

2/3 of the council members decide that a delay would be detrimental to the efforts of the City to respond to a threat.

SECTION 7.5 BUSINESS OF SPECIAL MEETINGS.

No business shall be transacted at any special meeting of the Council unless the same has been stated in the notice of such meeting. However, other than the enactment of an ordinance, any business which may lawfully come before a regular meeting may be transacted at a special meeting if all the members of the Council are present and consent thereto.

SECTION 7.6 MEETING TO BE PUBLIC.

All regular and special meetings of the Council shall be open to the public, and the rules of order of the Council shall provide that citizens shall have a reasonable opportunity to be heard.

SECTION 7.7 QUORUM: ADJOURNMENT OF MEETING.

Four members of the Council shall be a quorum for the transaction of business at all meetings of the Council, but, in the absence of a quorum, any number of members less than a quorum may adjourn any regular or special meeting to a later date. In the absence of a quorum, any number of members present less than a quorum may order the compulsory attendance of absent members at a Council meeting.

SECTION 7.8 RULES OF THE COUNCIL.

The Council shall determine its own rules and order of business, and shall keep a journal in the English language of all of its proceedings, which shall be signed by the Mayor and the Clerk. The vote upon the passage of all ordinances, and upon the adoption of all resolutions shall be by a "Yes" or "No" vote and entered upon the record, except that where the vote is unanimous, it shall only be necessary to so state. The people shall have access to the minutes and records of all regular and special meetings of the Council at all reasonable times.

SECTION 7.9 COMPULSORY ATTENDANCE AND CONDUCT OF MEETING.

Each member of the Council shall be required to attend all meetings of the Council unless excused in accordance with Section 6.2. The Council may order the attendance of its members at its meetings. The Council may order the attendance of other officers of the City at its meetings and may enforce such fines for non-attendance, as may, by ordinance, be prescribed. The refusal of any member of the Council, or other officer of the City to attend such meetings or to conduct himself in an orderly

manner thereat, shall be deemed a violation of this Charter. Any police officer designated by the presiding officer of the meeting shall serve as sergeant-at-arms of the Council in the enforcement of the provisions of this section.

SECTION 7.10 MEMBERS INTEREST IN QUESTION.

Except as otherwise provided in this Charter, a member of the Council shall not vote on any question in which he shall have a direct personal financial interest, other than as a citizen of the community, but on all other questions he shall vote unless excused therefrom by a vote of at least four members of the Council.

SECTION 7.11 PUBLIC HEALTH AND SAFETY.

The Council shall see that provision is made for the public peace and health, and for the safety of persons and property. Unless and until a board of health is established for the City by ordinance, the Council shall constitute the board of health of the City, and it and its officers shall possess all powers, privileges and immunities granted to boards of health by statute.

SECTION 7.12 LICENSES.

The Council shall, by ordinance, prescribe the terms and conditions upon which licenses may be granted, suspended, or revoked, and may require and exact payment of such reasonable sums for any license as it may deem proper.

SECTION 7.13 CEMETERY REGULATIONS.

The Council shall have the power to enact all ordinances deemed necessary for the establishment, maintenance, and protection of cemeteries, together with improvements thereon and appurtenances thereto, owned or hereafter acquired by the City either within or without its corporate limits. A plan for platting, sale and perpetual care of all lots, plots, and lands therein may be provided. All ordinances pertaining to public health and welfare in the regulation and protection of public cemeteries may apply equally to all cemeteries within the City belonging to, or under the control of any Church or religious society, or any corporation, company, association, or individual.

SECTION 7.14 TRUSTS.

The Council may, in its discretion, receive and hold any property in trust for park, cemetery, or other municipal purposes. Any trusts now existing for the benefit of the Village of Bangor shall be continued in full force in accordance with the *cy pres* doctrine.

CHAPTER VIII. CITY LEGISLATION**SECTION 8.1 LEGISLATIVE POWER.**

The Legislative power of the City is vested exclusively in the Council, except as otherwise prohibited by law.

SECTION 8.2 PRIOR VILLAGE LEGISLATION.

All valid ordinances, resolutions, rules and regulations of the City of Bangor which are not inconsistent with this Charter and which are in full force and effect at the time of the effective date of this Charter shall continue in full force and effect, until repealed or amended, according to Section 8.3 of this Charter. Those provisions of any valid ordinance, resolution, rule or regulation which are inconsistent with this Charter are hereby repealed.

SECTION 8.3 INTRODUCTION, CONSIDERATION AND STYLE OF ORDINANCE.

- (a) Each proposed ordinance shall be introduced in written form. The style of all ordinances passed by the Council shall be, "The City of Bangor Ordains."
- (b) Ordinances may be enacted by the affirmative vote of not less than four members of the Council.
- (c) Each Ordinance, after adoption, shall be identified by number, and by code Section number if and when said ordinances of the City are codified according to Section 8.3 (g) of this Charter.
- (d) An Ordinance or a part of an Ordinance may be repealed or amended only by an Ordinance passed in the manner provided in this Section. An Ordinance may be repealed by reference to its number only.
- (e) If a Section of an Ordinance is amended the Section shall be re-enacted and published at length. This requirement shall not apply to the schedules of stop streets, one-way streets, and of parking limitations contained in any traffic Ordinance or vehicular traffic regulating portion of the City's Ordinance code.
- (f) Each Ordinance shall be recorded by the Clerk forthwith in the Ordinance Book, and the enactment of such Ordinance and the effective date thereof shall be certified by him therein.
- (g) The Ordinances of the City may be set forth in code form as soon as practicable after the adoption of this Charter.

(h) No Ordinance shall be finally passed by the Council at the same meeting at which it is introduced.

SECTION 8.4 PUBLICATION OF ORDINANCES.

(a) Before an ordinance may become operative, it shall be published in at least one newspaper which is of general circulation in the City or as noted in the alternate method provided for in Section 2.2 (g) of this Charter. The effective date of an ordinance shall be stated therein, but shall not be less than ten (10) days after publication, unless it is declared by the affirmative vote of not less than five (5) members of the Council to be an emergency ordinance. The publication of an ordinance in full as part of the published proceedings of the Council shall constitute publication as required herein.

(b) All codes and other ordinance subject matter, which are or may be permitted by law to be adopted by reference shall be adopted and published in the manner permitted and required by law.

