other department or departments, they shall be credited to the department of purchases and supplies and applied on the payment of expenses incurred by it. On or before the fifteenth day of January of each year, the commissioner shall transmit to the city controller his estimate in duplicate of the amount of money required for the purpose of the department for the ensuing fiscal year.

Annual Report:

Sec. 11. The commissioner shall, on or before the fifteenth day of January in each year, make a written report to the common council relative to the work of the department and the condition of the property in his charge. Such report shall contain an inventory of all materials and supplies on hand. The report shall be certified by the commissioner, entered of record by the city clerk, and published in such manner as the council may direct. The commissioner shall also make such other reports as the council may, from time to time, require.

Complaints:

Sec. 12. The commissioner shall promptly investigate and make report to the bureau of complaints concerning all complaints referred by such bureau to the commissioner relative to the administration of the department.

Member of the Board of Supervisors:

Sec. 13. The commissioner shall be ex-officio a member of the board of supervisors of the county of Wayne.

Legislation by Common Council:

Sec. 14. The common council shall enact such ordinances as may be necessary to carry out the provisions of this chapter.

CHAPTER XXI.

Commissioner of Police.

Appointment of Commissioner:

Section 1. There shall be a Commissioner of Police, who shall be appointed by the mayor, and who shall have charge of the Police Department.

Qualifications; Terms of Office; Vacancies; Compensation:

Sec. 2. No person shall be eligible to appointment as such commissioner who is not a citizen of the United States and a resident of the city. The commissioner may be removed by the mayor at any time without cause assigned. Any vacancy in the office shall be filled by the mayor. The compensation of the commissioner shall not be less than five thousand dollars per annum.

Officers and Employees:

Sec. 3. The commissioner shall appoint three deputy commissioners, one of whom shall be skilled in police duties and shall have charge of the police work of the department, one who shall have charge of office administration, and one who shall have charge of the bureau of public safety herein provided. He shall also appoint such other clerks and assistants as may be necessary. The commissioner shall designate a harbor master, a sealer of weights and measures and such other officers as may be required. He shall prescribe their duties, and, subject to the approval of the common council, fix their compensation.

Accounts and Records:

Sec. 4. The commissioner shall cause to be kept proper accounts and a record of the proceedings of the department. Such part of said accounts, records and proceedings as the public welfare may require shall be public.

General Powers and Duties:

Sec. 5. The powers and duties of the commissioner, which shall be exercised and performed as herein provided and in accordance with the laws of the state and the ordinances of the city, shall be as follows:

(a) He shall assume and exercise supervision over the police department and make all proper rules for the government and discipline thereof;

(b) Shall have the custody and control of all property, books, records and equipment belonging to the department;

(c) Shall preserve the public peace and prevent crime, arrest offenders and protect the rights of persons and property, guard the public health, preserve order and enforce the laws of the state and the ordinances of the city;

(d) May change the titles of police officers and employees under him, except deputies, designating such titles as he may see fit, creating whatever offices and positions he may deem necessary for the proper organization and conduct of the department;

(e) Shall have power to administer oaths, take depositions and issue subpoenas;

(f) Shall have power, subject to the approval of the common council, to erect and maintain police stations, garages and barns, and to build and operate a telegraph signal system;

(g) Shall provide, through the purchasing department of the city, all materials and supplies for the use of the department;

(h) Shall, except as herein otherwise provided, collect all license money under the laws of the state, the charter and the ordinances of the city, and account for the same;

(i) May, with the approval of the common council, in the name of the city, take and hold, by purchase, gift, devise, bequest or otherwise, such real and personal property as may be needed for the purposes of the department;

(j) Shall recommend to the common council the institution of condemnation proceedings whenever, in his judgment, private property should be taken in the name of the city for the purposes of the department;

(k) May, with the approval of the council, sell and convey or lease lands whenever required by the interests of the city;

(l) May make, with the approval of the council, all contracts to carry out the objects and purposes of the department as herein provided; and

(m) Shall have such other powers as are herein prescribed or may be necessary hereunder for the proper discharge of his duties.

Deputy Commissioners—Powers and Duties:

Sec. 6. During sickness, absence or other temporary inability of the commissioner to perform the duties of his office, the deputy commissioner in the order herein named respectively shall perform the duties and shall have the powers of the commissioner, except that they shall not have authority to change any general rules or regulations or to make appointments or dismiss any member of the department.

Bureau of Public Safety:

Sec. 7. The deputy commissioner of police in charge of public safety shall have supervision of the enforcement of all traffic ordinances and regulations affecting streets, avenues, boulevards and other public places, shall keep a record in his office relative to accidents occurring therein, incident to traffic, shall investigate the causes thereof, shall make recommendations to the commissioner of police, which shall be transmitted to the common council for necessary legislation to prevent and suppress such accidents, and shall, through educational publicity among the people of the city, seek to reduce the number of such accidents.

Qualifications of Patrolmen:

Sec. 8. No person shall be appointed to or hold office in the department who is not a citizen of the United States and who shall not have resided in the state of Michigan one year next preceding his appointment who cannot read and write the English language, or who has ever been convicted of any crime: Provided, That the qualifications as to residence herein prescribed shall not apply to the deputy commissioner of police in charge of the police work of the department.

Patrolmen of Other Departments:

Sec. 9. The commissioner may appoint persons who may be in the employment of the city in other departments as special policemen or patrolmen. Such policemen shall possess the same powers as the regular patrolmen, except when otherwise restricted by direction of the commissioner, obey the rules and regulations of the commissioner, and conform to the general discipline of the department.

Privately Employed Patrolmen:

Sec. 10. The commissioner may, on application of any person or persons showing the necessity thereof, appoint and swear in any number of additional patrolmen at the charge and expense of the person or persons by whom the application shall be made, to do duty at any place designated in the application or by the commissioner. Such patrolmen shall hold office at the pleasure of the commissioner, subject to the rules and regulations of the department, shall conform to the general discipline of the force and such regulations as shall be made for their government and may be removed at any time by the commissioner without cause assigned therefor. They shall wear such dress and emblems as the commissioner shall prescribe, and shall possess, as conservators of the peace, all the powers and privileges and perform all the duties of

the force herein prescribed. But no such patrolman shall be appointed until he shall have paid to the police commissioner the sum of five dollars, to be credited to the retirement fund, and the appointment may be renewed annually upon the payment of a like sum.

Special Patrolmen:

Sec. 11. The commissioner may, in case of an emergency, riot, pestilence, invasion or during any day of public election or celebration, appoint for a specified time as many special patrolmen from among the citizens of the city as he may deem advisable. During the terms of service, such special patrolmen shall possess all the powers and privileges and perform all the duties of patrolmen herein prescribed, and shall receive such compensation, not exceeding five dollars per day, as the commissioner may prescribe.

Oath of Office:

Sec. 12. The commissioner shall require each member of the force to take the constitutional oath of office, and provide for the registry of a certificate thereof in a book to be kept for that purpose, which oath may be taken before said commissioner or one of the deputy commissioners, who are hereby empowered to administer the same.

Bonds of Certain Officers:

Sec. 13. The commissioner may require the deputy commissioners, the heads of bureaus and any other officer or member of the force to give bond in such amount as he may prescribe, conditioned upon the faithful performance of any duty connected with the care and disposition of any money or property under their control in connection with said department.

Promotions:

Sec. 14. Promotions in the police department shall be based on length of service therein. The officer or employe thereof having served the longest period in any position shall be advanced to fill any vacancy in the next higher position, if he shall have the qualifications thereof.

Leave of Absence:

Sec. 15. The leave of absence of all employes of the department shall be for each employe one day of twenty-four hours off duty in every seven days and a furlough of twenty days in each year, of which at least ten days shall be consecutive.

Removals and Suspensions; Trial Board; Appeals:

Sec. 16. No member of the police force shall be removed from the force except upon written charges preferred against him to the commissioner and after opportunity of being heard in his defense, but the commissioner may suspend any member of the force pending the hearing of the charges against him. Any member of the force deeming himself excessively penalized may demand a hearing. All hearings shall be given as soon as it is reasonably convenient to do so, and shall be before a trial board consisting of the commissioner or deputy commissioner of police, who shall be chairman of the board; the chief of detectives, or such assistant as he may appoint, and the chief inspector of police. The board shall pass judgment upon such preferred charges affecting the acts, conduct or omissions of the member complained of, and if such charges are sustained the accused may be removed from the force or be subject to such other penalty as the board may prescribe.

Power to Issue Subpoenas and Administer Oaths:

Sec. 17. The trial board shall have power to issue subpoenas attested in its name, to compel the attendance of witnesses upon any proceeding authorized by the general rules and regulations, or upon the hearing of complaints. The members of the board are hereby given power to administer all affirmations and oaths to any witnesses summoned and appearing in any matter, proceeding or hearing as aforesaid. Any wilful and corrupt false swearing by any witnesses or any person proceedings under said rules and regulations shall be deemed an offense making deposition before the board to any material fact in any necessary against the charter.

Care of Sick and Disabled Members:

Sec. 18. Whenever any member of the police department shall become sick or shall be disabled in the performance of his duties, his salary and medical, surgical and hospital expenses during the time of such disabilities may become a charge upon the police fund and he may be paid such salary and expenses at the discretion of the commissioner, who shall inquire into the circumstances and if satisfied that the charge upon said fund is correct and reasonable, may certify the same to be paid from the police fund.

Pensions to Widows and Children:

Sec. 19. Whenever any member shall be killed or die from the effects of injuries received while in the performance of duty, the widow and children, if any, or the children if there is no widow, or the dependent mother, if there is no widow or children, shall, by vote of the police pension committee herein provided, be paid a pension. The widow or dependent mother shall receive the sum of fifty dollars per month during the term of her natural life or until she remarries, in which case the payment on account of such pension to such widow or dependent mother shall cease. If there be a widow and a child or children there shall be paid in addition to the said fifty dollars per month, the sum of ten dollars per month for each such child under the age of sixteen years. In case of the death or remarriage of such widow, or in case such deceased person shall leave no widow, but shall leave one or more children, there shall be paid to the person responsible for the care of each such child as shall be under the age of sixteen years, the sum of twenty dollars per month. Such payments shall be monthly, shall continue on account of each such child until it shall have attained the age of sixteen years, and shall be made in the manner herein provided. Any pension heretofore authorized shall hereafter be paid in accordance with the provisions of this section.

Application for Pension:

Sec. 20. When the widow, children or dependent mother of any deceased employe of the department shall be entitled to a pension as herein provided, such widow, children or dependent mother shall make application therefor to the pension committee through the commissioner of police on the form to be provided by the department. The application shall be accompanied by such proofs as the committee may require. All applications and proofs shall be retained in the custody of the department.

Police Pension Committee:

Sec. 21. The police pension committee shall be composed of five members as follows: The mayor, commissioner of police, president of

the common council, city clerk and controller. The mayor shall be chairman of the committee. The committee shall consider any petition presented to it, determine whether the applicant is entitled to a pension hereunder, and report its determination to the common council at its next regular meeting. If the committee shall find the applicant entitled to a pension, the council shall order the name of the applicant placed upon the pension roll to be provided by the city clerk. Thereafter the applicant shall be entitled to draw such pension as herein provided from the date of the death of the member. The commissioner shall inspect from time to time the record of pensions granted and examine any pensioners whose names appear thereon, to ascertain whether such pensioners are still entitled to pensions under the provisions hereof.

Payment of Pension:

Sec. 22. The pension herein provided for shall be paid on a voucher drawn by the city clerk, and upon which voucher the controller shall draw a warrant upon the city treasurer, and shall be paid out of the police pension and retirement fund. The city clerk shall prescribe at least one day in each month for the payment of such pensions, notification of which day shall be sent to each person entitled thereto, and such day when fixed shall not be changed during the official term of said clerk. The city clerk may require proper proofs of identity before issuing any voucher hereunder.

Retirement:

Sec. 23. Whenever any member of the police force shall have been in the employ of the police department for a period of twenty-five years he may be placed by order of the commissioner, and the commissioner shall upon application of the member, place the applicant on the list of retired policemen. Whenever any member shall hereafter be totally disabled in the discharge of his duties, he shall, in like manner, be placed on the list of retired policemen. Any member who so retires shall be paid the following sums per month: For superintendent, seventy-five dollars; for chief of detectives, seventy dollars; for inspector, sixty-five dollars; for captain, sixty dollars; for lieutenant or sergeant, fifty-five dollars; and for all other members fifty dollars. Except in such case of voluntary application by any member of the force after twenty-five years' service, the police surgeon or some other competent physician authorized by the commissioner and acting in the premises, shall certify to the commissioner in writing that such member is permanently, physically or mentally incapacitated from regular active duty, which finding shall be approved by the commissioner, and duly recorded. But no member shall be so retired until he shall have been duly notified by the commissioner of the intention to so retire him, and until he shall have had opportunity of being heard in opposition thereto. Any member, deeming himself entitled to the benefits herein provided prior to the expiration of twenty-five years' service may make a written application to the commissioner for such benefits. Thereupon the commissioner shall appoint four members, two of whom shall be attached to the station or precinct to which the applicant belongs, who, together with the commissioner, shall constitute a committee to hear and determine such application. If the committee shall grant the application, and if the

surgeon shall in writing report that applicant is permanently physically or mentally incapacitated for regular active duties the commissioner shall retire the applicant, as herein provided.

Return of Retired Members to Duty:

Sec. 24. The commissioner may at any time require members on the retired list, except those retired by reason of having served twenty-five years, to be re-examined by the surgeon or some other competent physician authorized by the commissioner to act in the premises. If on such re-examination, any member shall be reported capable of performing any police duty, the commissioner may require him to return to duty in the same rank or grade in which he was serving at the time of his retirement.

Provisions Not Applicable in Certain Cases:

Sec. 25. The provisions of this chapter with reference to pensions and retirement shall not be construed to apply to special patrolmen as defined in section 10, and none of the provisions relative to pensions, retirement or expenses shall be held to apply to privately employed patrolmen, as defined in section 9.

Sources of Retirement Salaries:

Sec. 26. All unclaimed money, the proceeds arising from the sale of unclaimed property, all money received for licensing dogs, all fees for the capture of vagrant dogs, all moneys received from the sale and for the release of dogs, all fines imposed upon members for violation of rules, and all moneys received from privately employed patrolmen, and all rewards and proceeds of gifts and emoluments which may be given by any person to any member of the force on account of extraordinary service, unless such reward, gift or emolument is allowed by the commissioner to be retained by the member receiving it, shall be paid into the city treasury to be used for the payment of the salaries of members on the retired list. The balance necessary for the payment of such salaries shall be raised by general taxation.

Service of Process in Criminal Cases:

Sec. 27. The members of the force shall serve all process within the city issuing from the recorder's court and the police court. Police officers shall be detailed by the proper officers of police to attend all courts of criminal jurisdiction of the city. They shall execute orders of the court, attend the court, and convey prisoners to and from the jail or other place of detention or imprisonment to the court for complaint, arraignment, examination, trial, sentence or other proceeding, and to any jail, house of correction, industrial school, prison, reformatory or any other place of detention, reformation, correction, punishment or imprisonment under the direction, order, process or sentence of any court having criminal jurisdiction. Police officers shall be authorized to go out of the city and bring in a prisoner arrested on a warrant issued from any court in the city having jurisdiction in criminal cases. Whenever any crime shall be committed in the city and the person or persons accused or suspected of being guilty shall flee from justice, the commissioner may authorize any person or persons to pursue and arrest such accused or suspected person or persons, and return him or them to the proper court having jurisdiction of the offense for trial.

Disposal of Stolen and Other Property:

Sec. 28. All stolen or other property taken or found by any officer in the possession of any person or persons arrested or charged with a violation of the law, all property or money taken on suspicion of having been feloniously obtained or being the proceeds of crime and for which there is no other claimant than the person from whom it was taken, all lost property coming into the possession of the department, and all property and money taken from pawnbrokers as the proceeds of crime, or from any insane or intoxicated person or persons otherwise incapable of taking care of himself or themselves, shall be deposited, handled and accounted for under regulations prescribed by the commissioner and approved by the common council. All unclaimed property shall be sold in the manner prescribed by such regulations and the proceeds deposited in the city treasury to the credit of the police pension and retirement fund.

Amalgams, Fires, Strangers, Etc.:

Sec. 29. The commissioner shall report all leaks and defects in water pipes and sewers and all defective sidewalks and street pavements to the proper authorities; shall provide a proper force at every public fire to protect the firemen in the performance of their duties, and to preserve property for the owners thereof, and shall station officers at railway stations and other public places.

Duties of Policemen at Polls on Election Day:

Sec. 30. Nothing herein contained shall give the commissioner or any patrolman power to do anything in conflict with the powers or inspectors of election. Policemen stationed at the polls on election days shall perform all the duties and be subject to all provisions of law relating to their attendance or to the attendance of constables at the polls on election days.

Arrests:

Sec. 31. In every case of arrest, the commanding officer on duty in the precinct wherein such arrest is made shall as soon as practicable make written return thereof according to the rules and regulations of the department. The commissioner shall provide suitable accommodations for the detention and care of persons arrested for offenses. He shall also provide accommodations for the detention of witnesses who are unable to furnish security for their appearance in criminal proceedings, and such accommodations shall be in places other than those for the confinement of persons charged with crime, fraud or disorderly conduct.

Monthly Financial Report:

Sec. 32. The commissioner shall, on the last day of each month, file with the controller and city treasurer, a report giving the date of collection or receipt of all money collected or received by the department, and shall daily pay into the city treasury all moneys so collected or received.

Application of Funds; Annual Estimate:

Sec. 33. All moneys paid into the city treasury by the commissioner, except such moneys as are herein required to be credited to the police pension and retirement fund, shall apply exclusively on the payment of all expenses incurred by the department. On or before the fifteenth day of January of each year the commissioner shall transmit

to the city controller his estimate in duplicate of the amount of money required for the purposes of the department for the ensuing fiscal year.

Annual Report:

Sec. 34. The commissioner shall, on or before the fifteenth day of January in each year, make a written report to the common council of the work of the department during the previous year. The report shall be certified by the commissioner, entered of record by the city clerk, and published in such manner as the council may direct. The commissioner shall also make such other reports as the council may, from time to time, require.

Complaints:

Sec. 35. The commissioner shall promptly investigate and make report to the bureau of complaints concerning all complaints referred by such bureau to the commissioner relative to the administration of the department.

Member of Board of Supervisors:

Sec. 36. The commissioner shall be ex-officio a member of the board of supervisors of the county of Wayne.

Legislation by Common Council:

Sec. 37. The common council shall enact such ordinances as may be necessary to carry out the provisions of this chapter.

CHAPTER XXII.

Board of Commissioners of the House of Correction.

Section 1. There shall be a Board of Commissioners of the House of Correction, which shall consist of four members, and shall have charge of the House of Correction.

Appointment; Qualifications:

Sec. 2. The members of the board shall be appointed by the mayor. No person shall be eligible to appointment who is not a citizen of the United States and a resident of the city.

Term of Office; Compensation:

Sec. 3. The term of office of the members of the board shall, subject to the provisions hereof relative to removal, be four years. The members of the first board existing hereunder shall be appointed for the term of one year, two years, three years and four years, respectively, and annually thereafter one member shall be appointed for the term of four years. The term of office in each instance shall begin on the first day of March in each year. Members of the board shall serve without compensation.

Removals from Office; Vacancies:

Sec. 4. Members of the board shall be subject to removal from office by the mayor without cause assigned. Any vacancy in office shall be filled by the mayor for the remainder of the unexpired term.

Officers:

Sec. 5. The member of the board whose term of office shall first expire shall be president thereof, and the member whose term shall next expire shall be vice-president. The board shall appoint, prescribe the duties of, and, subject to the approval of the common council, fix the compensation of a superintendent.

Meetings; Records; Quorum:

Sec. 6. The board shall hold meetings regularly at least once in each week and shall designate the time and place thereof. It shall adopt its own rules of procedure and shall keep a record of its proceedings, rules and orders. Proper accounts shall be kept of the receipt and expenditure of money. Such part of the proceedings, records and accounts of the board as the public welfare may require shall be public. Three members shall constitute a quorum for the transaction of business.

General Powers and Duties:

Sec. 7. The powers and duties of the board which shall be exercised and performed as herein provided, and in accordance with the laws of the state and the general ordinances of the city, shall be as follows:

(a) The board shall possess and exercise fully all the powers and perform all the duties pertaining to the government, management, maintenance and direction of the house of correction, which shall be used for the confinement, punishment and reformation of persons sentenced thereto hereunder or under the laws of the state;

(b) May establish rules and regulations for the conduct of the institution and discipline thereof, and for the protection of the rights and property vested in the city and under the control of the board;

(c) Shall provide all needed supplies, tools, implements, and apparatus of all kinds for the purposes of the institution;

(d) Shall select suitable locations for any additional buildings or for institutional farms;

(e) Shall construct, repair and maintain necessary buildings and maintain grounds in connection therewith;

(f) May, with the approval of the common council, in the name of the city, take and hold, by purchase, gift, devise, bequest or otherwise, such real and personal property as may be needful for carrying out the intents and purposes for which it is established;

(g) Shall recommend to the common council the institution of condemnation proceedings, whenever, in its judgment, private property should be taken in the name of the city for the purposes of the institution.

(h) May, with the approval of the council, sell and convey or lease lands whenever required by the interests of the city;

(i) May make, with the approval of the council, all contracts to carry out the objects and purposes of the institution as herein provided; and

(j) Shall have such other powers as are herein prescribed or may be necessary hereunder for the proper discharge of its duties.

Superintendent:

Sec. 8. The superintendent shall appoint such subordinate officers, guards and employes as may be necessary and prescribe their duties, subject to the general control of the board, and shall have entire control and management of all the affairs of the house of correction, subject to the rules and regulations adopted by the board. He shall reside at the house of correction and devote his time and attention to the business thereof.

Contract Prisoners:

Sec. 9. Whenever the board, with the approval of the common council, shall authorize an agreement with any county of the state, or with federal authorities, to receive persons sentenced from such coun-

ty, or by United States courts, to confinement in the house of correction, or, whenever pursuant to any law of the state, persons shall be sentenced to confinement therein, the superintendent shall receive all such persons and keep them during their terms of sentence in the same manner as persons sentenced to confinement therein from the city, and such persons shall be subject to all the rules and regulations of the house of correction.

Record of Prisoners:

Sec. 10. The board shall provide books in which shall be kept a record of the prisoners, the number received and discharged, and the receipts from and expenditures for and on account of each department of the institution, all of which books shall be public records.

Escapes or Attempts to Escape:

Sec. 11. Every person lawfully committed to the house of correction from the city, who shall escape, or attempt to escape therefrom, shall be punished by confinement therein for a term not exceeding double the term for which he was so sentenced, but such additional term shall not exceed a period of ninety days. And every prisoner of good behavior shall be entitled to a deduction from his sentence of three days per month for each month he shall be sentenced therein.

Monthly Financial Report:

Sec. 12. The board shall, on the last day of each month, file with the controller and city treasurer a report giving the date of collection, and the amounts of all money collected by the institution for the confinement of contract prisoners therein, and all moneys received from the sale of products of the institution or other material of any kind, and shall daily pay into the city treasury all moneys so collected. All moneys taken temporarily from prisoners shall be kept in a separate fund by the board and returned with any interest earned thereon to such prisoners on their discharge. The board shall pay, through the public welfare commission, to the members of dependent families of prisoners, such part of the moneys earned by prisoners as may be determined by the common council. All other disbursements, except those made through the revolving fund and the petty cash fund herein created, shall be made in the same manner as disbursements by other departments of the city government.

Application of Funds; Annual Estimate:

Sec. 13. All moneys paid into the city treasury by the board shall apply exclusively on the payment of expenses incurred by it. Any residue thereof shall be placed in a fund for the sole use of the institution or for the retirement of any bonds which may be issued for the extension, enlargement or rebuilding of the institution and for the payment of any interest on such bonds. On or before the fifteenth day of January of each year, the board shall transmit in duplicate to the city controller its estimate of the amount of money required for its purposes for the ensuing fiscal year.

Revolving Fund; Petty Cash:

Sec. 14. There shall be a revolving fund provided by the common council for the use of the board in making purchases for the manufacturing purposes of the institution. The amount of such fund, which shall not be less than fifty thousand dollars, shall be determined from

time to time by the council. Such fund shall be reimbursed from time to time by the transfer thereto of any moneys to the credit of the institution in the city treasury. Statements of all expenditures from such fund shall be made to the council. The council shall also provide a fund to be known as the "petty cash fund," from which purchases may be made, incidental to the operation of the house of correction. Such fund shall not be less than five thousand dollars and shall be reimbursed in the same manner as is herein provided for the revolving fund.

Annual Report:

Sec. 15. The board shall, on or before the fifteenth day of January in each year, make a written report to the common council of the condition of the institution and the work of the board. The report shall be certified by the board, entered of record by the city clerk, and published in such manner as the council may direct. The board shall transmit a copy thereof to such departments of the state government as may transact business therewith and to each county in the state having a contract with the city for the confinement and maintenance of prisoners. The board shall also make such other reports as the council may, from time to time, require.

President of Board, Member of Board of Supervisors:

Sec. 16. The president of the board shall be ex-officio a member of the board of supervisors of the county of Wayne.

Legislation by Common Council:

Sec. 17. The common council shall enact such ordinances as may be necessary to carry out the provisions of this chapter.

CHAPTER XXIII.

Corporation Counsel.

Appointment:

Section 1. There shall be a Corporation Counsel, who shall be appointed by the mayor, and who shall be the head of the law department.

Qualifications; Terms of Office; Vacancies; Compensation:

Sec. 2. No person shall be eligible to appointment as corporation counsel who is not a citizen of the United States and a resident of the city. He shall be a practicing attorney and shall have practiced his profession for at least ten years. He may be removed by the mayor at any time without cause assigned. Any vacancy in the office shall be filled by the mayor. The compensation of the corporation counsel shall be not less than seven thousand five hundred dollars per annum.

Personnel of Staff:

Sec. 3. The corporation counsel shall appoint one chief assistant, at least five assistants corporation counsel, and such additional assistants, clerks and subordinates as may be necessary. He shall prescribe their duties, and shall, subject to the approval of the common council, fix their compensation.

Records:

Sec. 4. The corporation counsel shall cause to be kept a record of the proceedings of the department, and all such records and proceedings shall be public.

General Powers and Duties:

Sec. 5. The powers and duties of the corporation counsel, which shall be exercised and performed as herein provided, and in conformity with the general ordinances of the city, shall be as follows:

(a) He shall superintend and conduct all of the law business of the city and of its departments;

(b) Draft all proposed ordinances, or approve them as to form;

(c) Prepare such leases, deeds, contracts or other papers as may be required by the common council or by any department;

(d) Furnish, on request, written opinions upon all subjects submitted by the common council, by the mayor, or by any departmental head;

(e) Shall provide, through the purchasing department of the city, all necessary materials and supplies for the use of the department; and

(f) Shall have such other powers as are herein prescribed or may be necessary for the proper discharge of his duties.

Service of Process:

Sec. 6. Any process, pleading, notice or other writing required by law to be served upon the corporation counsel may be served upon him or upon the chief assistant corporation counsel.

Counsel for all Departments:

Sec. 7. No officer or department, including the board of education, Detroit library commission, department of health and department of police, shall have or employ any attorney or counsel except upon the recommendation of the corporation counsel. The corporation counsel shall furnish every department or officer such advice or legal assistance as counsel or attorney in or out of court, as may be required by such department or officers.

Counsel for State in City Cases:

Sec. 8. The corporation counsel and his assistants shall, when required by the court or any city department, appear and act for the people of the state of Michigan in the police court and the recorder's court in all cases arising hereunder or under any law creating any department of administration in the city, and in all cases arising out of offenses specified herein or therein. The information in such cases may be filed by the corporation counsel as informant in the same manner and with like effect as though it had been filed by the prosecuting attorney of the county.

Procedure in All Suits or Cases:

Sec. 9. Any officer, upon whom any process or other paper may be served in any case commenced or pending against the city shall immediately transmit such process or paper to the corporation counsel, who shall thereupon inform the common council of the pendency of such suit or proceeding. Unless otherwise directed thereby, he shall appear in such suit or proceeding in behalf of the city. If a judgment or decree be entered therein, he may cause an appeal or other appropriate proceedings to be taken to remove the cause to the appellate court if, in his judgment, the interests of the city require it.

Appeal Bonds:

Sec. 10. Whenever an appeal shall be taken in any case, or a writ of error issued in any suit brought against the city, if a bond or

other undertaking shall not be required in order to perfect the appeal or to stay proceedings upon any judgment, there shall be the same right to sue and recover against the city the same damages that the appellee would have had if an undertaking or bond had been executed by the city in such cases.

Detail of Detective to Department:

Sec. 11. The commissioner of police shall, on request of the corporation counsel, detail one or more detectives for services as may be required in connection with the business of the department.

Annual Report:

Sec. 12. The corporation counsel shall, on or before the fifteenth day of January in each year, make a written report to the common council relative to the work of the department. The report shall be certified by the corporation counsel, entered of record by the city clerk, and published in such manner as the council may direct. The corporation counsel shall also make such other reports as the council may, from time to time, require.

Annual Estimates:

Sec. 13. On or before the fifteenth day of January of each year, the corporation counsel shall transmit in duplicate to the city controller his estimate of the amount of money required for the purposes of the department for the ensuing fiscal year.

Member of Board of Supervisors:

Sec. 14. The corporation counsel shall be ex-officio a member of board of supervisors of the county of Wayne.

Legislation by Common Council:

Sec. 15. The common council shall enact such ordinances as may be necessary to carry out the provisions of this chapter.

TITLE V.

JUDICIAL DEPARTMENT.

CHAPTER I.

Courts and Judges.

Courts:

Section 1. The offices of recorder and judge of the recorder's court, police justices and justices of the peace shall continue as heretofore created and established, except that there shall be six justices of the peace as herein provided. Such recorder, judges of the recorder's court, police justices and justices of the peace shall have such qualifications, jurisdiction, term of office, powers, duties and compensation as are authorized and required by the laws of the state, but the time and manner of the respective nominations and elections thereof shall be as in this charter provided.

Election of Recorder and Judge of the Recorder's Court:

Sec. 2. At the biennial spring election in 1923, a recorder and a judge of the recorder's court shall be elected for the term of six years, beginning on the ninth day of January following their election, and thereafter at every third biennial spring election there shall be elected a recorder and a judge of the recorder's court for the term of six years from and after the ninth day of January succeeding their election.

Compensation of Recorder and Judge of the Recorder's Court:

Sec. 3. The compensation of the recorder and the judge of the recorder's court may be fixed by the common council, to be paid by the city treasurer in a sum not less than thirty-five hundred dollars per annum.

Election of Justices of the Peace:

Sec. 4. At the biennial spring election in 1919, there shall be elected four justices of the peace who shall hold office for four years from and after the fourth day of July, 1919, and until their successors are elected and qualified. At the biennial spring election in 1921, two justices of the peace shall be elected for four years to hold office from and after the fourth day of July, 1921, and thereafter there shall be elected alternately at each biennial spring election four justices of the peace and two justices of the peace who shall hold office for four years from and after the fourth day of July succeeding their election.

Election of Police Justices:

Sec. 5. At the biennial spring election to be held in 1919, there shall be elected two police justices to hold office for four years from the fourth day of July, 1919, and until their successors are elected and qualified, and at the biennial spring election in 1921, one police justice shall be elected for the term of four years to hold office from and after the fourth day of July, 1921, and until his successor is elected and qualified. At each alternate biennial spring election after the year 1921 there shall be elected two police justices, and at the intervening biennial spring election one police justice, each of whom shall serve for a term of four years from and after the fourth day of July succeeding the election.

CHAPTER II.

Constables.

Election; Term of Office:

Section 1. At the city election in November, 1918, two constables shall be elected in each ward of the city who shall hold office for the term of three years from the second Tuesday in January next succeeding their election and until their successors are elected and qualified. At the city election in November, 1921, and at each November city election thereafter, two constables shall be elected in each ward of the city for the term of two years.

Oath and Bond:

Sec. 2. Every person elected to the office of constable in said city, before entering on the duties of his office shall take the oath of office herein prescribed, and shall, with two or more sureties, to be approved by the common council, execute and file with the city clerk, a bond or instrument, in writing, to the city in the penal sum of two thousand dollars, conditioned, well and faithfully in all things, to execute and perform the duties of his office during the continuance therein, and to pay to each and every person who may be entitled thereto, all sums of money which said constable may become liable to pay on account of any execution or process for the collection of money which shall be delivered to him.

Removals From Office:

Sec. 3. Constables shall be subject to suspension or removal from office by the mayor, and in case of such suspension or removal the mayor shall report the same with the reasons therefor to the common council.

Filling of Vacancies:

Sec. 4. Whenever there shall be a vacancy or whenever a constable shall, from any cause be unable to perform the duties of his office the common council shall make a temporary appointment of a suitable person to discharge the duties of the office. Such person so appointed shall take the oath of office, file a bond as herein prescribed and continue to discharge such duties until the office is filled at the succeeding city election or until the disability is removed.

TITLE VI. FINANCE AND TAXATION. CHAPTER I.

The Budget.

Departmental Estimates:

Section 1. The various officers, departments, commissions, and boards of the city created by law and this charter, or hereafter created, and required so to do by law, shall respectively transmit in duplicate to the city controller for compilation on or before the fifteenth day of January in each year their estimates of the amounts of money required for each activity within their respective departments for the ensuing fiscal year.

Making Up Budget:

Sec. 2. The city controller shall make up and transmit to the mayor on or before the fifteenth day of February in each year a tabulation of such estimates, which tabulation shall be known as the budget, and shall show the estimate of the controller of the total amount of money required to be raised for the purpose of each of the funds constituted as herein provided. He may at any time before the expiration of the period within which the mayor is required to act thereon transmit to the mayor any estimates which by mistake or otherwise may have been omitted.

Consideration by Mayor:

Sec. 3. The mayor shall consider the budget, and may revise or alter the same, but not so as to exceed the aggregate amount authorized by law to be raised by taxation: Provided, that the mayor shall make no revisions or alterations as to sums herein required to be approved to provide a sinking fund for the payment of bonds at maturity, as to sums required to pay serial bonds at maturity, and as to sums required to pay interest on bonds. The mayor shall, on or before the first day of March, complete his revision and return the budget as revised by him to the controller for retabulation. The controller shall retabulate the revision and on or before the seventh day of March, return it to the mayor, who shall transmit it to the common council on or before the second Tuesday of March.

Consideration by Common Council; Bonds:

Sec. 4. The budget so transmitted by the mayor shall be considered by the common council, which may revise, alter, increase or decrease it, but shall not increase the total thereof so as to exceed the aggregate amount authorized by law to be raised by taxation. The council shall determine the amounts of money to be raised by taxation for the purposes of the several funds constituted as herein provided, and no money shall be raised by taxation for any purpose without the consent of the council, except for the payment of debts and liabilities theretofore duly and lawfully contracted, or for moneys otherwise required by law to be levied. It shall be the duty of the controller and all officers, commissioners, boards and departments to furnish to the mayor and common council such information as it may require for the proper consideration of the budget, and it shall for the purpose of securing such information, have the right to inspect all official books and papers of said officers, commissioners, boards or depart-

ments. Provision shall be made for public hearings on the budget before a committee of the council or before the entire council sitting as a committee of the whole. Such consideration of the budget shall be completed by the council not later than the second Tuesday of April in each year. The budget shall require for its adoption the votes of a majority of all members elected to the council. The council, by a majority vote of all members elected thereto, may, subject to the approval of the mayor, and action by the common council notwithstanding his veto, as herein provided, authorize the issue of bonds for the purpose of raising any part of the amount of such budget.

Approval of Budget; Passage Over Veto:

Sec. 5. On or before the third Tuesday of April the clerk of the common council shall transmit the budget to the mayor for his approval or rejection, and the mayor may approve or veto any part or item thereof: Provided, that he may not veto sums herein required to be approved to provide a sinking fund for the payment of bonds at maturity, required to pay serial bonds at maturity, or required to pay interest on bonds. The mayor shall, on or before the fourth Tuesday of April, return the budget to the council with his approval, or if he shall disapprove the whole or any item or items therein, with a statement of his reasons therefor. If the budget be disapproved, the council shall proceed to reconsider the vote by which the budget was passed, but if an item or items only are disapproved, the reconsideration shall be only as to such item or items. If, after such reconsideration, seven members shall agree to pass the budget, or such item or items, the same shall be of full force and effect. All votes of the council approving or disapproving any appropriation for any department, office, board or commission, or decreasing the amount thereof, or authorizing or disapproving of an issue of bonds shall be taken by yeas and nays and entered upon the record of its proceedings.