(c) In the event of the codification of the ordinances the deposit of a number of copies as provided by law, in the office of the Clerk available for public inspection and sale at cost, shall constitute publication thereof.

SECTION 8.5 PENALTIES.

The Council shall provide in each ordinance for the punishment of violations thereof, but, unless permitted by law no such punishment, excluding the costs charged, shall exceed a fine of five hundred dollars (\$500.00) or imprisonment for more than ninety (90) days, or both, in the discretion of the Court. Imprisonment for violations of ordinances may be in the City or County jail.

SECTION 8.6 INITIATIVE AND REFERENDUM.

An ordinance may be initiated by the electors of the City and a referendum on an ordinance may be had by them by the submission of a petition therefor as provided in this chapter.

SECTION 8.7 INITIATORY AND REFERENDARY PETITIONS.

An initiatory or a referendary petition shall be signed by not less than twenty (20) percent of the registered electors of the City as of the last general City or State election. Such petition may be the aggregate of two or more petition papers. Each signer of a petition shall sign his name, and shall place thereon after his signature, the date and his place of residence by street and number or Rural Route Number. To each petition paper there shall be attached a certificate by the circulator thereof, stating that each signature thereon is the genuine signature of the person whose name it purports to be, and that it was signed in the presence of the circulator. Each circulator shall be a resident elector of the

City. Such petitions shall be filed with the Clerk who shall, within fifteen days, canvass the signatures thereon to determine the sufficiency thereof. Any signature obtained more than thirty days before filing of such petition with the Clerk shall not be counted. If found to contain an insufficient number of signatures of registered voters of the City, or to be improper as to form or compliance with the requirements of this section, the Clerk shall notify forthwith the person filing such petition, and ten days from such notification shall be allowed for the filing of supplemental petition papers. When found sufficient and proper, the Clerk shall present the petition to the Council at its next regular meeting.

SECTION 8.8 COUNCIL PROCEDURES ON INITIATIVE OR REFERENDARY PETITIONS.

Upon receiving an initiatory or referendary petition from the Clerk the Council shall, either:

- (1) If it be an initiatory petition, adopt the ordinance as submitted in the petition within thirty days after receipt thereof, or determine to submit the proposal to the electors.
- (2) If it be a referendary petition, repeal the ordinance to which the petition refers within thirty days after receipt thereof or determine to submit the proposal to the electors.

SECTION 8.9 SAME — SUBMISSION TO ELECTORS.

Should the Council decide to submit the proposal to the electors, it shall be submitted at the next election held in the City for any purpose, or, in the discretion of the Council, at a special election. The result shall be determined by a majority vote of electors voting thereon, except in cases where otherwise required by law.

SECTION 8.10 SAME — STATUS OF ORDINANCE ADOPTED.

An ordinance adopted by the electorate through initiatory proceedings may not be amended or repealed by the Council for a period of two years after the date of the election at which it was adopted. Should two or more ordinances, adopted at the same election have conflicting provisions, the one receiving the largest affirmative votes shall prevail as to those provisions.

SECTION 8.11 SAME — ORDINANCE SUSPENDED.

The certification by the Clerk of the sufficiency of a referendary petition within forty days after passage of the ordinance to which such petition refers shall automatically suspend the operation of the ordinance in question, pending repeal by the Council or the final determination of the electors thereon.

SECTION 8.12 RECALL.

Any elected official may be recalled from office by the electors of the City in the manner provided by statute. A vacancy created by such recall shall be filled in the manner prescribed by this Charter and by statute.

CHAPTER IX. GENERAL FINANCE**SECTION 9.1 FISCAL YEAR.**

The fiscal year and budget year of the City and of its agencies shall begin on the first day of July each year.

SECTION 9.2 BUDGET PROCEDURE.

On or before the first day in May of each year, each officer, department and board of the City shall submit to the City Manager an itemized estimate of its expected income, if any, and expenditures for the next fiscal year, for the department or activities under its control. The City Manager shall compile and review each budget request and shall then prepare his budgetary recommendations and submit them to the Council on June 1st.

SECTION 9.3 BUDGET DOCUMENT.

The Budget Document shall present a complete financial plan for the ensuing year. It shall include at least the following information:

- (a) A detailed Budget summary, showing the estimated receipts and expenditures of each fund and the total of all funds.
- (b) A detailed statement of the estimates of all proposed expenditures for each fund, itemized for each department and activity by objects of expenditure showing, in parallel columns, the expenditures for the preceding year.
- (c) Detailed statements of estimates of all anticipated income of the City from taxes and sources other than current taxes and borrowing, compared with the amounts received by the City from each of the same or similar sources for the last preceding year and for the current year.
- (d) A statement of the estimated financial condition of each City fund reflecting the estimated surplus or deficit in each such fund and showing all the transfers made from each such fund.

(e) A statement of the bonded or the other indebtedness of the City showing the amount required in the ensuing year for retirement on the debt and necessary interest requirements.

(f) A statement of outstanding delinquent taxes and delinquent special assessments which have been levied during the current and preceding fiscal years of the City and reasonable estimate of the amount expected to be collected during the next fiscal year of the City.

(g) An estimate of the amount of money proposed to be raised by taxation and the amount to be raised from bond issues which together with the estimated income from other sources will be necessary to meet the proposed expenditures.

(h) Such other information as may be required by the Council.

SECTION 9.4 BUDGET HEARING.

A public hearing on the budget proposal shall be held before its final adoption. Notice of the time and place of holding such hearing shall be published by the Clerk at least ten days in advance thereof. A copy of the proposed budget shall be on file and available to the public during office hours at the office of the Clerk for a period of not less than ten days prior to such public hearings. A copy of the proposed budget may be obtained by any qualified elector of the City from the City Clerk from the period between the publication of the notice of said hearing on the budget and the adoption thereof. Requests for a copy may be either written or oral and the Clerk shall either mail or hand a copy of the said proposed budget to the person requesting same within 24 hours of said request.

SECTION 9.5 ADOPTION OF THE BUDGET.

(a) At a meeting held not later than the second regular meeting in June, the Council shall by resolution, adopt a budget for the next fiscal year and make appropriation of the money needed therefor. Such resolution shall designate the sum to be raised by taxation for the general purpose of the City and for the payments of principal and interest on its indebtedness. Failure to adopt such resolution within the time therein set shall not invalidate either the budget or the tax levy therefor.

(b) Should the Council fail to adopt a budget for the next fiscal year by the closing of the meeting of the second Monday in June, the amounts appropriated for current operation for the current fiscal year shall be deemed appropriated for the ensuing fiscal year, on a month to month basis with all items pro-rated accordingly, until such time as the Council adopts a budget for the ensuing fiscal year.

SECTION 9.6 BUDGET CONTROL.

(a) Except for purposes which are to be financed by the insurance of bonds or by special assessment, or for other purposes not chargeable to the budget appropriation, no money shall be drawn

from the general fund of the City without an appropriation thereof, nor shall any obligations for the expenditures of money be incurred without an appropriation covering all payments which will be due under such obligation in the current year. The Council by resolution may transfer any unencumbered appropriation balance or any portion thereof, from one department account, fund or agency to another.

(b) Expenditures shall not be charged directly to any contingent or general account. Instead, the necessary amount of the appropriation from such account shall be transferred to the appropriate budget item or account and, the expenditure then charged thereto.

(c) At the beginning of each quarterly period during the fiscal year, and more often if required by the Council, the Mayor shall submit to the Council data showing the relation between the estimated and actual revenues and expenditures to date; and if it shall appear that the revenues are less than anticipated, the Council may reduce appropriations, except amounts required for debt and interest charges, to such a degree as may be necessary to keep expenditures within the revenues.

(d) The balance in any annual budget appropriation which has not been encumbered at the end of the fiscal year shall revert to the general fund.

(e) (1) The Council may, by ordinance, establish and maintain accounts for accumulating moneys to be used for acquiring, extending altering, construction, or repairing public improvements or public buildings and for the purchase of equipment of any type, in each case either for a specific item or items or for future unspecified public improvements or equipment or both.

(2) Appropriations to such accounts may be made by the Council either in the annual appropriation resolution or, from time to time during the fiscal year, from available funds, from whatever source derived, which are not required for other appropriations or obligations of the City. Such accounts shall be continuing accounts and the balances therein at the end of each fiscal year shall remain a part thereof.

(3) Moneys which are accumulated for the purposes of public improvements or buildings, as set forth in subsection (e) (1) hereof, shall, be used only at the direction of the Council, and only for the purposes provided in the original ordinance establishing such account, unless their use for some other municipal purpose be authorized by a majority vote of the electors of the City who vote on the proposition to amend such ordinance to provide for a change in the use of the moneys in such account. After the purpose of any such account has been fulfilled, any balance remaining therein may be transferred by the Council to any other account of the City.

(4) Moneys which are accumulated for the purpose of purchasing equipment, as set forth in subsection (e) (1) hereof, shall be expended only for the purpose provided in the ordinance establishing any such account, or as such ordinance may be amended from time to time.

SECTION 9.7 COLLECTION AND DEPOSIT OF MONEYS.

The Council shall designate the depository or depositories of City Funds, and shall provide for

the regular deposit of all City moneys. The Council shall provide for such security for City deposits as is authorized or permitted by law, except that personal surety bonds shall not be deemed proper security.

SECTION 9.8 INDEPENDENT AUDIT AND SYSTEM OF ACCOUNTING.

An independent audit shall be made of all accounts of the City Government at least annually and more frequently if deemed necessary by the Council. Such amounts shall be made by a qualified public accountant experienced in municipal accounting selected by the Council. An annual report of the City business shall be made available for distribution to the public by the City Mayor in such printed form as will disclose pertinent facts concerning the activities and finances of the City government. The Council shall provide the funds to defray the cost of the annual audit and report herein required in each annual budget of the City.

There shall be a uniform system of accounts and they shall be kept in such manner as to conform with the requirements of the laws of this State.

SECTION 9.9 MUNICIPAL BONDING POWER.

Subject to the applicable provisions of law, the Council may, by ordinance or resolution, authorize the borrowing of money for any purpose within the scope of powers vested in the City and permitted by law and may authorize the issuance of bonds or other evidence of indebtedness therefor. Such bonds or other evidences of indebtedness shall include but not be limited to the following types:

(a) General obligation bonds which pledge the full faith, credit, and resources of the City for the payment of such obligations.

(b) Notes issued in anticipation of the collection of taxes, but the proceeds of such notes may be spent only in accordance with appropriations as provided in Section 9.6.

(c) In case of fire, flood, or other calamity, emergency loans due in not more than five years for the relief of inhabitants of the City and for the preservation of municipal property.

(d) Special assessments made for the purpose of defraying the cost of any public improvement, or in anticipation of the payment of any combination of such special assessments; such special assessment bonds may be an obligation of the special assessment district or districts alone, or maybe both an obligation of the special assessment district or districts and a general obligation of the City.

(e) Mortgage bonds for the acquiring, owning, purchasing, constructing, improving, or operating of any public utility which the City is authorized by this Charter to acquire or operate. A sinking fund shall be created in the event of the issuance of such bonds, setting aside such percentage of the gross or net earnings of the public utility as may be deemed sufficient for the payment of the

mortgage bonds at maturity, unless serial bonds are issued of such a nature that no sinking fund is required.

(f) Bonds for the refunding of the funded indebtedness of the City.

(g) Revenue bonds as authorized by law which are secured only by the revenues from a public improvement or public utility and do not constitute a general obligation of the City.

(h) Bonds issued in anticipation of future payments from the Motor Vehicle Highway Fund or any other fund of the State which the City may be permitted by law to pledge for the payment of the principal and interest thereof.

SECTION 9.10 AUTHORIZATION OF ELECTORS REQUIRED.

(a) Except as provided in Section 9.10 (b) of this chapter, no bonds pledging the full faith and credit of the City shall be issued without the approval of a majority of the qualified electors voting thereon at any general or special election.

(b) The restriction of Section 9.10 (a) of this chapter shall not apply to general obligation bonds issued to pay for the City's portion of public improvements the remainder of which are to be financed by special assessments, tax anticipation notes issued under Section 9.9 (b) of this chapter, emergency bonds issued under Section 9.9 (c) of this chapter, special assessment bonds issued under Section 9.9 (d) of this chapter, refunding bonds issued under Section 9.9 (f) of this chapter, or to bonds, the issuance of which does not require a vote of electors by the provisions of State law.

SECTION 9.11 LIMITS OF BORROWING POWER.