Itemized Statement of Amounts to be Raised:

Sec. 6. After the mayor shall have approved the budget or the council shall have acted upon any part or item thereof which shall have been disapproved, the controller shall make an itemized statement of the amounts to be raised by taxation, to be known as the tax statement and a similar statement for the issue of bonds, to be known as the bond statement, if an issue of bonds shall have been authorized in lieu of taxation. Each statement shall show the fund or purpose for which the amounts therein specified are to be raised, which statements after having been adopted in the form of a resolution or resolutions by a majority vote of all the members of the council shall be respectively, the basis for the levy and collection of taxes and for the issue of bonds for the purposes therein named. The total amount of such tax statement shall be raised by taxation, but the total amount of the combined tax and bond statements shall not exceed two per cent of the assessed valuation of the city. The council shall cause to be levied and collected by general tax the amount of tax statement so approved, and may issue any bonds so authorized to be issued. All of such proceedings shall be completed on or before the first Tuesday in May in each fiscal year.

Items in Budget:

Sec. 7. It shall be unlawful for the council to create any expenditure as to items specifically disallowed in the budget, or to increase the amount of any item which has been reduced in the consideration of the budget. The word "item" as used in this chapter shall be deemed to mean specified sums paid for salaries, total of any amount authorized for any particular kind of labor, or the total of any amount authorized for any particular activity in any department.

Board of Estimates:

Sec. 8. There shall be for the purposes required by any law of the state a board of estimates consisting of the mayor, city clerk, city treasurer, controller and corporation counsel. Such board shall pass upon any appropriations required by law to have the approval of a board of estimates, and shall have the power to reduce any of said appropriations authorized by the council, but not to increase the same. Such appropriations when approved by the board, shall be returned thereby to the council, and the amount so approved by the board shall be included in either or both of the statements prescribed in section six hereof as the council may determine. The mayor and city clerk shall be ex-officio president and secretary of the board, respectively, and a record of the proceedings thereof shall be kept. All meetings and records of the board shall be public. A majority of the members of the board shall be a quorum for the transaction of business.

Consideration by Board of Estimates:

Sec. 9. As soon as the council completes consideration of the budget, the board of estimates shall consider such portion as is by law required to be approved by a board of estimates and shall pass on the same and submit it to the council on or before the fourth Tuesday of April. Neither the council or the mayor shall have power to increase any portion of the budget reduced by the board of estimates.

CHAPTER II.

Assessments—General.

Assessments; Districts; Rolls:

Section 1. All real and personal property within the city subject to taxation by the laws of this state shall be assessed at its true cash value by the board of assessors herein provided. Assessments shall be made according to assessment districts, the boundary lines of which shall conform to ward boundaries as established from time to time by the common council. There shall be an assessment roll in book form for each such district. All taxes upon personal property may be assessed in any district, whether the person assessed is a resident of such district or not.

Description of Property Assessed:

Sec. 2. In all assessments, the lands, tenements and subdivisions assessed shall be described by referring to the number and section of the lot and the name of the owner or occupant thereof, and if the number and section of any lot, or the name of the owner thereof can not be ascertained, then by such other sufficient description as the board of assessors may deem proper. If, by mistake or otherwise, any person may be improperly designated as the owner of any lot,

tenement, or premises, such assessment or tax shall not for that cause be vitiated, but the same shall be a lien on such lot, tenement or premises, and collected as in other cases. If any lot or lots shall lie partly in two or more districts, the same shall be assessed in the district where the greater portion of said lot or lots is situated.

Lists of Taxable Property:

Sec. 3. The board of assessors shall have, as herein provided, power and authority to demand of every person owning or having charge as agent, or otherwise, of any taxable property, a list of such property, with such description as will enable the board to assess the same, which demand may be made in writing, and by delivering it to such person, or by leaving it at his place of residence, with some person of proper years and discretion, and if the person of whom such demand is made, shall not, within ten days thereafter, deliver to such board a list of the property in said district belonging to him or her, or under his or her charge, with a correct description of the same, or if he or she shall omit any such property in the list delivered, said board shall have power, and it shall be its duty, to assess such property, upon such knowledge or information as may be satisfactory to it, at cash value, and according to its best judgment and discretion.

Notice; Complaints; Review; Delivery of Rolls:

Sec. 4. Notice that the assessment rolls will be completed on the first day of April in each year shall be given as herein provided. Any person considering himself aggrieved by reason of any assessment, may make complaint either verbally or in writing, before the board of assessors, and on sufficient cause being shown by the affidavit of such person, by oral proof, or by other evidence, to the satisfaction of such board, it shall review the assessment complained of, and may alter or correct the same as to the person charged thereby, the property described therein, and the estimated value thereof. The concurrence of a majority of the board shall be sufficient to decide any question of altering or correcting any assessment complained of. The board, having completed the review and correction of said assessment rolls, shall sign, and on the third Tuesday of April in each year return the same to the common council. The completion and signing of the auxiliary book of the board of assessors' office shall be deemed a completion of the rolls and the receipt by the council of a communication from the board of assessors announcing the completion of the rolls shall be deemed a delivery of said rolls to the council.

Appeals to Common Council:

Sec. 5. The common council, after receiving said assessment rolls, shall at 10 o'clock a. m. of the first succeeding day, proceed to consider the same, and any person considering himself aggrieved by the assessment of his property, and the decision of the board of assessors thereon, may appeal to the council; such appeal shall be in writing and shall state, specifically, the grounds thereof and the matter complained of; together with the address of the appellant, and no other matter in connection therewith shall be considered by the council. The council may refer such assessment rolls and appeals to a committee of the council for consideration. The committee shall

give notice to any person who has filed an appeal, as above provided, of the time and place of the meeting for the hearing thereof, which notice may be made in writing, by delivering the same to such person or leaving the same at his place of residence or place of business with some person of proper age and discretion, or by mail, to the address of such appellant. While acting upon said assessment rolls or appeals, any member of the said board of assessors, may, and on request of the council, or such committee, by resolution, shall meet with said council or committee, and make such explanations as he may deem requisite in any case.

Hearings; Confirmation of Rolls:

Sec. 6. The council or committee shall hear and determine all appeals in a summary manner and correct any errors which they may discover in the assessment rolls; shall place thereon the names of any persons and the descriptions of any property not already assessed, and assess the same; and may increase or diminish any assessment as they may see fit: Provided, That the council or such committee shall not increase any assessment without giving a reasonable opportunity to persons owning or having charge of the same, if known, to appear and object thereto. The consideration of the assessment rolls and hearing of appeals may be continued from session to session for a period not exceeding sixteen days after the date of their delivery to the council. The committee shall make a report to the common council in the premises and the council may adopt, change or amend the same, in whole or in part. After due consideration thereof, said rolls shall be fully and finally confirmed by the council, and shall remain as the basis, according to property valuation, of all taxes to be levied and collected in the city until another assessment shall have been made and confirmed as herein provided.

Tax Rolls:

Sec. 7. After the assessment rolls shall have been fully and finally confirmed it shall, as herein provided, be the duty of the board of assessors to cause the amount of all taxes, in dollars and cents, authorized to be assessed and collected in each year, to be ratably assessed to each person named or lots described, upon and according to the aggregate valuation which such person or lots shall have been assessed in said assessment rolls. Such ratable assessment shall be entered in a book prepared for that purpose to be known as the tax roll for each district, in a column showing the amount of city taxes assessed to each person or lot in each year. Such tax rolls shall contain columns for the names and addresses of all persons assessed hereunder. When said tax rolls shall have been completed, the board shall deliver the same to the controller, who shall cause the same to be delivered to the city treasurer on the first day of July, take his receipt therefor and charge him therewith. All city taxes shall become a debt against the owner from the time of the listing of property for assessment by the board of assessors.

CHAPTER III.

Assessments—Special.

Assessments According to Benefits:

Section 1. Whenever the common council shall ascertain the cost and expense of opening, widening, vacating, altering, straightening, extending or abolishing of any highway, street, alley, avenue or other thoroughfare or the construction of lateral sewer or drain it shall thereupon cause such portion thereof as it may deem just to be equitably assessed against the lots or parcels of real estate to be benefited thereby in proportion to the probable benefit to be derived therefrom.

Ratable Assessments:

Sec. 2. Whenever the common council shall order the grading and paving of any highway, street, alley, avenue or other thoroughfare, except boulevards, or the building of any sidewalks, or any other local improvement by which abutting or adjacent real estate shall be benefited, it shall thereafter ascertain the cost and expense of the same and thereupon cause such cost and expense, except the cost and expense of grading and paving the intersection of cross-streets and alleys and the cost and expense of building crosswalks and intersections of sidewalks, to be ratably assessed against the abutting or adjacent real estate to be benefited by such local improvement, according to the extent of frontage of the lots, parts of lots, or parcels of real estate directly fronting on the street in which the improvement is to be made and within assessment districts for which provision is herein contained: Provided, That if the assessment made on any such lot, or other parcel of land shall, by reason of its triangular or other irregular shape, seem to the common council to be inequitable, the council may direct a just portion of such assessment to be paid from the street paving fund: Provided, That whenever the common council shall order the building of any sidewalks, it shall first give the owners or occupants of, or parties in interest in the abutting real estate opportunity to build at their own expense the sidewalks ordered in accordance with specifications fixed by the council: Provided, further, that in cases of grading and paving, where a side street opens on but does not extend across the street to be graded and paved the space formed by extending the lines of the former street to the middle of the latter street shall, for the purposes of this section, be treated as the spaces formed by the intersection of cross-streets: Provided, further, that all necessary platforms and curbs shall, for the purposes of this section, be deemed to be included within the term "paving."

Local Assessment Districts:

Sec. 3. For the purpose of such assessments the common council shall create one or more local assessment districts of the real estate to be benefited by the local improvement, but in no case shall a city block be divided in creating such districts. The work for each local assessment district shall be bid for and let separately. The bidding and letting shall show separately the cost and expense of that portion of the local improvement herein required to be assessed against the real estate to be benefited thereby and the cost and expense of that portion, if any, not herein required to be so assessed.

Assessment Rolls for Local Improvements:

Sec. 4. Whenever the cost and expense of any lateral sewer or drain shall have been ascertained the city engineer shall prepare the

proper assessment roll therefor. Whenever the cost and expense of any other local improvement shall have been ascertained, the board of assessors shall proceed to make out a list of all the lots or parcels of real estate, constituting the local assessment district, containing the name of the owner or occupant of, or parties in interest in each lot or parcel of real estate, so far as the board can ascertain the same, and a statement of the length of front of each lot or parcel of real estate, if the assessment shall be by length of front. The board shall then assess the cost and expenses of that portion of the local improvement, herein required to be assessed against the property in the list, upon the several lots and parcels of real estate in the local assessment district, in accordance with such rules as the common council shall establish. The word "front" as herein used shall be construed to mean that part of the lot or other parcel of land which directly abuts on that part of the street to be improved.

Assessment of Land Not Platted:

Sec. 5. Whenever in the improvement of a street as aforesaid, any land or real estate which has not been duly platted into city blocks or lots, shall be required to be assessed to pay any part of the cost of such improvement, the council shall designate such part or parts thereof for such assessment as shall correspond as near as practicable to the portion of the block or blocks nearest adjacent thereto, subject to like assessment, and the part or parts so designated shall be assessed as near as may be, in the manner herein provided for the assessment of lots.

Notice of Completion of Roll:

Sec. 6. On completing the assessment roll, the board shall give notice, by at least five publications in a daily newspaper published in the city, that such roll is completed, and will remain in its office for twelve days from the date of the first publication of the notice for the inspection of all concerned.

Revision; Confirmation:

Sec. 7. At the expiration of the twelve days, the board shall, after any needful revision and correction of the roll, sign the same and report it to the common council. The common council may thereupon confirm the same, or may, if it shall deem necessary, refer the same back to the board for further revision or corrections. When the roll shall be corrected to the satisfaction of the common council, it shall, by resolution, confirm it. After such confirmation, the assessment shall constitute a lien, until paid, upon the lots or parcels of real estate listed in the assessment roll.

Division of Rolls Into Parts:

Sec. 8. Such assessment rolls shall be made in four parts, each part to contain a list of the lots or parcels mentioned and the names of the owners or occupants of each lot or parcel. One-quarter of the assessment for the cost and expense of the work shall be assessed upon each lot or parcel, and such parts of the assessment roll shall be numbered one, two, three and four respectively.

Notice of Special Assessments:

Sec. 9. After the assessment shall have been confirmed, and the roll delivered to the city treasurer, he shall cause notice of said assessment to be printed in two newspapers published in the city, once in each week for three successive weeks. The treasurer shall within such

time mail a copy of such notice to each person whose name appears on such roll at the address of such person appearing on the general tax roll for the assessment district in which such special assessment district or part thereof may be located.

Payment; Penalty:

Sec. 10. Part one of said assessment shall become due and payable in thirty days from the first publication of such notice and parts two, three, and four, shall become due and payable in one, two, and three years, respectively, from the date that part one became due and payable. Any person may pay the amount of the assessment in parts one, two, three and four, or any of them at any time, within thirty days from said date of publication, without interest, but, if the amount mentioned in part one shall not be paid within thirty days from the said date, a penalty of one per cent per month in addition to interest at the rate of four per cent per annum shall be added thereto. A like penalty of one per cent per month in addition to interest at the rate of four per cent per annum from said date of publication shall be added to each of the other parts, if they are not paid when the same shall become due as aforesaid, but no such penalty added thereto shall exceed five per cent. The interest on parts two, three and four, if such several parts are paid when they become due, shall be computed at the rate of four per cent per annum from the said date of publication.

Assessment Rolls in Condemnation Proceedings:

Sec. 11. Assessment rolls made under the laws of this state for assessments to defray the expense of the taking of any property or damages to any property taken for the public use, for the opening and extending of highways, or for other public purposes, or for damages to any property occasioned by any public improvement of any kind, shall be made in one or more parts as the common council may direct. Such assessments shall become due and payable at such time as the council shall by resolution provide, and like interest shall be added thereto, and like penalties in case of non-payment shall be imposed and added thereto in the same manner as is herein provided for assessments for street paving. Such interest and penalties shall be payable and be collected with the part or parts to which the same may be added.

Disposition of Interest and Penalties:

Sec. 12. The interest and penalties herein provided to be paid shall be credited to the fund for which the assessment is made.

Proceedings for Collection:

Sec. 13. Such proceedings for the collection of special assessments shall be had as are herein prescribed for the collection of general taxes, and sales of any real or personal estate for any unpaid assessment shall be made in like manner, and with like effect, as in case of sales for the non-payment of such general taxes.

Payment of Costs and Expenses Chargeable to City:

Sec. 14. The cost and expenses for that portion of any local improvements not herein required to be assessed against the real estate to be benefited thereby shall be paid out of the general road fund. The cost and expense of that portion of the opening, widening, vacating, altering, straightening, extending or abolishing of any highway, street, alley, avenue or other thoroughfare, or of the grading and paving of any highway, street, alley, avenue, or other thoroughfare, except boulevards,

or of the laying of any lateral sewer or drain, except arms, or of the building of any sidewalk, or of any other local improvement, herein required to be assessed against the real estate to be benefited thereby, shall be met in such manner as the common council shall by ordinance or resolution determine.

Reduction of Assessment on Dedicated Property:

Sec. 15. Whenever any person shall deed or dedicate land to the city for a street or part of a street for the use and benefit of the public, and the same shall be duly accepted by the proper authorities, such authorities shall at the time of such acceptance ascertain the last assessed value of the land so deeded or dedicated according to the area and certify or cause to be certified the same upon the plat, deed, or instrument containing the dedication. Thereafter whenever the remaining property of the dedicant which abuts on the land so deeded or dedicated shall be assessed to defray the cost of extending or widening the street for which said land was deeded or dedicated, there shall be credited upon said assessment an amount equal to the certified assessed value of the land so deeded or dedicated.

Sewers or Drains Through Private Property:

Sec. 16. Whenever in the opinion of the common council it shall be beneficial so to do, it may direct public or lateral sewers or drains to be constructed in and through private property and lots. In all cases where the council deems it expedient to lay public or lateral sewers or drains through private property, and to take private property or the use thereof for such purposes, proceedings shall be had, or as nearly as may be, similar in all respects to those now provided in the case of taking private property for the opening, widening or extending streets and alleys and damages, and benefits shall be assessed in the same manner: Provided, That benefits may be assessed upon all lots in each block in which the drain or sewer is laid, which are benefited by the improvement: Provided, further, That all damages actually awarded shall be paid out of the sewer fund, and all assessments for benefits when collected shall be paid to the credit of said fund. When a public or lateral sewer is laid through private property, it shall be laid with the least practical injury or inconvenience to owners or occupants, and using like care, the commissioner of public works, his agents and employes, shall at all times have free access to the premises for the purpose of making necessary repairs to and connections with such public or lateral sewers or drains.

Re-Assessment to Meet Deficiency:

Sec. 17. The common council shall have power to provide by ordinance, whenever any lots or premises have been or hereafter shall be legally liable to be assessed for the costs and expenses of any paving, or other public work or improvement, if it shall appear that the amount originally assessed upon such lots or premises was not sufficient to pay in full the costs and expenses of such improvement, that a new or re-assessment for the amount of such deficiency may be made upon such lots or premises. If any such special assessment for the costs and expenses of the making of any such improvement shall be declared by any court of competent jurisdiction to be illegal, the council may provide for a new or re-assessment upon such lots or premises for the amount of

such costs and expenses; and the council may, by ordinance, limit the time within which such new or re-assessment shall be made, and prescribe all necessary rules and regulations in reference to the making and collecting of the same.

Vacating or Correcting Proceedings:

Sec. 18. Whenever in any proceedings heretofore or hereafter made for the purpose of paving any street or alley or public place, or for the construction or repairing of any sidewalk or sewer or for the improvement of any street, or for the taking of any private property for public use, or for the opening and extending of any highway, or for any public purpose, or for damages to any property occasioned by any public improvement of any kind, any steps or proceedings required to be taken by any law, or by this charter, shall have been omitted or imperfectly taken, and any such improvement shall have been made or constructed in whole or in part thereunder, and private property shall have been benefited thereby; and whenever any special assessment shall heretofore have been or hereafter be made therefor, and the same shall, in the opinion of the common council, be invalid, whether such invalidity arises from defects or omissions in the proceedings had and taken for such improvement, or in the assessment made therefor, the council may vacate and set the same aside. When any errors or omissions may appear in any such proceedings in the making of said improvement, or in any assessment roll or in any certificate thereto, the council may order the same to be corrected. When any such special assessment shall be so vacated or held invalid by the judgment or decree of any court of competent jurisdiction on account of any error or omission in said proceedings or in said assessment, the council may cause a new special assessment to be made for the purpose for which the original assessment was made.