(a) The net bonded indebtedness incurred for all public purposes shall not at any time exceed the maximum percentage permitted by statute, provided that in computing such bonded indebtedness there shall be excluded money borrowed in such a manner as not to constitute part of the bonded indebtedness under governing provisions of the State Law and this Charter.

(b) The amount of emergency loans which may be made under the provisions of Section 9.9 (c) may not exceed the maximum amount permitted by law, and such loan may be made even if it causes the indebtedness of the City to exceed the limit of the net indebtedness fixed in this Charter.

(c) No bonds shall be sold to obtain funds for any purpose other than that for which they were specifically authorized, and if such bonds are not sold within three years after authorization such authorization shall be null and void.

(d) The issuance of any bonds not requiring the approval of the electorate shall be subject to applicable requirements of law with reference to public notice in advance of authorization of such

issues, filing of petitions for a referendum on such insurance, holding of such referendum and other applicable procedural requirements.

SECTION 9.12 PREPARATION AND RECORD OF BONDS.

Each bond or other evidence of indebtedness shall contain on its face a statement specifying the purpose for which it is issued and it shall be unlawful for any officer of the City to use the proceeds thereof for any other purpose. Any officer who shall violate this provision shall be deemed guilty of a violation of this Charter, except that, whenever the proceeds of any bond issue or part thereof shall remain unexpended and unencumbered for the purpose for which said bond issue was made, the Council may authorize the use of said funds for the retirement of bonds of such issue or for any other purpose and in such manner as permitted by law. All bonds or other evidences of indebtedness issued by the City shall be signed by the Mayor and countersigned by the Clerk, under the seal of the City. Interest coupons may be executed with the facsimile signature of the Mayor and Clerk. A complete and detailed record of all bonds and other evidences of indebtedness issued by the City shall be kept by the Clerk or other designated officer. Upon the payment of any bond or other evidence of indebtedness, the same shall be cancelled.

SECTION 9.13 DEFERRED PAYMENT CONTRACTS.

The City may enter into installment contracts for the purpose of property or capital equipment. Each such contract shall not extend over a period greater than ten (10) years nor shall the total amounts of principal payable under all such contracts exceed a sum and manner permitted by law.

All such deferred payments shall be included in the budget for the year in which the installment is payable.

CHAPTER X. TAXATION

SECTION 10.1 POWER TO TAX — TAX LIMIT.

(a) The City shall have the power to assess taxes and to lay and collect taxes, rent, tolls, and excises, excepting and excise tax levied on or measured by income, which to be imposed must be first approved by a two-thirds (2/3) majority vote of the electors of the City voting on such proposition.

(b) The levy of taxes for municipal purposes in any year shall not exceed one and seven-tenths (1.7) percent of the assessed value of all real and personal property in the City.

SECTION 10.2 SUBJECTS OF TAXATION.

The subjects of ad valorem taxation for municipal purposes shall be the same as for state, county and school purposes under the general law. Except as otherwise provided by this charter, city taxes shall be levied, collected and returned in the manner provided by statute.

SECTION 10.3 EXEMPTIONS.

No exemptions from taxation shall be allowed, except such as are expressly permitted by state law.

SECTION 10.4 TAX DAY.

Subject to the exception provided or permitted by statute, the taxable statute of persons and property shall be determined as of the thirty-first day of December, which shall be deemed the tax day. Assessments shall be based upon the uniform application of established rules, techniques, and procedures, which the legislature may provide, under the provisions of Section 3, Article IX, of the Constitution of the State of Michigan of 1963.

SECTION 10.5 JEOPARDY ASSESSMENT.

If the Treasurer finds or reasonably believes that any person who is, or may be liable for taxes upon personal property, the taxable status of which was in the City on tax day, intends to depart or has departed from the City; or to remove or has removed therefrom personal property which is, or may be liable for taxation; or to conceal or conceals himself or his property; or does any other act tending to prejudice, or to render wholly or partly ineffectual the proceedings to collect such tax, he shall proceed to collect the same as a jeopardy assessment in the manner provided by law.

SECTION 10.6 PREPARATION OF THE ASSESSMENT ROLL.

(a) On or before the first Monday in March in each year, the Assessor shall prepare and certify an assessment roll of all property in the City. Such roll shall be prepared as required by the general property tax act. Value shall be estimated according to recognized methods of systematic assessment.

(b) On or before the first Monday in March the assessor shall give, by first class mail, a notice of any change from the previous year in the assessed value of any property or of the addition of any property to the roll to the owner as shown by such assessment roll. The failure to give any such notice or of the owner to receive it shall not in validate any such roll assessment thereon.

(c) Such roll may be divided into volumes, which the assessor shall identify by number, for the purpose of convenience in handling the assessment roll and for locating properties therein. The

attachment of any certificate or warrant required by this chapter to any volume of the roll, shall constitute the attachment thereof to the entire roll, provided the several volumes are identified in such certificate or warrant.

SECTION 10.7 BOARD OF REVIEW.

(a) A Board of Review is hereby created, composed of three freeholders of the City who have the qualification of holding elective City office as set forth in Section 6.1 (a) of this Charter and who during their term of office, shall not be City officers or employees or be nominees or candidates for elective City office. The appointment of members of such board shall be based upon their knowledge and experience in property valuation.

(b) The members of the Board of Review shall be appointed by the Council, according to Section 5.2 of this Charter, and may be removed for reasons of nonfeasance or misfeasance by the vote of five members of the Council. One member shall be appointed in the month of December of each year, for a term of three years, commencing on the following January first. The Council shall fix the compensation of the members of the board.

(c) The board shall, annually, on the first day of its meeting, elect one of its members chairman for the ensuing year. The Assessor shall be the Clerk of the board, and shall be entitled to be heard at the sessions, but shall have no vote on any proposition or question. A majority of the members of the board shall constitute a quorum.

SECTION 10.8 DUTIES AND FUNCTIONS OF THE BOARD OF REVIEW.

For the purpose of revising and correcting assessments, the Board of Review shall have the same powers and perform like duties in all respects as are conferred by law upon and required of boards of reviews in Townships, except as otherwise provided in this Charter. It shall hear the complaints of all persons considering themselves aggrieved by assessments, and, if it shall appear that any person or property has been wrongfully assessed or omitted from the roll, the Board shall correct the roll in such manner as it deems just. In all cases the roll shall be reviewed according to the facts existing on the tax day and no change in the status of any property after that day shall be considered by the Board in making its decisions. Except as otherwise provided by law no person other than the Board of Review, shall make or authorize any change upon, or addition or corrections to, the assessment roll. It shall be the duty of the Assessor to keep a permanent record of all proceedings of the Board and to enter therein all resolutions and decisions of the Board.