Re-Assessments:

Sec. 19. Such new assessment shall be made in the manner for making original assessments of like nature, and whenever the assessment or any part thereof assessed upon any lot or parcel of real estate by the original assessment set aside or held invalid as aforesaid has been paid, and shall not have been refunded, it shall be the duty of the city treasurer to apply said payment upon the re-assessment of said lot or parcel, or any part thereof re-assessed, and to make a minute thereof upon the new assessment roll, and such re-assessment shall, to the extent of such payment, be deemed paid and satisfied. All the provisions of the charter making said assessment a lien upon the lots and parcels of real estate therein and making the same a debt due from the owner thereof to the city, and also those relating to the collection of special assessments, shall apply to re-assessments made under this section: Provided, That nothing in this section shall be construed as in any manner affecting proceedings heretofore vacated or set aside by the decree of any court.

CHAPTER IV.

Taxes.

Date Payable; Liability for Payment:

Section 1. All city taxes shall be due and payable on the fifteenth day of July in each year, and on that date shall become a lien on the property taxed. The owners or occupants or parties in interest to

any real estate assessed hereunder shall be liable to pay such taxes, and all assessments levied in accordance herewith. The owners or persons in possession of any personal property shall pay all taxes assessed thereon.

Publication of Notice:

Sec. 2. Upon receipt of the tax rolls from the controller, the city treasurer shall forthwith give six days' notice by publication in the official daily paper of the city and by posting such notice in at least six public places in each assessment district, which notice shall be a sufficient demand for the payment of all taxes on said rolls. Such notice shall state fully but concisely the provisions hereof relative to the time and manner of payment of such taxes and the penalties herein prescribed for the non-payment thereof.

Pre-Billing of Taxes:

Sec. 3. The names and addresses of the owners or occupants of all property assessed for taxes in the city shall so far as possible appear upon the tax rolls. The city treasurer shall place on such rolls all names and addresses not already appearing thereon, which he may have of record from the duplicate tax receipts of the preceding year on file in his office, or from any other source, and shall from time to time, make such additions and corrections as may be necessary. The treasurer shall, on or before the fifteenth day of July in each year mail to each person, whose name appears on the tax roll at the address thereon given, a notice stating the amount of taxes due, the time and manner of payment, and the penalties for failure to pay such taxes. A failure to receive such notice shall not in any way prejudice the right of the city to collect any tax due hereunder.

Payment of Taxes:

Sec. 4. Payment of taxes specified in the tax rolls may be made to the city treasurer at any time before the thirtieth day of December after they are due and payable. No addition shall be made to taxes paid before the fifteenth of August. An addition of one per cent of every unpaid tax shall be made thereto on that day, and a like addition of one per cent on every thirtieth day thereafter until such addition shall amount to six per cent of such tax. Provided, however, that when a person shall, on or before the tenth day of August, hand to the city treasurer a list of the property or properties on which he wishes to pay the taxes, he shall not be charged any percentage, if he pay them by the twenty-fifth day of August. Upon the receipt of any tax the city treasurer shall mark the same paid upon the proper roll and give a receipt therefor, on which he shall enter the name and address of the owner or occupant of the property, and of which receipt he shall keep a duplicate copy in his office. Upon such roll shall appear a notation of delinquent taxes, if any.

Payment of Taxes on Undivided Interests:

Sec. 5. Any person owning an undivided share, or other part or parcel of real property assessed in one description, may pay on the part thus owned by paying an amount having the same relation to the whole tax as the part on which payment is made has to the whole parcel. The person making such payment shall accurately describe

the part on which he makes payment, and the receipt given and the record of the receiving officer shall show such description and by whom paid.

Payment By Holder of Lien:

Sec. 6. Any person having a lien on property may pay the taxes thereon and the same may be added to his lien and recovered with the rate of interest borne by the lien.

Persons in Possession Liable for Tax:

Sec. 7. In case any person by agreement or otherwise, ought to pay such tax, or any part thereof, the person in possession who shall pay the same may recover the amount from the person who ought to have paid the same, in an action of assumpsit as for moneys paid out and expended for his benefit, or may deduct the amount from any rent due or to become due to the person who should have paid such tax.

Augmentation of Unpaid Taxes:

Sec. 8. On the fifteenth day of January following the time when any tax shall become due and payable, the city treasurer shall add to every such tax six per cent of the amount of the tax and of such additions as are herein specified. Such augmented tax shall thenceforth be the unpaid tax, and shall bear interest from that day at the rate of ten per cent per annum until paid, except as herein otherwise provided. On or before the first day of February the city treasurer shall add to the tax rolls of the unpaid taxes of each district an additional column, which shall show the augmented amount of every such tax. Immediately after completing such roll, he shall cause a notice to be published in five successive numbers of at least two daily newspapers published in the city stating that the rolls of unpaid taxes have been made, that they will remain in his office, where such taxes may be paid until the fifteenth day of February following, and that thereafter the property against which such taxes are assessed shall be advertised and sold as herein provided.

Listing Real Estate for Tax Sale:

Sec. 9. On the fifteenth day of February in each year the city treasurer shall make a list in books prepared for that purpose of all real estate on which taxes shall have been assessed for the current fiscal year and shall remain unpaid. The books containing this list shall be called sales books. The list shall contain an accurate description of each parcel of real estate, the amount of the augmented taxes and the name of the owner or occupant of or parties in interest in each parcel as it appears on the tax roll. In a separate column in the sales books the treasurer shall add thereto an amount sufficient to cover the expense of advertising the real estate so listed for sale. The total of these sums with interest at the rate of ten per cent per annum shall thereafter be the amount required to be paid for the tax or any description before the sale of the real estate, as herein provided. In the sales books there shall also be a column in which the treasurer shall enter the name of the purchaser of any description, when the same shall have been sold. There shall be another column in which the treasurer shall enter the term of years for which the purchaser of any description shall have agreed to take the parcel in consideration of paying the taxes and interest.

Notice of Sale:

Sec. 10. On completion of the the list contained in the sales books, the city treasurer shall cause a notice to be published in the official daily newspaper for the city, once a week for four successive weeks, and posted in three or more public places in each assessment district. Such notice shall require the owners or occupants of, or parties interested in such lands, tenements, hereditaments or premises, to pay such assessment or tax. Such notice shall state that if default be made in making such payment, such real estate will be sold at public auction, at a day and place to be specified in said notice, for the lowest term of years at which any person shall offer to take the same in consideration of advancing and paying such assessment or tax, with the additions provided in this chapter, and the cost and expenses of advertising.

Sale of Property for Unpaid Taxes:

Sec. 11. If the owner or occupant of, or parties in interest in such real estate, do not pay such assessment or tax, with costs, additions and charges within the period herein prescribed, then the city treasurer shall without any further notice, cause such real estate to be sold at public auction, for the lowest term of years at which any person shall offer to take the same, in consideration of advancing such assessment or tax, with the costs, additions and charges and direct the execution of a proper certificate of such sale to the purchaser thereof: Provided, That if any lot or parcel of land so offered for sale shall have been previously sold for taxes assessed thereon in previous years and the same shall have been bid in at such previous sale or sales by the controller for and is still held by the city the purchaser shall be required to pay to the city treasurer the amount of all previous bids, together with interest thereon from the time of such previous sales at the rate of ten per cent per annum.

Supplementary Sale:

Sec. 12. If any parcel of real estate on which the taxes shall not have been paid shall have been omitted in the published notice of sale for unpaid taxes and shall not have been sold at the time herein specified for such sale, the city treasurer shall include the same in the list prepared by him next after the discovery of the omission, and shall then advertise and sell the parcel with the same effect as if included in the list in which it originally belonged.

Certificate of Sale:

Sec. 13. The certificate of sale shall provide that if such real estate shall not have been redeemed within one year after the date of the sale, the purchaser, on surrendering the certificate to the controller, may receive a deed of the land therein described for the term therein stated. The certificate of sale, prior to the surrender thereof, as herein provided, may be assigned by the owner thereof, or, in case of his death, by the executor of his will or administrator of his estate, by an assignment executed with the formalities required in the execution of deeds of real estate.

Confirmation of Tax Sale:

Sec. 14. On the conclusion of the public auction for the sale of real estate for unpaid taxes or assessments, the city treasurer shall report

all sales effected to the common council. The council shall proceed to examine the same, and shall confirm such as it shall find satisfactory. It shall return all others, whether found unsatisfactory in whole or in part, to the treasurer for correction, or for re-advertising and re-sale, as may be necessary. No sale which shall have been finally confirmed by the council shall thereafter be disallowed except in case the taxes shall have been paid prior to the sale or in case the property is exempt from taxation.

Reissue of Certificate of Sale:

Sec. 15. If a certificate of sale shall have been lost or destroyed, the city treasurer shall, upon submission to him of satisfactory evidence of such loss or destruction, issue a duplicate of the original certificate. The evidence of loss or destruction must be in writing, proved by the oath of one or more persons to the satisfaction of the treasurer, who shall preserve the same in his office.

Redemption of Property Sold for Taxes:

Sec. 16. When any lands, tenements and hereditaments shall be sold according to the provisions hereof, if the owners or occupants or parties in interest shall within one year after such sale deposit with the treasurer, for the use of the purchaser, the full amount of the assessment or tax for which such real estate was sold, all interest thereon, as herein provided, all taxes assessed on such property for any previous years with interest thereon as herein provided, and all costs and expenses incidental to the sale of such property, together with ten per cent of the total thereof in addition thereto, the term for which such real estate was sold shall cease and be determined at the time of making such deposit. The city treasurer shall enter in the sales book opposite the description of the property so redeemed the word "redeemed" with the date of the redemption.

Tax Deed:

Sec. 17. If such real estate shall not be redeemed, as herein provided, the controller shall, in the name of the city of Detroit, execute and deliver to such purchaser or his assignee, a proper deed for the conveyance of such real estate for the term for which the same was sold; which deed shall be attested by the city clerk and acknowledged, and shall be prima facie evidence of the regularity up to the date of such deed of all the proceedings under which the sale was made and said deed executed.

Deeds in Cases of Deceased Purchasers:

Sec. 18. In all sales of lands for taxes, if the purchaser or his assigns shall die before a deed or other conveyance shall be executed on such sale, the deed may be executed by the controller to and in the name of the purchaser or assigns, who, if living, would be entitled to a deed or conveyance, which deed or conveyance shall vest the title in the heirs or devisees of such deceased person in the same manner, and liable to like claims of creditors and other persons as if the same had been executed to such deceased person immediately previous to his death; or the executor or administrator may assign the certificate of purchase, and the deed of conveyance may be issued to the assignee thereof; and in like cases, which have heretofore occurred, the same rule shall apply, and all deeds and conveyances heretofore issued

in the name of any deceased person, who, if living at the time of the execution thereof, would have been entitled thereto, shall have like effect as provided.

Recording of Tax Deeds; Cancellation:

Sec. 19. All tax deeds executed as herein provided may be recorded as other conveyances of land under the laws of this state. Such deeds, if not recorded in the office of the register of deeds, may be returned to the controller and cancelled at any time. Such cancellation shall terminate all rights of the purchaser thereunder.

Removal of Buildings on Lands Sold:

Sec. 20. Any person, who under such deed, may enter into such real estate and erect or place any building, building materials, or other property thereon, shall have the right at any time within three months after the expiration of said term, or in case he shall be ousted before the expiration of such term by any person claiming adversely to said deed, then, within three months after trial, judgment or ouster or ejection, to remove said building, building materials or property from said real estate.

Controller's Bid on Unsold Tax Titles:

Sec. 21. It shall be the duty of the controller to bid in for the city, for a term of ninety-nine years, at any sale of real estate for assessments or taxes, every lot of land or premises for which no person shall offer to bid. If any purchaser shall refuse or neglect to pay the sum or sums bid by him, within the time and under the regulations prescribed by the common council, such bids shall inure to the use and benefit of the city, if the council shall so determine. Upon all such bids, certificates of sale may be executed by the controller to the city attested by the city clerk and acknowledged in the same manner as provided in other cases of sale for assessment or taxes. In all cases of sales for special assessments, the property so bid in for the city may at the option of the council be held in trust for the person or contractor in whose behalf such assessment shall have been made, or his assignee, or upon payment to such person or contractor of the amount for which such property shall have been bid in, the city may, as in case of the general tax, become the owner of the tax title or lease thus obtained and may dispose of the same as if obtained under a like sale for any general tax.

Redemption of City Bids:

Sec. 22. All real estate, bid in by the city, shall be redeemable at any time upon the payment of the amount of the original sale and interest thereon at the rate of ten per cent per annum.

Sale of City Bids:

Sec. 23. The city treasurer shall sell, under such rules and regulations as the common council shall prescribe, all real estate bid in by the city; but no sale shall be for a less amount than the original bid with such interest as the council shall direct. The purchaser of such real estate shall receive from the treasurer a certificate of sale in form similar to that issued by him at the time of the original sale, which certificate shall entitle the purchaser, on the surrender thereof to the controller, to a deed of the real estate therein described for the unexpired portion of the term for which it was originally sold.

Notice to Owner by Purchaser:

Sec. 24. After the expiration of the year of redemption, as herein provided, the purchaser shall not receive a deed of the real estate therein described until six months after he shall have served upon the owner or occupant of or parties in interest in such real estate, as shall appear by the last recorded deed conveying the title thereof and by the last recorded and undischarged mortgage or mortgages thereon, a notice substantially in the following form, a duplicate of which notice shall at the same time be served on the city controller:

"To the owner of the real estate herein described and to the owner of the undischarged mortgage thereon:

"Take notice that this real estate has been sold for the non-payment of taxes levied thereon by the city of Detroit, and that a certificate of sale has been issued by the city treasurer in pursuance of the sale. You are entitled to a release of the sale at any time within six months after service upon you of this notice, upon the payment to the undersigned of all sums paid upon the purchase of this real estate, together with one hundred per cent in addition thereto. If payment thereof is not made within six months from the date of the service of this notice, the undersigned will apply to the controller for a deed of the real estate herein described.

"Description

Amount Paid

Taxes for 19....

"Signed....."

"Place of Business....."

Whenever the owner or occupant of or parties in interest in the real estate described in the certificate of sale shall reside in the county of Wayne, the notice shall be personally served on him or them. The affidavit of the person serving the notice shall be satisfactory evidence of personal service of the same. Whenever the owner or occupant of or parties in interest in the real estate, or any of them, shall not reside in the county of Wayne, the notice shall be served on such non-resident by registered mail. The receipt of the postmaster of the city for such registered mail shall be sufficient evidence of service of the notice. At any time within six months after such service of the notice the owner or occupant of or parties in interest in the real estate described in the certificate may redeem the same by payment to the purchaser of the amount of the original bid and one hundred per cent in addition thereto. Upon such payment, the purchaser shall forthwith execute, acknowledge in due form, and give to the person making the payment a release of all interest derived through the certificate held by him. On the delivery of the release to the redeмпtor the certificate shall cease and determine.

Real Estate Sold for Taxes, Taxable:

Sec. 25. The sale of any real estate for taxes shall not exempt such real estate from taxation, but such real estate shall remain subject to taxation in the same manner as if no sale had ever taken place.

Collection of Taxes on Personal Property:

Sec. 26. On and after the fifteenth day of August in each year, and at any time until the taxes mentioned herein are paid, the city treasurer shall enforce the collection of all unpaid taxes which are as-

essed against property or value other than real estate. If such taxes shall remain unpaid the city treasurer shall forthwith levy upon and sell at public auction the personal property of any person refusing or neglecting to pay such tax, or collect the same through the courts. Six days' notice of any such sale shall be given by the city treasurer by publication in the official newspaper. Whenever such sale shall have been made, the proceeds thereof shall be applied to the payment of the taxes and percentage and the expenses of sale, and any surplus remaining thereafter shall be paid over to the owner of such property or other persons entitled to receive the same. The city treasurer shall have power in the name of the city to prosecute any person or corporation refusing or neglecting to pay such taxes or any special assessment by a suit in the circuit court for the county of Wayne, and he shall have, use and take all lawful ways and means provided by law for the collection of debts to enforce the payment of any such tax or any special assessment. The tax rolls shall be prima facie evidence of the indebtedness by such person and the regularity of the proceedings by which such tax or assessment was assessed and levied. All city taxes upon personal property shall become on said fifteenth day of July a lien thereon and so remain until paid, and no transfer of the personal property assessed shall operate to divest or destroy such lien.

Taxes a Debt:

Sec. 27. All city taxes upon personal property and real estate and special assessments thereon in addition to being a lien upon the property assessed, shall become a debt against the owner from the time of the listing of the property for assessment, and shall remain a debt against the owner of the property or his estate after his death, until the same are paid.

Tax Certificates:

Sec. 28. The city treasurer shall, upon request, furnish a certificate that all taxes except current taxes have been paid for filing with the register of deeds for the county of Wayne at the time of the delivery to such register of any conveyance, mortgage or contract, for record. The treasurer shall, at the time any conveyance, mortgage or contract is presented to him for the endorsement thereon of his certificate showing the payment of city taxes or the property covered by such conveyance, mortgage or contract, obtain the address of the grantee, mortgagee, assignee or vendee thereof, and enter the name of such grantee, mortgagee, assignee or vendee and such address on the current tax rolls of the city.

Evidence of Regularity of Proceedings:

Sec. 29. All assessment rolls and proceedings under this chapter, and all conveyances, certificates of sale and leases of any lands, tenements or hereditaments, executed by the city or any of its officers, by virtue of this chapter, shall be taken and received as prima facie evidence of the regularity of the proceedings by which any tax heretofore mentioned was assessed or levied.

Refund of Illegal Assessments or Taxes:

Sec. 30. The common council may also provide and ordain by ordinance, that whenever it shall appear that any taxes or assessments have been illegally assessed or collected, the common council, may by a vote of two-thirds of all the members elect, direct and cause the

amount so collected to be refunded out of the contingent fund, or in case it has not been collected, to vacate the assessment, and fix upon an amount, to be received in full of such tax or assessment and no such action on the part of the council, under such ordinance, shall in any way affect or invalidate any other tax or assessment assessed, levied, or collected in said city.

Refund or Cancellation of Unjust or Improper Assessments or Taxes:

Sec. 31. The common council shall also have power when it shall appear that any tax assessment is unjust, or based upon any property not owned by the person to whom it is assessed, by a two-thirds vote of all the members elect, to repay the same out of the contingent fund, if collected, or if not collected, to vacate the assessment in whole or in part, in the manner and with like effect as is provided for in cases of illegal taxes and assessments.

Irregular Submission of Estimates:

Sec. 32. No tax roll shall be held to be void because an estimate of the amount of money necessary to be raised for any particular fund was not made by the departmental head authorized or required by law to make an estimate for such purpose within the time specified herein for the submission of such estimates: Provided, That such estimates shall have been transmitted to the common council in time for consideration.