SECTION 10.9 MEETING OF BOARD OF REVIEW.

The Board of Review shall meet in two sessions in each year at such place as shall be designated by the Council. The first session of the Board shall convene on the first Tuesday after the first Monday

in March of each year and shall be in session for one day and continue as much longer as may be necessary for the purpose of considering and correcting the roll. In each case where the assessed value is increased or any property added to the rolls by the Board, the Secretary of the Board, forthwith, shall give notice to the owners thereof according to the last assessment roll of the City by first class mail placed in the post office not later than midnight of the Thursday following the first meeting of the Board. The second session of the board shall convene on the second Monday of March of each year and shall continue in session or two days and as much longer as may be necessary. The Board shall remain in session during such hours as the Council may designate.

The Board of Review may examine under oath all person appearing before it respecting the assessment of property on the assessment roll. Any member of the board may administer the oath.

SECTION 10.10 NOTICE OF MEETING.

Notice of the time and place of the annual meetings of the Board of Review shall be published by the Assessor not less than two weeks prior to each session of the Board.

SECTION 10.11 ENDORSEMENT OF ROLL - VALIDITY.

After the Board shall have completed its review of the assessment roll, a majority of its members shall immediately endorse thereon and sign a statement to the effect that the same is the assessment roll of the City for the year in which it has been prepared. The omission of such endorsement shall not effect the validity of such roll. Upon the completion of said roll and from and after midnight following the last day of the meeting of the Board of Review, the same shall be the assessment roll of the City for County, School and City Taxes and for any other taxes on real or personal property that may be authorized by law and shall be conclusively presumed by all courts and tribunals to be valid and shall not be set aside except for causes set forth in the general laws of the state.

SECTION 10.12 TAX LEVY CERTIFIED.

Within three days after the Council has adopted the budget and made the appropriations for the ensuing year, the Clerk shall certify to the assessor the total amount which the Council determines shall be raised by general ad valorem taxation, together with such other assessments and lawful charges and amounts which the Council requires to be assessed, reassessed, or charged upon the City tax roll against property or persons.

SECTION 10.13 CITY TAX ROLL.

After the Board of Review has completed its review of the assessment roll, the Assessor shall prepare a copy of the assessment roll to be known as the "City Tax Roll," and upon receiving the

certification of the several amounts to be raised, as provided in Section 10.12, the Assessor shall spread upon said tax roll the several amounts determined by the Council to be charged, assessed, or reassessed against persons or property. He shall also spread thereon the amounts of the general ad valorem City tax according to and in proportion to the several valuations set forth in said assessment roll. To avoid fractions in computation of any tax roll, the Assessor may add to the amount of the several taxes to be raised not more than the amount prescribed by law. Any excess created thereby on any tax roll shall belong to the City.

SECTION 10.14 TAX ROLL CERTIFIED FOR COLLECTIONS.

After spreading the taxes the Assessor shall certify the tax roll and attach his warrant thereto directing and requiring the Treasurer to collect prior to March first of the following year, from the several persons named in the tax roll and the several sums mentioned therein opposite their respective names as a tax or assessment and granting to him, for the purpose of collecting the taxes, assessments, and charges on such roll, all the statutory powers and immunities possessed by Township Treasurers for the collection of taxes. On or before June first the roll shall be delivered to the Treasurer for collection.

SECTION 10.15 TAX LIEN ON PROPERTY.

On July first the taxes thus assessed shall become a debt due to the City from the persons to whom they are assessed, and the amounts assessed on any interest in real property shall become a lien upon such property, for such amounts and for all interest and charges thereon and all personal taxes shall become a first lien on all personal property of such persons so assessed. Such lien shall take precedence over all OTHER claims, encumbrances, and liens to the extent provided by law and shall continue until such taxes, interest and charges are paid.

SECTION 10.16 TAX PAYMENT DUE; NOTIFICATION THEREOF.

(a) City taxes shall be due on July first of each year. The Treasurer shall not be required to call upon the person named in the City tax roll, nor to make personal demand for the payment of taxes, but he shall (1) publish, between June fifteenth and July first, notice of the time when said taxes will be due for collection and of the penalties and fees for the late payment thereof, and (2) mail a tax bill to each person named in said roll. In cases of multiple ownership of property only one bill need be mailed.

(b) Failure on the part of the Treasurer to publish said notice or mail such bills shall not invalidate the taxes on said tax roll.

SECTION 10.17 COLLECTION CHARGES ON LATE PAYMENT OF TAXES.

No penalty shall be charged for City taxes paid on or before the first day of August. The Council shall provide, by Ordinance, the tax payment scheduled for City taxes paid after the first day of August, and the amount of penalty, collection fee, or interest charges to be added thereafter. Such charges shall belong to the City and constitute a charge and shall be a lien against the property to which the taxes apply, collectible in the same manner as the taxes to which they are added.

SECTION 10.18 FAILURE OR REFUSAL TO PAY PERSONAL PROPERTY TAX.

If any person, firm or corporation shall neglect or refuse to pay any personal property tax assessed to him or them, the Treasurer shall collect the same by seizing the personal property of such person, firm, or corporation, to an amount sufficient to pay such tax, fees, and charges for subsequent sale, wherever the same may be found in the state, and from which seizure no property shall be exempt. He may sell the property seized to an amount sufficient to pay the taxes and all charges in accordance with statutory provisions. The Treasurer may, if otherwise unable to collect a tax on personal property, sue, in accordance with statute, the person, firm or corporation to whom it is assessed.

SECTION 10.19 COLLECTION OF DELINQUENT TAXES.

All City taxes on real property remaining uncollected by the Treasurer on the first day of March following the date when said roll was received by him shall be returned to the County Treasurer in the manner and with like effect as provided by statute for returns by Township Treasurers of Township, School and County Taxes, and shall be declared delinquent as of March first of each year. Such returns shall include all the additional assessments, charges and fees hereinbefore provided which shall be added to the amount assessed in said tax roll against each property or person. The taxes thus returned shall be collected the same manner as other taxes returned to the County Treasurer are collected, in accordance with statute, and shall be and remain alien upon the property against which they are assessed until paid. If by change in statute or otherwise, the Treasurer of the County of Van Buren is no longer charged with the collection of delinquent real property taxes, such delinquent taxes shall be collected in the manner provided by statute for the collection of delinquent Township, School and County taxes.

SECTION 10.20 STATE, COUNTY AND SCHOOL TAXES.

For the purpose of assessing and collecting taxes for State, County, and School purposes, the City shall be considered the same as a Township, and all provisions of law relative to the collection of and accounting for such taxes shall apply. For these purposes the Treasurer shall perform the same duties and have the same powers as are granted and imposed upon Township Treasurers by law.

CHAPTER XI. SPECIAL ASSESSMENTS**SECTION 11.1 GENERAL POWER RELATIVE TO SPECIAL ASSESSMENTS.**

The Council shall have the power to determine the necessity of any local or public improvement and to determine that the whole or any part of the expense thereof shall be defrayed by special assessment upon the property especially benefitted and shall so declare by resolution, provided that all special assessments levied shall be based upon or be in proportion to the benefits derived or to be derived. Such resolution shall state the estimated cost of the improvement, what proportion of the cost thereof shall be paid by special assessment, and what part, if any, shall be a general obligation of the City, and the number of installments in which assessments may be paid, and shall designate the districts or land and premises upon which special assessments shall be levied.

SECTION 11.2 DETAILED PROCEDURE TO BE FIXED BY ORDINANCE.

(a) The Council shall prescribe by general ordinance the complete special assessment procedure concerning the limitation of projects, plans and specifications, estimates of costs, notice of hearings, making and confirming assessment rolls in advance of starting the improvement, and the correction of errors therein, collection of special assessments, and any other matters concerning the making of improvements, assessments, and any other matters concerning the making of improvements by the special assessment method, subject to the provisions of this Charter.

(b) No special assessment roll shall be finally confirmed until after a public hearing has been held by the Council on the necessity of making of such public improvements; a publication of the notice of said hearing shall be made not less than seven days prior to the date of said hearing on necessity and notice of said hearing shall also be given by first class mail to the persons and in the manner provided in Act 162 of Public Acts of 1962, and provided further that no said special assessment roll shall be finally concerned until after a public hearing is held on the advisability of proceeding with any such public improvement and a review of the special assessment roll has been made at said public hearing, notice of same being given at least fifteen days before the date of hearing by publication of said notice and notice of said hearing given by first class mail to the person and in the manner provided in Act 192, Public Acts of 1962.

Statutory reference:

Special assessment hearings, see Public Act 162 of 1962, being M.C.L.A. §§ 211.721 through 211.745

Editor's note:

Public Act 192 of 1962, cited at the conclusion of this section is incorrect. The correct intended citation is Public Act 162 of 1962, being M.C.L.A. §§ 211.721 through 211.745.

SECTION 11.3 OBJECTION TO IMPROVEMENTS.

If, at or prior to final confirmation of any special assessment, more than fifty (50) percent of the number of owners of privately owned real property to be assessed for any improvements, or in case of paving or similar improvements, more than fifty (50) percent of the number of owners of frontage to be assessed for any such improvement, shall object in writing to the proposed improvement, the improvement shall not be made by the proceedings authorized in this chapter without a four-fifths (4/5ths) vote of the members-elect of the Council, entitled to vote thereon, provided that this section shall not apply to sidewalk construction.

SECTION 11.4 HAZARDS AND NUISANCES.

When any lot, building or structure within the City, because of accumulation of refuse or debris, the uncontrolled growing of weeds, or are or dilapidation, or because of any other condition or happening, becomes, in the opinion of the Council, a public hazard or nuisance which is dangerous to the health or safety of the inhabitants of the City or of those of them residing or habitually going near such lot, building, structure, the Council may, after investigation, give notice to the owner of the land upon which such hazard or nuisance exists, or the owner of the building or structure itself, specifying the nature of the nuisance and requiring such owner to alter, repair, tear down or remove the nuisance promptly and within a time to be specified by the Council, which shall be commensurate with the nature of the nuisance. If the expiration of the time limit in said notice, said owner has not complied with the requirements therefor in any case where the owner of the land or of the building or structure itself is not known, the Council may order such hazard or nuisance abated by, or under the direction of, the proper department or agency of the City which is qualified to do the work required, and the cost of such abatement, to be assessed against the lot, premises, or description of real property upon which such hazard or nuisance was located. Procedures to be followed to make this section fully effective shall be established by ordinance.

SECTION 11.5 LIEN NOT DESTROYED BY JUDGMENT.

No judgment or decree, or any act of the Council vacating any special assessment shall destroy or impair the lien of the City upon the premises assessed, for such amount of the assessment as may be equitably charged against the same, or as by a regular vote or proceeding might have been lawfully assessed thereon.

SECTION 11.6 SPECIAL ASSESSMENT ACCOUNTS.

Except as otherwise provided in this Charter, moneys raised by special assessment for any public improvement shall be credited to a special account and shall be used to pay for the costs of the improvement for which the assessment was levied and expenses incidental thereto and to repay any money borrowed therefore.

SECTION 11.7 FAILURE TO RECEIVE NOTICE.

Failure to receive any notice required to be sent by this chapter or by ordinance shall not invalidate any special assessment or special assessment roll.

CHAPTER XII. PURCHASES, CONTRACTS, LEASES**SECTION 12.1 CONTRACTING AUTHORITY OF COUNCIL.**

(a) The power to authorize the making of contracts on behalf of the City is vested in the Council and shall be exercised in accordance with the provisions of the law.

(b) All contracts, except as otherwise provided by ordinance, in accordance with the provisions of Section 12.2 hereof, shall be authorized by the Council and shall be signed on behalf of the City by the Mayor or the Clerk.

SECTION 12.2 PURCHASE AND SALE OF PERSONAL PROPERTY.

The Council shall establish, by ordinance, the procedures for the purchase and sale of personal property for the City. The ordinance shall provide the dollar limit within which purchase of personal property may be made without the necessity of securing competitive bids, and the dollar limit within which purchases may be made without the necessity of prior Council approval. No purchase of personal property shall be made unless a sufficient unencumbered appropriation balance is available therefor.

SECTION 12.3 LIMITATIONS ON CONTRACTUAL POWER.