State, County and School Taxes:

Sec. 33. The levy, collection and return of state, county and school taxes shall be in conformity with the general laws of the state. School taxes for the purposes of the board of education of the city of Detroit shall be levied and collected the same as other city taxes.

CHAPTER V.

Bonds.

Permanent Improvements Provided for by Bonds:

Section 1. The common council may provide for public improvements and for refunding the public debt by borrowing upon the faith and credit of the city and upon the best terms that can be made, such sums of money as shall be deemed necessary and expedient, and issue the bonds of the city therefor in lieu of raising the same by taxation: Provided, however, that the council shall not authorize bonds for any public improvement which presumably shall not be in existence at the time of the maturity of the bonds issued therefor. No bonds shall be issued except special assessment bonds, refunding bonds, and emergency bonds as defined by law, and bonds that the city is annually authorized to issue, unless approved by three-fifths of the electors voting thereon at any general or special election.

Limitation of Indebtedness:

Sec. 2. The gross debt, exclusive of the water debt, as herein provided, after deducting the means in the general sinking fund shall not exceed four per cent of the assessed value of all the real and personal property in the city. All bonds or other indebtedness issued or credited in excess thereof, except as herein otherwise provided, shall be void unless authorized by three-fifths of the electors voting thereon at any regular or special election.

(SEE AMENDMENT NO. 5 IN APPENDIX.)

Issuance of Bonds:

Sec. 3. All bonds issued by the municipality shall be issued in the name of the city of Detroit, a municipal corporation, organized and existing under the laws of the state of Michigan and shall be exempt from all city taxation. Such bonds shall be issued under the seal of the city, regularly dated and numbered, and signed by the mayor, countersigned by the controller, and attested by the city clerk. They shall be classified as follows: public utility bonds, public sewer bonds, special assessment bonds, general public improvement bonds, emergency bonds and refunding bonds.

Public Utility Bonds:

Sec. 4. Public utility bonds shall include all bonds which it shall hereafter be found necessary to issue for the purpose of supplying the city and the inhabitants thereof with water, heat, power, light and street railway transportation, either by elevated, surface or subway system or by any combination of such systems.

Public Sewer Bonds:

Sec. 5. Public sewer bonds shall include all bonds which it shall hereafter be found necessary to issue for the construction or reconstruction of any or all of the public sewers in the city.

Special Assessment Bonds:

Sec. 6. Special assessment bonds shall include all bonds which it shall hereafter be found necessary to issue for the construction or reconstruction of any or all of the lateral sewers, the paving and repaving of alleys and the first pavement of streets and for paying the cost of any alley or street opening proceedings within the limits of the city.

General Public Improvement Bonds:

Sec. 7. General public improvement bonds shall include all bonds which it shall hereafter be found necessary to issue for the purchasing of grounds for public parks and boulevards, cemeteries and recreation grounds, for the improvement of cemeteries, parks and boulevards owned by the city, and for the re-pavement of boulevards, for separation of grades of streets and railways, and the sites for and the erection of all bridges, public administration buildings, school buildings, library buildings, court houses, hospitals, art museum buildings, buildings for public assemblages, recreation buildings, fire department houses and buildings, markets and market buildings, police stations and jails, and such other sites and buildings as may be found necessary for the proper maintenance of the business, the exercise of police powers and the administration of the laws and ordinances governing the affairs of the city.

Emergency Bonds:

Sec. 8. In case of fire, flood or other calamity, the common council may borrow for the relief of the inhabitants of the city and for the preservation of municipal property, a sum not to exceed one-fourth of one per centum of the assessed value of all real and personal property in the city, due in not more than three years, even if such loan would cause the indebtedness of the city to exceed the limit fixed in this charter.

Refunding Bonds:

Sec. 9. The common council may issue new bonds for the refunding of bonds and evidences of debt already issued. All bonds and evidences of debt, when refunded, shall be cancelled and destroyed by the treasurer, in the presence of the controller and a special committee of the common council appointed for the purpose. The controller shall record and keep an accurate description of all bonds and evidences of debt thus cancelled and destroyed. Refunding bonds shall be prepared, issued, recorded and delivered in the manner herein provided for bonds originally issued. No bonds shall be issued without providing a sinking fund to pay them at maturity, but no sinking fund shall be required in the case of serial bonds which fall due annually.

Term and Interest:

Sec. 10. All special assessment bonds shall run for a period not exceeding four years and all other bonds, excepting emergency bonds, which shall run for a period not exceeding three years, shall run for a period not exceeding thirty years from the date thereof; provided, the council shall have power to issue in serial form any bonds authorized to be issued, a portion of which serial bonds shall be retired at annual intervals. All bonds shall bear interest at a rate to be fixed by the council, not to exceed the rate of six per cent per annum.

Sale of Bonds:

Sec. 11. Whenever any issue of bonds shall have been authorized, as herein provided, the common council may direct the controller to advertise, in such manner as it may determine, either for sealed proposals for the purchase of the bonds about to be issued at the greatest premium above par and at a fixed rate of interest, or for sealed proposals for the purchase of the bonds at par and at the lowest rate of interest or for both, as the common council may determine. When the time for receiving such proposals shall have lapsed, the controller shall report to the common council all such bids received. The council shall proceed to consider the bids, may reject any or all of them, and shall order to be sold such amount of the bonds for which satisfactory bids, if any, shall have been received. The council shall not accept any bid for the purchase of the bonds at less than par or at a rate of interest in excess of six per cent per annum. The city treasurer shall, when directed by the council, bid in behalf of the city, at par and accrued interest, for any bonds offered for sale by the city, pay therefor out of available balances in the city treasury and resell the same at any time at not less than par and accrued interest.

Preparation:

Sec. 12. When the council shall have authorized the sale of such bonds, the controller shall prepare such an amount of the issue only as may be ordered sold. In the preparation of the bonds he shall cause to be written or printed upon the bond, on the outside fold thereof, so that the same may always be in plain sight, the following words to be signed by the city treasurer:

"This bond has been made and issued in compliance with law; has been duly registered in the books of this office, and the proceeds of the same, together with all the premiums on sale and interest accruing before delivery, have been paid into this office.

"Detroit,....., 19....

".....

"City Treasurer."

After having caused such bonds to be duly executed and recorded in the books of his office, with all the particulars as required herein, he shall transmit the same, with the name of the purchaser, number, date, term and denomination of bonds, to the city treasurer, taking his receipt therefore, and shall also report the entire transaction to the common council at its next succeeding session.

Delivery:

Sec. 13. The city treasurer shall, on receipt of the bonds, immediately notify the parties to whom the bonds have been awarded that they are ready for delivery. He shall sign the blank prepared by the controller, and no bonds shall be valid without his signature. He shall also record the bonds, as herein provided, and deliver them to the respective parties according to their accepted bids for the same, charging them with the premium, if any is included in the proposals, and the interest accrued on the bonds at the date of delivery. Thereupon he shall report to the common council, at its next regular session, the full particulars of the delivery of the bonds. This report, together with the report of the controller, shall be referred to the committee on ways and means, who shall compare the report of the city treasurer with that of the controller, and report to the common council upon the correctness of the same.

Record:

Sec. 14. The controller and city treasurer shall each keep an accurate record of all bonds and of the class of indebtedness to which they belong, the number, date and amount of each bond, its rate of interest, when and where it is payable, and the name of the person, persons, firm or corporation to whom it is issued.

Application of Proceeds:

Sec. 15. When the proceeds for the sale of any bonds shall have been paid into the city treasury, the principal thereof shall be credited to the funds for which the bonds were issued, and be applied exclusively to the purposes for which the bonds are authorized. No moneys received from the sale of any bonds issued for any permanent public improvement shall be used for maintenance. The premiums and accrued interest received, if any, shall be credited to the interest fund.

Payment of Interest on Bonds:

Sec. 16. Whenever interest coupons shall be presented for payment to the city treasurer, he shall first examine his coupon book to ascertain if the bond from which such coupon is cut has been regularly issued, the proceeds thereof have been regularly paid into the treasury, and the payment of such interest is due. If such be found to be the fact he shall cancel the coupons, so verified and transmit them, with a certificate of their correctness, to the controller. Upon the receipt of such coupon and certificate, the controller shall examine the same, comparing them with the records of bonds in his office, and previous payment of coupons. If found correct, he shall issue his warrant on the city treasurer in payment thereof. He shall also cause a record of each coupon to be made and filed so as to show the date of payment. He shall also preserve the coupons for reference.

Registered Bonds:

Sec. 17. On demand of the owner and holder of any coupon bonds heretofore or hereafter issued, registered bonds shall be issued in lieu thereof. The owner and holder asking for exchange of bonds may be required to pay a reasonable compensation to cover the expenses of such exchange. The bonds so issued shall be of the same denomination, or multiples thereof, bear the same rate of interest, and be payable at the same time, both as to interest and principal, as the coupon bonds for which they shall be exchanged. Coupon bonds, when so exchanged, shall be cancelled by the controller and city treasurer, and their certificate of such cancellation shall be endorsed on the new bonds. The old bonds shall be filed in the manner provided for bonds redeemed. The controller and city treasurer shall each keep a book in which shall be entered the date, number, series, denomination, and owner of all registered bonds, and the number and series of the coupon bonds for which exchanged, if any. The interest and principal of registered bonds shall, when due, be paid only to the order of the person, corporation or firm who shall appear by these books to be the owner thereof. Registered bonds may be transferred on such books. For this purpose there shall be printed forms on the back of the bonds, together with directions to be followed in the execution of such transfers by the owner in person or by a person authorized to do so by power of attorney duly executed, or by the presentation of duly authenticated letters of administration. In such case the power of attorney or letters of administration shall be filed and carefully preserved in the office of the controller. The exchange and registering of bonds, as herein required, shall be transacted by the mayor and controller, and the controller shall keep a registry for that purpose. No bond in lieu of a bond returned for cancellation shall be issued until the same shall have been registered, as herein provided.

Term and Delivery of Special Assessment Bonds:

Sec. 18. Special assessment bonds shall be payable as follows: One-quarter thereof shall be payable in one year, one-quarter in two years, one-quarter in three years and one-quarter in four years, from the date of their issue. Such bonds, or, in case the board of sinking fund commissioners shall purchase them, the proceeds of the sale thereof, shall be delivered to the contractor within thirty days after his completion according to specifications of the work for which the bonds shall have been issued and its acceptance by the commissioner of public works and the common council. All proceeds of the special assessment for the work, material and inspection for which such bonds shall have been issued shall, from time to time, as collected, be paid into the sinking fund, or into a sinking fund created for the purpose, and shall be applied exclusively on the payment of such bonds at maturity.

Loans on Appropriations Not Yet Available:

Sec. 19. The common council shall not borrow any sums of money whatsoever on the faith and credit of the city, except as herein provided; but it may authorize the controller to borrow, from time to time, on such credit, such sums as may be necessary to meet the expenditure under the appropriations for the current fiscal year. The council may authorize any officer or board to enter into contracts for, and commence public works in their respective departments at any time after the estimates for the ensuing fiscal year shall have been approved. In

order to enable such officers or boards to commence the public works in their respective departments before the commencement of the ensuing fiscal year, the common council may authorize the controller to borrow from time to time, on such credit, such sums as may be necessary to meet the expenditures therein, thereby incurred prior to the beginning of the fiscal year. The sums so borrowed shall be paid as soon as practicable out of the moneys raised and collected for such departments.

Unauthorized Debts Void:

Sec. 20. All bonds and evidences of debt hereafter issued, contrary to or not authorized by the provisions of this charter shall be void.

Pledge for Payment of Money Borrowed:

Sec. 21. The faith, credit and property of the city of Detroit shall remain pledged for the final payment of all bonds issued, and of all moneys borrowed by authority of, and in accordance with this charter or any act of the legislature of this state.

Unissued Bonds:

Sec. 22. If any bonds authorized by the common council, are not issued within three years after authorization, such authorization of bonds shall thereafter be null and void.

Redeemed Bonds:

Sec. 23. All bonds of the city which shall have been paid at the maturity thereof shall be cancelled by the city treasurer and destroyed in the manner provided in Section 9.

CHAPTER VI.

Funds.

Funds—Divisions Thereof:

Section 1. The revenues and moneys of the city shall be divided into the following funds:

1. General Fund, which shall be appropriated to defray the expenses of the city for the payment of which out of some other fund, no provision is herein made.
2. Contingent Fund, to defray the contingent expenses of said city.
3. Sinking Fund, to pay the funded debt of the city.
4. Interest Fund, to pay the interest on the funded debt of the city.
5. General Surplus Fund, to which shall be credited the surplus in any fund at the end of each fiscal year to be used for contingencies and the reduction of taxes.
6. Deficiency Fund, to cover the deficiency in the various other funds caused by the failure to collect taxes appropriated to such funds in any fiscal year. There shall be paid into said deficiency fund all back taxes collected for all years previous to the fiscal year then current, and at the close of each fiscal year the controller shall transfer from the deficiency fund to each fund for which an appropriation was made by taxation that year, the amount of money remaining uncollected of said appropriation. If there shall not be sufficient money in said deficiency fund at the close of any fiscal year to cover the amount of the entire tax levy for that year remaining uncollected, the controller shall transfer from the moneys received from liquor licenses, if any, an amount equal to the difference between the total uncollected taxes for that year

and the amount of money in the deficiency fund: Provided, That of the moneys received from liquor licenses, if any, during each fiscal year not less than fifty thousand dollars shall be held in reserve for the purpose of making the transfer as herein provided. If at any time during the year the receipts from taxes for any fund shall be insufficient to pay the expenses for which said fund is constituted within the appropriation therefor, the common council may direct the controller to advance to said fund from the deficiency fund an amount not to exceed the amount of taxes for that year due said fund and remaining uncollected. The amount of taxes thus advanced shall, upon their collection, be credited direct to the deficiency fund.

7. Public School Fund, to cover the various appropriations made for the schools of the city.

8. Library Fund, to cover all appropriations made for public libraries.

9. Public Building Fund, for purchasing any real estate for the erection thereon of any public buildings, and to defray the expenses of erecting, repairing and preserving such public buildings as the common council may authorize to be erected and maintained, which fund shall from time to time be divided into special building funds, to defray the expense of erecting, repairing and preserving the particular building or buildings for which such special building funds may be constituted or raised.

10. Public Works General Fund, for the salaries and running expenses of the office of the department of public works.

11. General Road Fund, to defray the expenses of work within the lines of intersections of cross streets, the cost of cross walks, of repaving, resurfacing, cleaning, sprinkling and repairing of streets, boulevards, highways, alleys and avenues, and the whole cost of paving between the tracks of street railroads, whenever the city has by contract, or ordinance obligated itself to do such paving.

12. Street Opening Fund, to defray the expenses of opening, widening, vacating, altering, straightening, extending or abolishing any highways, streets, alleys or avenues in said city.

13. Street Paving Fund, to defray the expenses of grading, paving and graveling macadamizing or planking highways, streets, boulevards, alleys, sidewalks and crosswalks in front of, or adjacent to private property, and of putting curbstones and culverts therein, and the making of adjustments of special assessments as herein provided.

14. Park and Boulevard Fund, for defraying the expenses of the general maintenance and care of the boulevards and parks, within or without the limits of the city.

15. Belle Isle Bridge Fund, for the maintenance of Belle Isle bridge.

16. Grade Separation Fund, for defraying expenses in connection with grade separations.

17. Public Sewer Fund, to defray the expenses of constructing and maintaining public sewers.

18. Public Lighting Fund, to defray the expense of lighting the public streets, boulevards, parks, alleys and public places, public markets and public buildings; and the expense of erecting, repairing and maintaining any buildings for furnishing electricity for commercial purposes, and

any other expenses in connection with furnishing such electricity beyond the income derived from the sale thereof, if at any time such expenses shall exceed such income.

19. Water Board Fund, to provide such funds as may be necessary beyond the income derived from water taxes.

20. Street Railway Fund, to defray the expenses of the street railway commission, and for the keeping of any moneys received by such commission.

21. Fire Department Fund, to defray the expenses of purchasing lots, erecting engine houses thereon, purchasing engines and other fire apparatus and all other expenses necessary to maintain the fire department.

22. Fire Department Pension and Retirement Fund, for the payment of salaries of retired firemen and the payment of pensions to beneficiaries as herein provided.

23. Department of Buildings and Safety Engineering Fund, to defray the expenses of the department of buildings and safety engineering.

24. Recorder's Court Fund, to maintain the recorder's court.

25. Police Department Fund, to defray the expenses of the department of police.

26. Police Pension and Retirement Fund, for the payment of salaries of retired policemen and the payment of pensions to beneficiaries as herein provided.

27. House of Correction Fund, to cover the appropriations for the house of correction, and such other sums as the common council may allow, as herein provided, for a revolving fund and petty cash fund, and for the keeping of all moneys received from the operations of such house of correction.

28. Public Health Fund, to defray the expenses of the board of health.

29. Garbage Fund, for defraying the expense of the removal and destruction of garbage and vegetable and animal refuse.

30. Welfare Fund, to defray the expense of the public welfare department.

31. Market Fund, for the maintenance of all markets owned by the city.

32. Purchasing Department Fund, to defray the expenses of the purchasing department and such other sums as the common council may allow as a revolving fund for the buying of supplies for the city.

33. Permit Fund, for the keeping of all moneys received for the issuing of permits by the city.

34. Recreation Commission Fund, to defray the expenses of the recreation commission.

35. Art Fund, for the maintenance of the institute of arts.

36. City Plan Fund, to defray the expenses of the city plan commission.

37. Public Entertainment Fund, for the purpose of defraying the costs and expenses of receptions, entertainments and celebrations to be expended as the common council by resolution shall direct.

38. Redemption Fund, a trust account of moneys collected for redemption of tax titles on property and which money when so collected is paid to the holders of tax titles.

The common council may create out of the general fund other funds not inconsistent herewith.

Drafts on Funds Limited:

Sec. 2. All warrants, drafts, orders and contracts payable under this charter, out of any particular fund, and issued or made after the moneys raised for and paid into such fund shall have been exhausted by payments therefrom, or liabilities created and to be paid out of said fund, shall be absolutely void as against the city.

Fiscal Year:

Sec. 3. The fiscal year of the city of Detroit shall commence on the first day of July, and expire on the thirtieth day of June, and shall not be subject to change by the common council.

Controller's Annual Statement:

Sec. 4. During the month of July, in each year, the controller shall submit to the common council a full, complete and detailed statement, with tabular lists, of all moneys received and expended by the corporation for the preceding fiscal year, showing on what accounts they were received and expended, to what funds they were credited, and out of what funds they were paid, and classifying each receipt and disbursement under its appropriate heading. In such statement he shall also give, by tabular lists and otherwise, such general information as may be necessary for an understanding of the pecuniary resources and liabilities of the city, and of the condition of each fund, and may make such recommendations concerning the same as he may deem the interests of the city require. The council may cause said statement to be published in the official paper of the city, and in such other paper or papers as the council may direct.

Depositories of Public Money:

Sec. 5. The common council shall have power to contract with any responsible bank or banks for the safe keeping of public money, and for the receipt of interest, at a rate not exceeding that established by law. Such moneys shall be deposited with such bank or banks to be drawn on account current therefrom by the city or proper officer thereof, and such interest shall belong to and be credited to the sinking fund: Provided, however, that whenever in the opinion of the board of sinking fund commissioners such moneys are not required for the payment of the public debt at maturity, the council may direct the same to be placed to the credit of the interest fund for the payment of interest on the city debt.

Committee for Negotiation of Loans:

Sec. 6. The mayor, controller and chairman of the committee on ways and means of the common council shall constitute a committee for the negotiation of all loans authorized by this charter, except loans to be made by the controller under the authority of the council, as herein provided; and a majority of such committee shall have power to make such negotiation, subject to the approval of the council.

Taxes, to What Fund Credited:

Sec. 7. All taxes and moneys raised, received or appropriated for the purpose of any particular fund, shall be paid in and credited to such particular fund; and all taxes and moneys not raised, received or

appropriated for the purpose of any particular fund shall be paid into and credited to the general fund, or to such other fund as the common council shall direct.

Application of Money to Various Funds:

Sec. 8. All moneys belonging to the several funds of the city and all taxes and moneys raised, received or appropriated for the purposes thereof, shall be applied to the purposes for which said funds are respectively constituted as herein provided, and for which said taxes and moneys are raised, received or appropriated: Provided, however, that if for any cause there shall be at the end of any fiscal year a surplus in any fund, over and above the actual or estimated cost of any work for which the money of any fund was specially raised, such surplus shall be transferred and credited, by the controller and treasurer to the general surplus fund, at the end of such fiscal year, to be used for contingencies and the reduction of taxes.

Transfer of Funds:

Sec. 9. Moneys shall not be transferred from one fund to another fund, except as herein provided and the moneys received and properly belonging to one fund shall not be credited to any other or different fund except to the general surplus fund.

Division of Funds:

Sec. 10. The controller, for convenience, shall have power to divide the several funds herein constituted into special funds, to defray special expenses, belonging to the same class of expenses for the payment of which said several funds are created. Moneys received from liquor taxes, if any, shall be credited to the contingent fund, police department fund, public health fund and welfare fund, in such proportions as the common council shall direct.

Sinking Fund Commissioners; Powers and Duties:

Sec. 11. The mayor, controller, treasurer and committee on ways and means of the common council and their successors in office, by virtue of their offices, shall be a board of commissioners of the sinking fund. Such board shall from time to time, upon the best terms it can make, purchase or pay the outstanding debt of the city, or such part thereof as it may be able to purchase or pay, until the same be fully purchased or paid. All bonds and evidences of debts thus purchased or paid shall be delivered to the treasurer, shall belong to the sinking fund and the interest thereon shall be credited and belong to such fund. The treasurer shall endorse upon the back of all bonds so purchased by the commissioners the following: "Registered bonds, not transferable without the written consent of the mayor, controller and city treasurer endorsed hereon." Whenever the board cannot arrange for the purchasing or paying such debt, or any part thereof, it shall temporarily and until it can so arrange, invest the moneys belonging to said sinking fund in such securities, bearing interest, as it deems safe and advisable. The board shall, from time to time, and whenever requested by the common council, make a report of its proceedings, which report shall be made to the common council, referred to and filed with the controller, and recorded by him in a proper book to be provided for that purpose.

Sinking Fund for School Bonds:

Sec. 12. The board of sinking fund commissioners shall also provide for a sinking fund to retire all school bonds heretofore issued, or which may hereafter be issued in the same manner as provided for all other bonds of the city.

Meetings; Secretary:

Sec. 13. The board shall be governed by the provisions of the ordinances of the city, not inconsistent herewith, relative to the sinking fund. It shall meet from time to time for the transaction of business, and may adopt its own rules of procedure. A majority of the board shall be a quorum for the transaction of business. The board shall not buy in or pay the outstanding funded debt of the city, or invest any of the moneys belonging to the sinking fund, as herein provided, except under a resolution for such purpose, passed and approved by a vote of a majority of the whole board, and by yeas and nays, to be entered of record. The mayor, or in case of his absence, some member, shall preside at meetings of the board. It shall appoint one of its members secretary, whose duty it shall be to keep a true record of its doings.

Custody of Moneys and Securities:

Sec. 14. The city treasurer shall have the custody of all moneys, securities and evidences of value belonging or pertaining to the sinking fund, and shall pay out the moneys of said fund only by order of the board or a majority thereof, and upon the warrant of the controller.

Annual Audit of Funds:

Sec. 15. Each of the funds of the city shall annually be audited by the controller.

CHAPTER VII.**General Provisions Concerning Finance.****Contracts for Public Work:**

Section 1. The common council may authorize any officer or board to enter into contracts subject to the approval of the council, for public works at any time after the estimates for the ensuing fiscal year shall have been approved.

Approval of Contracts for Public Work:

Sec. 2. No contract shall be let or entered into for the construction of any public work, or for any work to be done, or for the purchasing or furnishing of supplies for said city not herein provided for, and no such public work, performance, purchasing or supplying shall be commenced until approved by the common council, and until the contract therefor has been duly approved and confirmed by the common council, and a tax or assessment levied to defray the cost and expense of the same, and no such work, supplies and materials shall be paid for or contracted to be paid for, except out of the proceeds of the tax or the assessment thus levied.

Contracts to be Let to Lowest Bidder:

Sec. 3. No contract for the construction of any public building, sewer, paving, graveling, planking, macadamizing, nor for the construction of any public work whatever, nor for any work to be done, nor for purchasing or furnishing any material, printing or supplies for the city, if the expense of such construction, repairs, work, printing materials or supplies exceeds five hundred dollars, shall be let or entered into except to and with the lowest responsible bidder, with adequate security. No contract involving an expenditure exceeding five hundred dollars shall be let until a notice calling for bids shall have been duly published in at least one daily paper published in the city, for such period as the common council shall prescribe: Provided, however, that all purchases of materials and supplies of a less amount shall be on a competitive basis in the event that formal bids are not taken therefor.

Contracts Not to Be Let to Defaulters:

Sec. 4. No bids shall be accepted from or contract awarded to any person who is in arrears to the city upon debt or contract, or who is defaulter as security or otherwise upon an obligation to the city, nor who shall in other respects be disqualified according to the provisions of this charter.

Endorsement by Controller:

Sec. 5. Before any contract to which the city shall be a party, or to which any officer or board thereof shall be a party, for the construction or repair of any pavement, sewer, building, or any other public work, shall be valid or binding upon the city, there shall be endorsed thereon by the controller, a certificate that the money proposed to be expended under said contract is actually in the treasury or an appropriation made therefor; and it shall be unlawful for the controller to draw his warrant on account of any such contract not containing the certificate herein required.

Unauthorized Contracts Void:

Sec. 6. All contracts hereafter made or entered into contrary to or not authorized by the provisions of this charter, shall be void.

Fees and Charges of City Officers:

Sec. 7. All such fees or charges as are, or may be, by this charter or the ordinances of the city, made chargeable or collectable by any city officer, board or commission of the city shall belong to the city and be paid over to the city treasurer by such officer, board or commission and a receipt therefor taken in the same manner as is provided for all other collections and payments to or for the city. Such officer, board or commission shall make a written report to the controller, under oath, of all such fees and charges so collected and deposited, together with the receipt from the city treasurer for the same. And no officer, board or commission, or the employes thereof shall receive compensation for his or their services, other than as may be fixed in the manner herein provided.

Officers Converting Money, Etc., to be Guilty of Malfeasance in Office:

Sec. 8. If any officer of the city shall, directly or indirectly, appropriate or convert any of the moneys, securities, or evidences of value, or any property whatsoever, belonging to the city, or to any board commission or department thereof, to his own use, or shall di-

rectly or indirectly, and knowingly appropriate or convert the same to any other purpose than that for which such moneys, securities, evidences of value, or property may have been appropriated, raised or received, or to any purpose not authorized by law, he shall be deemed guilty of willful and corrupt malfeasance in office, and may be prosecuted, tried and convicted therefor, and on conviction, may be punished by a fine not exceeding five hundred dollars, and imprisonment in the House of Correction, not exceeding ninety days or either, in the discretion of the court, or in such other manner as the laws of the state shall prescribe.

Claims to be Accompanied by Affidavit:

Sec. 9. No claim against the city, or any of its boards, commissions or departments, shall be audited or paid unless accompanied by the affidavit of the claimant, if such affidavit be required by the controller, that the service, labor or materials upon which such claim is based have been actually rendered, performed or furnished, that said claim is justly due, and that no part thereof has been paid, except as to the credits, if any, set forth in the account thereof.

Unlawful Claims or Allowances; Illegal Warrants:

Sec. 10. No claim or demand against the city shall be allowed or paid, or warrant on the treasury issued therefor, if the same be contrary to, or is not authorized by law. Except with the approval of the common council and mayor, no additional allowance beyond the legal claim under any contract with the city or for any services on its account or in its employment, shall be allowed, and except with such approval, no warrant on the treasury shall be drawn for any claim or demand for the payment of which there is no money in the treasury raised or received for such purpose, or after the fund constituted and raised therefor has been exhausted by warrants previously drawn thereon, or by appropriations, liabilities, debts and expenses actually made, incurred, or contracted for, and to be paid out of such fund. Any officer of the city violating the provisions of this section shall be deemed guilty of malfeasance in office and shall be discharged from the office he holds and be liable to imprisonment not exceeding ninety days in the House of Correction or a fine of five hundred dollars or both at the discretion of the court.

Claims Against City:

Sec. 11. The common council shall audit and allow all accounts chargeable against the city, but no unliquidated account, or claim, or contract shall be received for audit or allowance unless it be accompanied by an affidavit of the person rendering it, to the effect that he verily believes that the services or property therein charged have been actually performed or delivered for the city, and the sums charged therefor are reasonable and just, and that, to the best of his knowledge and belief, no setoff exists, nor payment has been made on account thereof, except such as are included or referred to in such account or claim.

Actions Against City to Be Commenced Within One Year:

Sec. 12. No action shall be brought against the city nor any of its boards, commissions or officers for any negligent injury unless it be commenced within one year from the time when the injury was received, nor unless written notice be served upon the corporation coun-

sel, or his chief assistant, within sixty days from the time of the happening of such injury, which notice shall specify the location and nature of the defect claimed, the injury sustained, and the name of the witnesses known at the time by claimant.

Execution of Deeds, Contracts, Leases and Other Instruments:

Sec. 13. All deeds, contracts, leases or instruments herein authorized shall, if made by the common council, be executed by the controller; if by any commissioner at the head of any city department, by said commissioner; and if by any board or commission, by the president thereof. All payrolls, bills and vouchers of every kind of such department shall be certified and signed by the same officers.

No Money to be Paid Out Except Upon Warrant:

Sec. 14. No moneys shall be paid out of the treasury, except upon a warrant signed by the controller, and approved and authorized by the common council in pursuance of law. Such warrant shall specify the purposes for which the amount thereof is to be paid, with sufficient clearness to indicate the particular fund constituted or raised therefor, shall have endorsed thereon the name of the particular fund out of which it is payable, and shall be paid from the fund constituted for such purpose, and from no other.

Limitation on Common Council:

Sec. 15. The common council shall not incur any expenses nor create nor pay any debt nor liability, nor appropriate nor use the property or moneys of the city, except as herein provided.

TITLE VII.

PUBLIC UTILITIES.

CHAPTER I.

Public Utilities.

Control of Public Utilities:

Section 1. The common council shall have the general control of all persons, partnerships, associations, or corporations operating within the city any public utility on, above or beneath the surface of the highways, streets, alleys or other public places for wires, poles, pipes, tracks or conduits.

Regulation of Fares and Charges:

Sec. 2. The council may fix and establish by ordinance, rates of fares and charges which may be exacted and received by such persons, partnerships, associations, or corporations, for any service rendered or commodity sold by them in the course of such public utility business within the city limits. The fixing of rates and charges hereunder shall not confer upon any such person, partnership, association or corporation, any right whatever in the streets, alleys or highways of the city.

Street Railways; Steam Railroads:

Sec. 3. The council shall have authority to determine the kind of power by which the cars or engines of street railways and steam railroads shall be propelled within the city and to determine the grade or grades at which tracks shall be laid on said highways, streets, alleys or other public places or any part thereof.

Grade Separation:

Sec. 4. The council shall also have the power to order the grade or grades of such tracks to be separated from the grade or grades of the highways, streets, alleys or public places upon or across which said tracks have been laid. The person, partnership, association or corporation owning, leasing, or controlling such tracks shall, at his or their own cost and expense, within sixty days after receiving written notice of the order of the council requiring the separation of any grade or grades, proceed to make such separation in the manner ordered and provided for by the council and such person, partnership, association or corporation shall, at his or their own cost and expense within six months from the time of receiving such notice, complete the separation of such grade or grades and comply with all the terms and requirements of said order in reference thereto: Provided, That the consequential damages suffered by the abutting property on the highway, street, alley or other public place where the grade is changed, shall be borne and paid by the city; and Provided further, That if the period of six months hereinbefore referred to shall be insufficient for the purpose aforesaid, the council upon application of the person, partnership, association or corporation hereinbefore referred to and upon good cause shown may extend said period of six months for such time as in the judgment of the council the circumstances of the case may require.

Franchises:

Sec. 5. The common council may, at any general or special election, submit, in accordance with the constitution and laws of the state, to the electors of the city for their approval or disapproval any franchise for any public utility or proposition in connection with the regulation or control thereof.

TITLE VIII.

CONDEMNATION PROCEEDINGS.

CHAPTER I.

Taking Private Property for Public Use.

Section 1. The council of the city of Detroit is hereby authorized to take private property for the use and benefit of the public within the limitations of the state constitution, and to institute and prosecute proceedings for that purpose. Provided, That this chapter shall not apply to cases where proceedings have already been instituted under any laws in force prior to the taking effect of this charter; And provided further, That nothing herein contained shall be held to abridge the right of said city to take private property for the use and benefit of the public under other acts to which resort may be had for said purpose.

Sec. 2. Such proceedings may be commenced and prosecuted under this chapter whenever the common council shall have declared a public improvement to be necessary in the municipality, and shall declare that it deems it necessary to take private property, describing it for such public improvement designating it, and that the improvement is for the use or benefit of the public. It shall, by resolution, direct the corporation counsel to institute the necessary proceedings in behalf of the municipality in the recorder's court of said city, to carry out the object of the resolution in regard to taking private property for the city. Before the institution of such proceedings, the council shall, if it be intention to assess any part of the damages awarded in such proceedings upon a special or local district, declare by resolution such purpose and fix such district, embracing only such real estate as in its opinion will be specially benefited by the improvement and it shall describe such district with reasonable certainty by well known boundaries, so that all persons owning real estate in such district may readily ascertain the facts.

Sec. 3. The city clerk shall make and deliver to the corporation counsel as soon as may be, a copy of such resolution, certified under seal and it shall be the duty of such attorney to prepare and file in the name of the city, in the court having jurisdiction of the proceedings, a petition signed by him in his official character and duly verified by him; to which petition a certified copy of the resolution of the council shall be annexed, which certified copy shall be prima facie evidence of the action taken by the council and of the passage of said resolution. The petition shall state, among other things, that it is made and filed as commencement of judicial proceedings by the municipality in pursuance of this chapter to acquire the right to take private property for the use or benefit of the public, without consent of the owners, for a public improvement, designating it, for a just compensation to be made. A description of the property to be taken shall be given, and generally the nature and extent of the use thereof which will be required in making and maintaining the improvement shall be stated, and also the names of the owners and others interested in the property, so far as can be ascertained, including those in possession of the premises. The petition shall also state that the council has declared such improvement to be necessary, and that it deems it necessary to take the

private property described in that behalf for such improvement for the use or benefit of the public. The petition shall ask that a jury be summoned and empanelled to ascertain and determine whether it is necessary to make such public improvement, whether it is necessary to take such property as it is proposed to take, for the use or benefit of the public, and to ascertain and determine the just compensation to be made therefor. The petition may state any other pertinent matter or things, and may pray for any other or further relief to which the municipality may be entitled within the objects of this chapter.

Sec. 4. Upon receiving such petition, it shall be the duty of the clerk of said court, to issue a summons against the respondents named in such petition, stating briefly the object of said petition, and commanding them in the name of the people of the State of Michigan to appear before said court, at a time and place to be named in said summons, not less than twenty nor more than forty days from the date of the same, and show cause, if any they have, why the prayer of said petition should not be granted. Such clerk shall also cause to be published in at least one newspaper published in the municipality, a conspicuous notice addressed to all owners of real estate within the assessment district (and which owner shall be designated in this chapter as the taxpayers) describing such district, and warning and notifying such owners of said proceedings pending in said court, and stating the return day of such summons, and that such owners or taxpayers are at liberty to appear in said proceedings and defend. And all or any of such owners are hereby authorized to make themselves parties to said proceedings by appearing in person or by attorney at any time before the trial herein provided for, and such as appear shall have all the rights of parties respondents at all stages of the proceedings, including the right to move for a new trial and take appeals; but the rights of those who do not appear shall not be held abridged or impaired by such proceedings any further than would be the case if the right to appear did not exist.