(a) The Council shall have the power to enter into only such contract which by the terms thereof, will be fully executed within a period of ten years as permitted by law, unless such contract shall first receive the approval of a majority of the qualified electors voting thereon at a regular or special election. This qualification shall not apply to any contract for services with a public utility or one or more other governmental units, nor to contracts for debt secured by bonds or notes which are permitted to be issued by the City by law.

(b) The City shall not have power to purchase, sell, lease or dispose of any real estate unless:

(1) In case of sale, there shall be at least two published advertisements for bids prior to adoption of a resolution for sale or disposal.

(2) Such action is approved by the affirmative vote of five or more members of the Council, and unless,

(3) In the case of real estate owned by it, the resolution authorizing the sale, lease, or disposal thereof shall be completed in the manner in which it is finally passed and has remained on file with the Clerk for public inspection for twenty days before the final adoption or passage thereof.

(c) Except as provided by ordinance authorized by Section 12.2 of this chapter, each contract for construction of public improvements or for the purchase or sale of personal property shall be let after opportunity for competitive bidding. All bids shall be opened in public by the City Clerk or his authorized representative at the time designated in the notice of letting and shall be reported by him to the Council at its next meeting. The Council may reject any or all bids, if deemed advisable. If, after ample opportunity for competitive bidding, no bids are received or such bids as were received were not satisfactory to the Council, the Council may either endeavor to obtain new competitive bids or authorized the City Clerk or other proper official of the City to negotiate for a contract on the open market.

(d) Any contract or agreement which requires competitive bids as authorized by the City ordinance as required in Section 12.2 above shall, before execution be submitted to the City Attorney and his opinion obtained with respect to its form and legality. A copy of all contracts or agreements requiring such opinion shall be filed in the office of the Clerk together with a copy of the opinion.

(e) All contracts shall be in accordance with Section 6.7 of this Charter.

(f) No contract or purchase order shall be subdivided for the purpose of circumventing the dollar value limitations as set forth in said ordinance.

(g) No contract shall be amended after the same has been made, except upon the authority of the Council, provided that the purchasing officer may amend contracts for those purchases and sales made by him under authority of Section 12.2.

(h) No contract shall be made with any person, firm or corporation in default to the City.

SECTION 12.4 LICENSES REMAIN IN EFFECT.

All licenses granted by the City of Bangor and in force within the City when this Charter becomes law, shall remain in full force and effect until the expiration of the time for which they were respectively granted.

CHAPTER XIII. MUNICIPAL OWNED UTILITIES**SECTION 13.1 GENERAL POWERS RESPECTING UTILITIES.**

Subject to the provisions of the Constitution and Statutes, the City shall have the power to acquire, own or operate any utility, within or without its corporate limits, including but not by way of limitation, public service facilities for supplying water, light, heat, power, sewage disposal, transportation and storage and parking of vehicles of the municipality and its inhabitants, and may sell and deliver water, light, heat, and power in an amount not exceeding the limitation set by the Constitution and Statutes; may provide sewage disposal service outside of its corporate limits in such amount as may be determined by the City Council; and may operate transportation lines outside the municipality within such limits as may be prescribed by law.

SECTION 13.2 MANAGEMENT OF MUNICIPALITY OWNED UTILITIES.

All municipally owned or operated utilities shall be administered as a regular department of the City Government under a Board or Commission and/or one or more department heads appointed under the provisions of Section 5.6 who shall serve at the pleasure and under the supervision of the Council and shall not be an independent board or commission.

SECTION 13.3 RATES.

The Council shall have the power to fix from time to time such just and reasonable rates as may be deemed advisable for supplying the inhabitants of the City and others with such public utility services as the City may provide. There shall be no discrimination in such rates within any classification of users thereof, nor shall free service be permitted, but higher rates may be charged outside the corporate limits of the City.

SECTION 13.4 UTILITY RATES AND CHARGES — COLLECTION.

The Council shall provide by ordinance for the collection of all public utility rates and charges of the City. Such ordinance shall provide at least:

(a) That the City as authorized by statute shall have as security for the collection of such utility rates and charges a lien upon the real property supplied by such utility, which lien shall become effective immediately upon the supplying of such utility service and shall be enforced in the manner provided in such ordinance.

(b) The terms and conditions under which utility services may be discontinued in case of delinquency in paying such rates or charge.

(c) With respect to the collection of rates charged for water the city shall have the powers granted to Cities in Act 178 of the Public Acts of 1939, as amended.

Statutory reference:

Municipal water and sewer service liens, see Public Act 178 of 1939, being M.C.L.A. §§ 123.161 through 123.167

SECTION 13.5 DISPOSAL OF UTILITY PLANTS AND PROPERTY.

Unless approved by a majority vote of the electors voting thereon at a regular or special election, the City shall not sell, exchange, lease or in any way dispose of any property, easements, equipment, privilege or asset belonging to and appertaining to any municipally owned public utility which is needed to continue operating such utility. All contracts, negotiations, licenses, grants, leases or other forms of transfer in violation of this section shall be void and of no effects as against the city. The restriction of this section shall not apply to the sale or exchange of any articles of machinery or equipment of any City owned public utility which are worn out or useless or which have been, or could with advantage to the service be, replaced by new and improved machinery or equipment, to the leasing of property not necessary for the operation of the utility, or to the exchange of property or easements for other needed property or easements. It is provided, however, that the provisions of this section shall not extend to vacation or abandonment of streets as streets as provided by statute.

SECTION 13.6 UTILITY FINANCES.

The rates and charges for any municipal public utility for the furnishing of water, light, heat, power, gas or sewage treatment and garbage disposal shall be so fixed as to at least meet all the costs of such utility including depreciation.

Transactions pertaining to the ownership and operation by the City of each public utility shall be recorded in a separate group of accounts under an appropriate fund caption, which accounts shall be classified in accordance with generally accepted utility accounting practice. Charges for all service furnished to, or rendered by, other City departments or agencies shall be recorded. An annual report shall be prepared to show fairly the financial position of each utility and the results of its operation, which report shall be available for inspection in the office of the Clerk.

CHAPTER XIV. PUBLIC UTILITY FRANCHISES

SECTION 14.1 FRANCHISES REMAIN IN EFFECT.

All franchises to which the Village of Bangor is a party when this Charter becomes effective, shall remain in full force and effect in accordance with their respective terms and conditions.

SECTION 14.2 GRANTING OF PUBLIC UTILITY FRANCHISES.