Sec. 5. Said summons shall be served by the sheriff, deputy sheriff, under sheriff of the county, or by any police officer of the city of Detroit, at least five days before the return day thereof, upon all the respondents found within the county of Wayne, by exhibiting the original and delivering a copy to each of them. If any respondent who is a resident of the county cannot be found, the summons shall be served by leaving a copy thereof at his or her usual or last place of abode, with some person of suitable age and discretion. If any minor or person of unsound mind is interested in the premises to be taken, service may be made on the guardian of such person, if any, and if there be no guardian, the court may appoint some discreet and proper person to be guardian of such person in such proceedings; any such guardian shall have authority to represent such person in said proceedings. The proceedings to appoint such guardian shall be the same as in other cases provided by statute. If it shall appear on the return day of the summons that any respondent cannot be found within the county and has not been served in the manner provided, or is a non-resident, and has not voluntarily appeared, the court may make an order requiring such respondent to appear and show cause why the prayer of the petition should not be granted on a day to be named in the order.

not less than thirty days from the date thereof, and may require that a certified copy of such order be personally served on such respondent wherever found, if practicable, at least six days before the time named in the order for appearance, or the court may make such order for appearance, and require as to any or all such respondents who shall not have been personally served and have not appeared, that service be made by publishing a copy of such order for three successive weeks, at least once in each week, in at least one newspaper published within the municipality, the last publication to be at least six days before the day fixed in the order for appearance. Alias and pluries summons may be issued, and the court may adjourn the proceedings from time to time as there shall be occasion and as in other civil cases. Service of such order for appearance in either mode prescribed shall be sufficient notice of the proceedings to bind the respondents and the property represented by them. The return of the officer upon the summons and an affidavit of the due service or the publication of the order for appearance, if any, shall be filed in the clerk's office before a jury shall be empaneled, and be sufficient evidence of service on the respondents and of the manner of service. And such officer shall, at least five days before the return day of the summons, also post up in at least four conspicuous places, within the assessment district, printed notices (which shall be supplied by the clerk of said court) to the owners or taxpayers, similar to that provided in section four hereof, and which notices shall be printed on sheets at least fifteen by twenty inches in size and in large type. Copies of said notice shall be served personally by such officer upon at least three of such taxpayers, if to be found within the county, at least five days before the return of the summons.

Sec. 6. On the return day of the summons, or on some subsequent day to which the proceedings are adjourned, if no sufficient cause to the contrary has been shown, the court shall make an order that a jury be empaneled in the cause. Such jury shall be composed of twelve freeholders of the municipality, and shall be elected and empaneled as follows: The sheriff, under sheriff, or a deputy sheriff of the county shall, on the same day, or at an adjourned day, make a list of twenty-four resident freeholders of said city, and the corporation counsel in person or by an assistant or deputy, and the respondents and taxpayers collectively, shall each have the right to strike six names from the list of persons written down as aforesaid, and subject to objection for cause and peremptory challenges, the twelve persons whose names are left on the list shall compose the jury for the trial of the cause, and shall be summoned to attend at such time as the court shall direct by venire issued by the clerk of the court, and to be served by one of the officers aforesaid. If the respondents neglect or refuse to strike six names from said list, it shall be done by the judge of the court, and in case any of the persons to be summoned cannot be found in the county, or being summoned do not attend, or shall be excused for cause, or otherwise, talesmen possessing the necessary qualifications may be summoned as jurors in the case, by such sheriff or sheriff's officer, or authorized person, and the practice and proceedings under this chapter, except as herein provided, relative to empaneling, summoning and excusing jurors and talesmen, and imposing penalties or fines upon them for non-attendance, shall be the same as the practice and proceedings

of the circuit court of the state relative to petit jurors in civil cases in such courts. No person shall be qualified to act as juror under this chapter who shall have served as a juror in any court of record in said county within two years next preceding the time of empaneling such jury. The city on one side and the respondents and taxpayers on the other shall have the right to challenge peremptorily three persons called to serve as jurors in each such proceedings; in the discretion of the judge of said court the number of peremptory challenges may be increased to not exceeding six on each side.

Sec. 7. The jurors so empaneled shall be sworn or shall affirm in substance as follows: "You do solemnly swear (or affirm) that you will well and truly ascertain and determine whether there is a public necessity for making the proposed improvement and for taking for the use or benefit of the public the private property which the petition describes and prays may be taken, and if you shall determine that it is necessary to make such improvement and to take said property, that then you will ascertain, determine and award a just compensation to be made therefor, and faithfully and impartially discharge all other duties as devolve upon you in this case, and unless discharged by the court a true verdict give according to law and the evidence, so help you God (or under the pains and penalties of perjury)." The jury shall hear the proofs and allegations of the parties, and if so ordered by the court shall go to the place of the intended improvement, in charge of an officer, and upon or as near as practicable to any property proposed to be taken, and examine the premises. It shall be instructed as to its duties and the law of the case by the judge of the court, and shall retire under charge of an officer, and render its verdict in the same manner as on the trial of an ordinary civil case, but the same shall be in writing, and shall be signed by the foreman or by any of the jurors.

Sec. 8. The jury shall determine in its verdict the necessity for the proposed improvement and for taking such private property for the use or benefit of the public for the proposed improvement, and in case it finds such necessity exists, it shall award to the owners of such property and others interested therein such compensation therefor as it shall deem just. If any such private property shall be subject to a mortgage, lease, agreement or other lien, estate or interest, it shall apportion and award to the parties in interest such portion of the compensation as it shall deem just.

Sec. 9. To assist the jury in arriving at its verdict, the court may allow the jury when they retire to take with it the petition filed in the case and a map showing the location of the proposed improvement, and of each and all of the parcels of the property to be taken, and may also submit to it a blank verdict which may be as follows:

PART I.

We find that it is..... necessary to take the private property described in the petition in this cause for the use and (or) benefit of the public for the proposed public improvement.

PART II.

The just compensation to be paid for such private property we have ascertained and determined and hereby award as follows:

Description of each of the several parcels of private property to be taken.	Owners, Occupants and others interested in each parcel.	Compensation	To whom payable

The different descriptions of the property and the names of the occupants, owners and others interested therein may be inserted in said blank verdict, under the direction of the court, before it is submitted to the jury, or it may be done by the jury.

Sec. 10. The verdict of the jury may be set aside by the court and a new trial ordered as in civil suits at law in the circuit courts of this state. Amendments either in form or substances may be allowed in any paper, petition, process, record or proceedings, or in the description of the property proposed to be taken, or the name of any person, whether contained in the resolution passed by the common council or otherwise, whenever the amendment will not interfere with the substantial rights of the parties. Any such amendment may be made after, as well as before, judgment confirming the verdict of the jury.

Sec. 11. Motions for a new trial or to arrest the proceedings shall be made within two days after the rendition of the verdict, unless further time is allowed by the court; and if no such motion is made, or, being made, is overruled, the court shall enter an order or judgment confirming the verdict of the jury; and such judgment or confirmation, unless reversed by the supreme court, shall be final and conclusive as to all persons interested therein.

Sec. 12. Any person whose property may be taken (and any such taxpayer, party to the proceedings under this chapter) considering himself aggrieved, may appeal from the judgment of the court confirming the verdict of the jury by filing in writing, with the clerk of said court, a notice of such appeal within five days after the confirmation and within the same time serving a copy thereof on the corporation counsel and filing a bond in said court, to be approved by the judge thereof, conditioned for the prosecution of said appeal to judgment, and the payment of all costs, damages and expenses that may be awarded against him in case the judgment or confirmation shall be affirmed. Such appeal shall be perfected within the same time and prosecuted as an appeal in chancery, as near as may be, subject to the provisions of this chapter.

Sec. 13. In case of such an appeal, the clerk of the court, on payment of his legal fee and charges, shall transmit to the supreme court a certified copy of the necessary files, records and proceedings in the case, and the judge of the court shall, at the request of the appellant, settle a case according to the usual practice of said court, showing the material evidence and instructions given to the jury, bearing upon any disputed points to which exception was taken, and the objections, rulings

and exceptions in the case, all of which shall be returned by said clerk as part of the records to the clerk of the supreme court.

Sec. 14. The said appeal may be brought on for hearing at any term of the supreme court, and the said court may affirm, or, for any substantial error, reverse the judgment, and may grant a new trial. The said court shall allow the prevailing party his reasonable costs and expenses to be taxed, and give judgment as in other chancery appeals, and all costs, damages and expenses awarded to the city, if it so elect, may be applied on or deducted from the compensation, if any, to be paid, or execution may issue on the judgment. Damages may be awarded against a party appealing without reasonable cause.

Sec. 15. When a verdict of the jury shall have been finally confirmed by the court, and the time in which to take an appeal has expired, or if an appeal is taken, on the filing in the court below of a certified copy of the order of the supreme court, affirming the judgment of confirmation, it shall be the duty of the clerk of the court to transmit to the common council a certified copy of the verdict of the jury and of the judgment of confirmation, and of the judgment, if any, of affirmation, and thereupon the proper and necessary proceedings in due course shall be taken for the collection of the sum or sums awarded by the jury. The council shall by resolution determine whether the whole or any just proportion of the compensation awarded by the jury shall be assessed upon the owners or occupants of real estate contained in the assessment district, already fixed and determined as hereinbefore provided, and the whole or any of such just proportion so determined shall be assessed upon the owners or occupants of such taxable real estate, in proportion, as nearly as may be, to the advantage which such lot, parcel or subdivision is deemed to acquire by the improvement: Provided, That in the case of opening and widening alleys, all damages for the taking of property for such opening or widening shall be assessed upon the property directly abutting the alley, or such portion thereof as is ordered to be opened or widened. The assessment shall be made and the amount levied and collected in the same manner and by the same officers and proceedings, as near as may be, as is provided in the charter of the municipality for assessing, levying and collecting the expense of a public improvement when a street is graded. The assessment roll containing said assessments, when ratified and confirmed by the common council, shall be final and conclusive and prima facie evidence of the regularity and legality of all proceedings prior thereto, and the assessment therein contained shall be and continue a lien on the premises on which the same is made until payment thereof. Whatever amount or portion of such awarded compensation shall not be raised in the manner hereinbefore provided, shall be assessed, levied and collected upon the taxable property of the municipality, the same as other general taxes are assessed and collected in such city. At the time when by law required to transmit annual estimates to the council the mayor or controller shall in said estimates include all sums to be raised by taxation on the taxable property of the municipality under the provisions hereof, and said sums shall be levied and collected the same as other city taxes: Provided, that the council may cause the whole or any part thereof to be raised by issue of bonds in lieu of raising the same by taxation, said bonds to be issued in the name of the city of Detroit in the same man-

ner as other city bonds, to be denominated General Public Improvement Bonds.

Sec. 16. Within one year after confirmation of the verdict of the jury, or after the judgment of confirmation shall on appeal be confirmed, the council shall set apart and cause to be provided in the treasury, unless already provided, the amount required to make compensation to the owners and persons interested for the private property taken as awarded by jury, and shall in the resolution setting apart and providing said sum, if not already provided, direct the city treasurer to pay to the persons respectively entitled to the money so set apart and provided, to each his or her proportion, as ascertained and awarded by said verdict. And it shall be the duty of the treasurer to securely hold such money in the treasury for the purpose of paying for the property taken, and pay the same to the persons entitled thereto, according to the verdict of the jury, on demand, and not pay out the money for any other purpose whatever. The council may provide the necessary amount by borrowing from any other money or fund in the treasury, and repay the same from money raised to pay the compensation awarded by the jury when collected, or otherwise, as it may provide. Whenever the necessary sum is actually in the treasury for such purpose, the treasurer shall make and sign duplicate certificates, verified by his oath, showing that the amount of compensation awarded by the jury is actually in the treasury for such purpose, the treasurer shall make and sign duplicate certificates, verified by his oath, showing that the amount of money is in the treasury for payment of the award for the private property taken in the case, giving the title of the case, and shall cause one of the certificates to be filed in the office of the clerk of the court in which the proceedings were had, and the other to be filed with the city clerk, which certificate shall be prima facie evidence of the matters herein stated. Whenever the amount of the compensation is in the treasury, and thus secured to be paid, the council may enter upon and take possession of and use such private property for the purpose for which it was taken, and may remove all buildings, fences and other obstructions therefrom. In case of resistance or refusal on the part of any one to the council of its agents and servants entering upon and taking possession of such private property for the use and purpose for which it was taken, at any time after the amount of the compensation aforesaid is actually in the treasury ready to be paid to those entitled thereto, the council by the corporation counsel may apply to the court, and shall be entitled, on making a sufficient showing, to a writ of assistance to put the city in possession of the property.

Sec. 17. Officers, jurors and witnesses in any proceeding hereunder shall be entitled to receive from the city the same fees and compensation as are provided by law for similar services in an action at law in the circuit courts of this state.

Sec. 18. All the expenses and costs of the proceedings to take and use private property under this chapter, incurred by the municipality, shall be paid out of the general fund, contingent fund, or a fund provided for such purposes, as the case may be; and it shall be lawful for the judge in any case wherein a verdict of no necessity is rendered, to order the payment by the city to any respondent or taxpayer of such

a reasonable attorney fee as he may deem just, not exceeding twenty-five dollars, which may be taxed with the costs.

Sec. 19. The council shall not have power to discontinue proceedings hereunder after the rendition of the verdict of the jury, but it may direct the corporation counsel to move for a new trial or to arrest the proceedings, or to take an appeal to the supreme court, and in any such case the same proceedings shall be taken as are hereinafter prescribed in the case of like proceedings on the part of any respondent, except that no bond shall be required, nor shall the municipality be required to pay the clerk of the recorder's court fees.

Sec. 20. It shall be prima facie evidence as to who are owners of and persons interested in any property proposed to be taken in the proceedings instituted under this chapter, if the register or deputy register of deeds of the county shall testify in open court that he has examined the records and title in his office, and states who such records show are the owners of and persons interested in such property, and the nature and extent of such ownership and interest, and an abstract of the title of such property, or any parcel or parcels thereof, certified by the register or deputy register of deeds, shall also be prima facie evidence as to ownership and persons having an interest in any such property, and the extent and nature of such interest.

Sec. 21. In case there is on the private property taken, a building or other structure, the same shall be sold by or under the direction of the city treasurer; the amount produced by the sale shall belong to and be paid to the fund for paying the compensation awarded for the property taken, and the council shall cause the proper proportion of such amount to be credited and applied in reduction of the sums to be raised to pay the award.

Sec. 22. To make the filing of a petition in the recorder's court under this chapter constructive notice to a purchaser of any real estate it shall be the duty of the corporation counsel to file for record with the register of deeds of Wayne county a notice of the filing of such petition, setting forth the title of the cause and the general object thereof, together with a description of the lands to be affected thereby. A copy of such record, authenticated by the register of deeds, shall be evidence of such notice and the filing of same in all courts and places.

Sec. 23. Whenever the council shall determine by resolution, to open any street or alley, a conspicuous notice of such determination shall be published in at least two daily papers in the city of Detroit, which shall be deemed constructive notice, and if after the publication of such notice, any person owning real estate in the line of such street or alley shall build or move a house or other structure upon such real estate in the line of any street or alley ordered opened, such house or structure shall be deemed personal property and shall not be condemned as a part of the realty, but when the street is otherwise opened may be treated as any other obstruction to a street or alley.

TITLE IX.

MISCELLANEOUS PROVISIONS.

CHAPTER I.

Representation on Board of Supervisors.

Certain Officers to be Ex-Officio Members of Board:

Section 1. The city of Detroit shall be represented on the board of supervisors of the county of Wayne by the following officers of the city: The mayor, city clerk, city treasurer, councilmen, controller, corporation counsel, assessors, commissioner of police, commissioner of public works, commissioner of parks and boulevards, the president of the street railway commission, the commissioner of buildings and safety engineering, the commissioner of purchases and supplies, the president and vice-president of the public lighting commission, the president and vice-president of the fire commission, the president and vice-president of the board of water commissioners, the president and vice-president of the board of health, the president and vice-president of the public welfare commission, the president of the board of commissioners of the house of correction, the president of the city plan commission and the president of the recreation commission.

Powers and Duties as Supervisors:

Sec. 2. Such officers shall be vested with the powers and duties of supervisors, as provided by the laws of the state; shall attend the annual session of the board of supervisors of the county of Wayne, in October, and all other sessions thereof, and shall represent the city at such sessions.

Appointment of Supervisors in Certain Cases:

Sec. 3. In the event that the number of officers enumerated in this section shall be diminished by any amendment of the charter, the mayor shall appoint additional supervisors sufficient in number, together with the officers vested with the powers and duties of supervisors, to maintain a representation of the city on the board of supervisors at thirty-seven. If the president or vice-president of any board or commission shall not be an elector, qualified to vote for mayor, such board or commission shall designate from its membership another member who shall be such an elector as a representative of the city on such board of supervisors.

CHAPTER II.

Minimum Wage.

Service Day:

Section 1. The service day for all employes of the city of Detroit during which they shall be required to work shall consist of eight consecutive hours in any one day of twenty-four hours. No employe shall be required or permitted to work for more than this eight-hour service day, except in case of any emergency which would result in serious loss, damage, or impairment of the city's service, unless the same employe or employes were required to remain continuously at work for a longer period, in which case, during the continuance of the emergency, the provision requiring the eight-hour service day may be suspended by the department head or proper subordinate in whose department the emergency shall have arisen.

Service Week:

Sec. 2. No employe shall be required to work for more than six service days in any consecutive seven days of twenty-four hours each, except in case of any emergency which would result in serious loss, damage, or impairment of the city's service, unless the same employe or employes were required to remain at work in excess of the six-day service week, in which case, during the continuance of the emergency, the provision requiring a six-day service week may be suspended by the departmental head or proper subordinate in whose department the emergency shall have arisen.

Excess Compensation:

Sec. 3. The common council shall by ordinance provide for the proper readjustment of service time and for the proper excess compensation of any employe, of whom service in excess of the regular service day or the regular service week shall have been required in the case of any emergency, as herein provided. But the common council shall provide for a rate of compensation for excess service which shall be for Sundays and other holidays not less than twice the regular rate of compensation, and for other days not less than one and one-half times the regular rate of compensation.

Minimum Wages:

Sec. 4. No employe doing common labor shall receive compensation in a sum less than two dollars and twenty-five cents per diem for an eight-hour service day. No employe doing the work of a skilled mechanic shall receive compensation in a sum less than the highest prevailing wage in that particular grade of work. Whenever practicable, the per diem plan of employing common labor shall be in force. All wages and all salaries shall be paid weekly. Any employe who shall receive compensation for service rendered at a rate less than the minimum fixed herein may by an action for debt recover from the city the balance due him hereunder with costs.

Contracts for Public Work:

Sec. 5. No contract for any public work shall be let which shall not, as a part of the specification on which contractors shall make their bids, require the contractor or sub-contractor to pay all persons in his employ doing common labor and engaged in the public work contracted for not less than two dollars and twenty-five cents per diem, to pay all

persons in his employ doing the work of a skilled mechanic and engaged on the public work the highest prevailing wage in that particular grade of work, and to require of such employes the same service day and service week required herein of all city employes. Any contractor who shall have entered into such contract with the city and shall have violated any provision of this section as made a part of his contract shall be debarred from any further contracts for public work, and any contract let to him contrary to this provision shall be void. Whenever it shall appear that any employe of any contractor for public work engaged thereon shall have received less than the compensation herein provided, the common council may cause to be paid to him such deficit as shall be due him and shall cause the amount so paid to be deducted from the balance due to the contractor from the city.

CHAPTER III.

Ferries—National Bridge—Tunnel.

Ferries:

Section 1. The common council may license, continue and regulate ferries from within the city to Belle Isle and the opposite shore of the Detroit River, for the carrying and transporting of persons and property upon and across said river. The city shall have power to acquire, own and operate, in the manner herein provided, a line or lines of ferry boats on the Detroit River and waters connected therewith.

National Bridge or Tunnel:

Sec. 2. The city shall have power to unite with the Canadian authorities, or any Canadian corporation, in building and maintaining a public bridge or tunnel across or under the Detroit River. Provided, that the city shall have an ownership in said bridge or tunnel in proportion to the amount of money it may invest therein, or shall build or own that portion of said bridge or tunnel situated within the boundaries of this state, and shall have an equal voice with said Canadian authorities or corporation in the control or management of such bridge or tunnel, and in fixing the tolls to be charged and collected for the use thereof by the public. The said bridge or tunnel shall be a common or public highway, but street car and railroad companies may be allowed to run their cars over said bridge or through said tunnel, upon such terms and conditions as the common council and said Canadian authorities or corporation may from time to time prescribe.

CHAPTER IV.

Penalties.

Section 1. The common council shall, except as herein otherwise specified, provide for the punishment of all persons offending against this charter or any ordinance enacted hereunder, by imposing fines, penalties, forfeitures and costs, and by imprisonment in the house of correction of said city. Any person convicted of any offense may be required to give bail for good behavior. If only a fine, penalty, forfeiture or costs be imposed, the offender may be sentenced to imprisonment until payment thereof, for a term not exceeding ninety days. All punishments for offenses against any ordinance of the city shall be prescribed in the ordinance creating or specifying the offense to be punished, and no fine, penalty or forfeiture shall exceed five hundred dollars. No imprisonment shall exceed ninety days. Punishments may consist of both fine and imprisonment, in the discretion of the court, if this charter or such ordinance shall so provide.

TITLE X.**Schedule.****Repeal of Superseded Charter:**

Section 1. Act number three hundred and twenty-six of the local acts of the year eighteen hundred and eighty-three, entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," and all acts amendatory thereof and supplemental thereto, and all special acts relating to the city (except such as no city may alter, amend or repeal), are hereby repealed.

Acts, Resolutions, Regulations and Proceedings Continued:

Sec. 2. All ordinances, resolutions and other proceedings of the common council not in conflict with the provisions of this charter, and all acts, regulations or other proceedings of the city or any board, commission or officer thereof, not in conflict with the provisions of this charter, entered into, done or adopted in accordance with law, are hereby continued in full force and effect until altered, amended or repealed in accordance with law.

Vested Rights Continued:

Sec. 3. After the adoption of this charter, the city shall continue to be vested with all property, moneys, contracts, rights, credits, effects, and the records, files, books and papers belonging to it as formerly incorporated, and with such additional property and rights as herein prescribed. No right or liability, either in favor of or against the city, existing at the time of the taking effect of this charter, and no suit or prosecution of any character shall in any manner be affected by such change, but the same shall stand or proceed as if no change had been made. All debts and liabilities of the city shall continue to be its debts and liabilities, and all fines and penalties imposed and all taxes and assessments levied and uncollected at the time of such change shall be collected, and all licenses issued by the city shall be and remain the same as if such change had not been made.

Officers Continued in Office:

Sec. 4. All officers now holding any office or appointment shall continue to hold the same, unless removed by competent authority, until superseded under laws now in force or under this charter. Unless otherwise herein or by ordinance provided, the salaries or compensation of all city officers shall continue as under the existing charter and ordinances.

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(SEE AMENDMENT NO. 3 IN APPENDIX.)

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CHARTER AMENDMENT.

No. 1.

Leave of Absence for Uniformed Members of the Fire Department.

A BILL to amend Section 13 of Chapter XV of Title IV of the Charter of the City of Detroit adopted by the people of the City of Detroit June 25, 1918, and filed June 27, 1918:

THE PEOPLE OF THE STATE OF MICHIGAN AND THE PEOPLE OF THE CITY OF DETROIT ENACT:

Section 1. That Section 13 of Chapter XV of Title IV of the Charter of the City of Detroit, adopted by the people of the City of Detroit June 25, 1918, and filed June 27, 1918, be, and same is hereby amended so as to read as follows:

Section 13. The leave of absence of uniformed members of the fire fighting division of the fire department shall be for each member, one day of twenty-four hours off duty in every forty-eight hours and a furlough of twenty days in each year, of which at least ten days shall be consecutive.

The following is the form in which said proposed amendment was submitted on the ballot:

Do you favor giving to uniformed members of the fire fighting division of the fire department a leave of absence of twenty-four hours out of every forty-eight hours instead of a leave of absence of one day of twenty-four hours off duty in every four days as at present provided?

NO
YES

Approved by Common Council August 20, 1918.

Submitted to the Governor August 30, 1918.

Adopted by electors of the City of Detroit at an election held in said City November 5, 1918, the vote for and against being: Yes, 46,825; No, 25,636.

Filed with the Secretary of State November 14, 1918.

CHARTER AMENDMENT.

No. 2.

Leave of Absence for Watchmen Employed by the Fire Department.

A BILL to amend Chapter XV of Title IV of the Charter of the City of Detroit adopted by the people of the City of Detroit, June 25, 1918, and filed June 27, 1918, by adding a new section thereto to be known as Section 26 and to read as follows:

THE PEOPLE OF THE STATE OF MICHIGAN AND THE PEOPLE OF THE CITY OF DETROIT ENACT:

Section 26. The leave of absence of watchmen employed in the fire department shall be, for each watchman, one day of 24 hours off duty in every four days and a furlough of 20 days in each year, of which at least 10 days shall be consecutive.

The following is the form in which said proposed amendment was submitted on the ballot:

Do you favor giving the watchmen employed in the fire department a leave of absence of one day of 24 hours off duty in every four days and a furlough of 20 days in each year, of which at least 10 days shall be consecutive?

NO

YES

Approved by Common Council August 20, 1918.

Submitted to the Governor August 30, 1918.

Adopted by electors of the City of Detroit at an election held in said City November 5, 1918, the vote for and against being: Yes, 57,893; No, 20,186.

Filed with the Secretary of State November 14, 1918.

CHARTER AMENDMENT.

No. 3.

Belle Isle Bridge.

A BILL to amend the Revised Charter of the City of Detroit, same being an act entitled "A bill to provide a charter for the City of Detroit and to repeal act number three hundred twenty-six of the local acts of the year eighteen hundred eighty-three, entitled: 'An act to provide a charter for the City of Detroit and to repeal all special acts relating to the city, except such as no city may alter, amend or repeal, in conflict with any provisions of this charter,'" approved June 25, 1918, in effect June 27, 1918, by adding thereto a chapter entitled Chapter I of Title XI, conferring upon the Common Council of the said City power to erect a bridge over the American channel of the Detroit River between Belle Isle and the mainland at the intersection of Jefferson Avenue and East Grand Boulevard; to provide an approach or approaches thereto; to expend therefor a sum not to exceed three million dollars; to provide such part of said sum as may be from time to time required by taxation on the taxable real and personal property of the city; to provide such part of said sum as may be from time to time required by the sale of bonds in lieu of taxation; to provide such part of said sum as may from time to time be required by the sale of bonds of the city not within the restrictive provisions of Title VI of said Revised Charter as to time of authorization, relation to total of annual appropriations or gross debt; to maintain, control and regulate said bridge.

THE PEOPLE OF THE STATE OF MICHIGAN AND OF THE CITY OF DETROIT ENACT:

Section 1. The Revised Charter of the City of Detroit, same being an act entitled "A Bill to provide a Charter for the City of Detroit and to repeal act number three hundred twenty-six of the local acts of the year eighteen hundred eighty-three, entitled, "An act to provide a charter for the City of Detroit and to repeal all special acts relating to the city, except such as no city may alter, amend or repeal, in conflict with any provisions of this charter," approved June 25, 1918, in effect June 27, 1918, is amended by adding thereto a chapter entitled Chapter I, Title XI, as follows:

TITLE XI.

CHAPTER I.

Section 1. Power to erect a bridge over the American channel of the Detroit River between Belle Isle and the mainland at the intersection of Jefferson Avenue and East Grand Boulevard is hereby conferred on the Common Council of the City of Detroit.

Sec. 2. Power to provide an approach or approaches thereto is hereby conferred on the Common Council of the City of Detroit.

Sec. 3. Power to expend therefor a sum not to exceed three million dollars is hereby conferred on the Common Council of the City of Detroit.

Sec. 4. Power and authority to provide such part of said sum as may be from time to time required, in the judgment of said Council by taxation on the taxable real and personal property of the City in the annual appropriations of the City in manner provided in Title VI of said Revised Charter is hereby conferred on the Common Council of the City of Detroit.

Sec. 5. Power and authority to provide such part of said sum as may be from time to time required, in the judgment of said Council, by the sale

of bonds to be issued in lieu of taxation in manner provided in said Title VI of said Revised Charter is hereby conferred on the Common Council of the City of Detroit.

Sec. 6. Power and authority to provide such part of said sum as may be from time to time required, in the judgment of said Council, by the sale of bonds, which are hereby authorized and approved, to be issued and sold in the sum of three million dollars or such part thereof as the said Council shall from time to time determine is hereby conferred on the Common Council of the City of Detroit.

Sec. 7. Bonds issued under Section 6 hereof, hereby authorized and approved, shall bear such rate of interest and be issued and sold as is provided with reference to other City bonds by Chapter V of said Title VI of said Revised Charter, but they shall not be subject to the restrictive provisions of Title VI of said Revised Charter as to time of authorization, relation to annual appropriations or total thereof, or gross debt.

Sec. 8. Power to maintain, control and regulate said bridge and the approach or approaches thereto is hereby conferred on the Common Council of the City of Detroit.

The following is the form in which said proposed amendment was submitted on the ballot:

Do you favor amending the Revised Charter of the City of Detroit, approved June 25, 1918, in effect June 27, 1918, by adding thereto a chapter conferring upon the Common Council of the said City power to erect a bridge over the American channel of the Detroit River between Belle Isle and the mainland at the intersection of Jefferson Avenue and East Grand Boulevard; to provide an approach or approaches thereto; to expend therefor a sum not to exceed three million dollars; to provide such part of said sum as may be from time to time required by taxation on the taxable real and personal property of the City; to provide such part of said sum as may be from time to time required by the sale of bonds in lieu of taxation; to provide such part of said sum as may from time to time be required by the sale of bonds of the City hereby authorized and approved not within the restrictive provisions of said Revised Charter as to time of authorization, relation to annual appropriations or total thereof, or gross debt?

YES

NO

Approved by the Common Council February 25, 1919.

Approved by the Governor March 27, 1919.

Adopted by electors of the City of Detroit at an election held in said City April 7, 1919, the vote for and against being: Yes, 87,657; No, 42,021.

Filed with the Secretary of State April 18, 1919.

CHARTER AMENDMENT.

No. 4.

Power to Submit Propositions, Bonds, Etc.

A BILL to amend the Revised Charter of the City of Detroit, same being an Act entitled "A bill to provide a charter for the City of Detroit and to repeal Act number three hundred and twenty-six of the local acts of the year eighteen hundred and eighty-three entitled "An Act to provide a Charter for the City of Detroit, and to repeal all special acts relating to the city except such as no city may alter, amend or repeal, in conflict with any provision of this charter," approved June 25, 1918, in effect June 27, 1918, by adding thereto a paragraph entitled Section 13 (e), Chapter I, Title III, conferring upon the Common Council of the City of Detroit power to submit to the electors of the City of Detroit, at any election, general or special, propositions by law required or permitted to be submitted to said electors, bonds by law required or permitted to be submitted to said electors, questions or matters by law required or permitted to be submitted to said electors, and all propositions, questions or matters upon which said Common Council desires a vote of said electors.

THE PEOPLE OF THE STATE OF MICHIGAN AND OF THE CITY OF DETROIT ENACT:

Section 1. The Revised Charter of the City of Detroit, same being an Act entitled "A Bill to provide a charter for the City of Detroit and to repeal Act number three hundred and twenty-six of the local acts of the year eighteen hundred and eighty-three, entitled 'An Act to provide a charter for the City of Detroit, and to repeal all special acts relating to the City except such as no city may alter, amend or repeal, in conflict with any provision of this charter,'" approved June 25, 1918, in effect June 27, 1918, is amended by adding thereto a paragraph entitled Section 13 (e), Chapter I, Title III, as follows:

TITLE III.

CHAPTER I.

Section 13.

(e) To submit to the electors of the City of Detroit at any election, general or special, propositions by law required or permitted to be submitted to said electors, bonds by law required or permitted to be submitted to said electors, questions or matters by law required or permitted to be submitted to said electors, and all propositions, questions or matters upon which said Common Council desires a vote of said electors.

The following is the form in which said proposed amendment was submitted on the ballot:

Do you favor amending the Revised Charter of the City of Detroit, approved June 25, 1918, in effect June 27, 1918, by adding thereto a paragraph conferring upon the Common Council power to

submit to the electors at any election, general or special, propositions, bonds, questions or matters, by law required or permitted to be submitted or upon which said Council desires a vote of said electors?

YES

NO

Approved by the Common Council March 11, 1919.

Approved by the Governor March 27, 1919.

Adopted by electors of the City of Detroit at an election held in said City April 7, 1919, the vote for and against being: Yes, 74,446; No, 27,817.

Filed with the Secretary of State April 18, 1919.

CHARTER AMENDMENT.**No. 5.****Electors to Authorize Bonds.**

A BILL to amend Section 2, Chapter V, Title VI, of the Revised Charter of the City of Detroit, same being an act entitled, "A bill to provide a charter for the City of Detroit and to repeal act number three hundred and twenty-six of the local acts of the year eighteen hundred and eighty-three, entitled 'An Act to provide a charter for the City of Detroit' and to repeal all special acts relating to the City except such as no city may alter, amend or repeal, in conflict with any provision of this charter," approved June 25, 1918, in effect June 27, 1918, to provide that bonds not otherwise by said Revised Charter authorized to be issued may be issued if approved by a three-fifths vote of the electors and to provide that, including bonds so approved but deducting the resources in the Sinking Fund and excluding special assessment bonds, bonds issued by the Board of Water Commissioners and public utility bonds, the limit on the gross debt of the City is fixed at 4 per centum of the assessed value of all the real and personal property in the city.

THE PEOPLE OF THE STATE OF MICHIGAN AND OF THE CITY OF DETROIT ENACT:

Section 1. Section 2, Chapter V, Title VI, of the Revised Charter of the City of Detroit, same being an act entitled "A bill to provide a charter for the City of Detroit and to repeal act number three hundred and twenty-six of the local acts of the year eighteen hundred and eighty-three, entitled 'An Act to provide a Charter for the City of Detroit' and to repeal all special acts relating to the City except such as no city may alter, amend or repeal, in conflict with any provision of this Charter," approved June 25, 1918, in effect June 27, 1918, is hereby amended to read as follows:

TITLE VI.**CHAPTER V.**

Section 2. Bonds, not otherwise herein authorized to be issued, may be issued by the Common Council if approved by three-fifths of the electors voting thereon at any general or special election. Including bonds so approved, but deducting the resources in the Sinking Fund and excluding special assessment bonds, bonds issued by the Board of Water Commissioners, and public utility bonds, the gross debt of the City is not to exceed four per centum of the assessed value of all the real and personal property in the City.

The following is the form in which said proposed amendment was submitted on the ballot:

Do you favor amending Section 2, Chapter V, Title VI, of the Revised Charter to provide that the electors, by a three-fifths vote, may authorize bonds to be issued, and that, including bonds so authorized but excluding the Sinking Fund, special assessment, water and public utility bonds, the gross debt is not to exceed 4 per cent of the assessed value of the city?

YES

NO

Approved by the Common Council March 17, 1919.

Approved by the Governor March 27, 1919.

Adopted by electors of the City of Detroit at an election held in said City April 7, 1919, the vote for and against being: Yes, 68,193; No, 31,797.

Filed with the Secretary of State April 18, 1919.

CHARTER AMENDMENT.

No. 6.

Public Utility Bonds.

A BILL to amend Section Nine (9) of Chapter XIII of Title Four (4) of an Act entitled "A Bill (an Act) to provide a charter for the City of Detroit, and to repeal Act No. 326 of the local acts of the year 1883, entitled 'An Act to provide a charter for the City of Detroit, and to repeal all special Acts relating to the City, except such as no city may alter, amend or repeal in conflict with any provisions of this charter (which charter of the City of Detroit was adopted by the electors of said city at an election held June 25, 1918, pursuant to the provisions of Act No. 279 of the Public Acts of 1909, as amend.'")

THE PEOPLE OF THE STATE OF MICHIGAN AND THE PEOPLE OF THE CITY OF DETROIT ENACT:

Section 1. That Section 9 of Chapter XIII of Title 4 of an Act entitled "A Bill to provide a charter for the City of Detroit, and to repeal Act No. 326 of the local acts for the year 1883, entitled 'An Act to provide a charter for the City of Detroit, and to repeal all special acts relating to the City of Detroit, except such as no city may alter, amend or repeal, in conflict with any provisions of this charter (which charter of the City of Detroit was adopted by the electors of said City at an election held June 25, 1918, pursuant to the provisions of Act No. 279 of Public Acts of 1909 as amended) be and the same is hereby amended so as to read as follows:

TITLE IV.

CHAPTER XIII.

Section 9. The Common Council shall, on the request of the board, issue in such amounts as will not exceed the legal bonding limit of the city bonds of the city, to be known as public utility bonds, up to the amount of two per cent of the assessed value of the real and personal property of the city. Said bonds shall be payable by the city at such time or times and at such rate of interest as the board and Common Council may determine. The Common Council shall sell all or any part of said bonds at any time, and from time to time, upon request of the board, and pay the proceeds to the City Treasury, and said proceeds shall be used for the purpose of securing, in some one of the ways herein provided, a public street railway system in the city, and within the ten miles outside aforesaid; said bonds to be issued under the provisions of sub-section (b) of Section 4 of Act No. 279 of Public Acts of 1909, as amended relative to public utility bonds, and to be in addition to any other bonds which the city is or may be authorized to issue for any other purpose whatsoever.

All acts or parts of acts inconsistent herewith are hereby repealed.

Do you favor the above amendment?

YES

NO

Approved by the Common Council March 4, 1919.

Approved by the Governor March 27, 1919.

Adopted by electors of the City of Detroit at an election held in said City April 7, 1919, the vote for and against being: Yes, 65,286; No, 34,847.

Filed with the Secretary of State April 18, 1919.