Public Utility Franchises and all renewals and extensions thereof and amendments thereto, shall be granted by ordinances only. No exclusive franchise shall ever be granted. No franchise shall be granted for a longer period than thirty years.

No franchise ordinance which is not subject to revocation at the will of the Council shall be enacted nor become operative until the same shall have first been referred to the people at a regular or special election and received the affirmative vote of three-fifths of the electors voting thereon. No such franchise ordinance shall be approved by the Council for referral to the electorate before thirty days after application therefor has been filed with the Council nor until a public hearing has been held thereon, nor until the grantee named therein had filed with the Clerk his unconditional acceptance of all terms of such franchise. No special election for such purpose shall be ordered unless the expense of holding such election, as determined by the Council shall have first been paid to the Treasurer by the grantee.

A franchise ordinance or renewal or extension thereof or amendment thereto which is subject to revocation at the will of the Council may be enacted by the Council without referral to the voters, but shall not be enacted unless it shall have been complete in the form in which it is finally enacted and shall have been on file in the office of the Clerk for public inspection for at least four weeks after publication of a notice that such ordinance is so placed on file.

SECTION 14.3 CONDITIONS OF PUBLIC UTILITY FRANCHISES.

All public utility franchises granted after the adoption of this Charter, whether it be so provided in the granting ordinance or not, shall be subject to the following rights of the City, but this enumeration shall not be exclusive or impair the right of the Council to insert in such franchise any provision within the powers of the City to impose or require;

- (a) To repeal the same for misuse, non-use or failure to comply with the provisions thereof;
- (b) To require proper and adequate extension of plant and service and maintenance thereof at the highest practicable standard of efficiency, which in any event shall be at least in accordance with the rules and regulations of the Michigan Public Service Commission, or its successors.
- (c) To establish reasonable standards of service and quality of products and prevent unjust discrimination in service or rates. The rates and charges shall in no event exceed the rates and charges so prescribed by the Michigan Public Service Commission or its successor.
- (d) To require continuous uninterrupted service to the public in accordance with the terms of the franchise throughout the entire period thereof;
- (e) To use, control and regulate the use of its streets, alleys, bridges and other public places and space above and beneath them.

(f) To impose such other regulations as may be determined by the Council to be conducive to the safety, welfare and accommodation to the public.

SECTION 14.4 REGULATION OF RATES.

All public utility franchises shall make provision therein for fixing rates, fares, and charges, and may provide for readjustments thereof at periodic intervals. The value of the property of the utility used as a basis for fixing such rates, fares, and charges shall in no event include a value predicated upon the franchise, goodwill or prosecutive profits.

SECTION 14.5 USE OF PUBLIC PLACES BY UTILITIES.

Every public utility whether it has a franchise or not shall pay such part of the cost of improvement or maintenance of streets, alleys, bridges and other public places as shall arise from its use thereof and shall protect and save the City harmless from all damages arising from said use. Every such public utility may be required by the City to permit joint use of its property and appurtenances located in the streets, alleys, and other public places of the City by the City and by other utilities insofar as such joint use may be reasonably practicable and upon payment of reasonable rental therefor.

In the absence of agreement and upon application by any public utility or the Council, the Council shall provide for arbitration if the terms and conditions of such joint use and the compensation to be paid therefor, the cost of said arbitration shall be at the expense of the utilities involved, and the arbitration award shall be final and binding on all parties thereto.

SECTION 14.6 REVOCABLE PERMITS.

Temporary permits for public utilities, revocable at any time at the will of the Council, may be granted by the Council by resolution on such terms and conditions as it shall determine, provided that such permits, shall in no event be construed to be franchises or amendments to franchises.

CHAPTER XV. VIOLATION BUREAU

SECTION 15 ESTABLISHMENT OF VIOLATION BUREAU.

The Council shall have power and authority to establish by ordinance when authorized by statute, a traffic violations bureau for the handling only of violations of ordinances and regulations of the City or parts thereof as prescribed in the ordinance establishing such bureau. The creation of such bureau

by the Council shall not operate so as to deprive any person of a full and impartial hearing in Court should such person so choose.

CHAPTER XVI. SCHEDULE

SECTION 16.1 ELECTION TO ADOPT THIS CHARTER.

This Charter shall be submitted to a vote of the qualified electors of the City of Bangor at a regular election to be held on Monday, April 3, 1978. This election shall be conducted by the officers charged with the conduct and supervision of elections under the existing governing statutes, and shall follow the election procedure and be canvassed in the matter provided for under the present form of government.

SECTION 16.2 FORM OF VOTING.

The form of ballot for the submission of this Charter shall be as follows: Instruction: A cross (X) in the square before the word "Yes" is in favor of the proposed charter, and a cross (X) in the before the word "No" is against the proposed charter. "Shall the City Charter proposed by the City Charter Commission be adopted?"

- Yes
- No

SECTION 16.3 THE EFFECTIVE DATE OF THIS CHARTER.

For all purposes not otherwise provided for herein this charter shall take effect on July 1, 1978:

SECTION 16.4 FIRST OFFICERS UNDER THE CHARTER.

Each member of the City Council whose term of office expires in 1979 shall continue in the office so held by him for the balance of the term of office to which he was elected and shall be a Councilman under this Charter. Two of the three Councilmen whose present term will expire in 1979 shall be elected for a term of three years. The winning candidate receiving the lowest number of votes shall be elected for a term of two years. In the 1980 election, two Councilmen shall be elected for a term of three years and the winning candidate receiving the lowest number of votes shall be elected for a term of one year. Thereafter the members of the Council shall be elected and shall qualify, assume, and hold offices to which they have been elected or appointed in accordance with this Charter. The

Mayor elected in the 1978 election shall continue in office so held by him until 1980. In the 1980 election, the Mayor shall be elected to a three year term.

SECTION 16.5 CONTINUATION OF ELECTIVE AND APPOINTED OFFICERS AND EMPLOYEES.

After the effective date of this Charter, all elective officers, appointive officers and employees as provided for in the statutes under which the City of Bangor operated prior to the effective date of this Charter, shall continue in that City office of employment which corresponds to the City office or employment which they held prior to the effective date of this Charter, as though they had been appointed or employed in the manner provided in this Charter, and they shall in all respect be subject to the provisions of this Charter.

SECTION 16.6 STATUS OF SCHEDULE CHAPTER.

The purpose of this schedule chapter is to inaugurate the government of the city under this charter and to accomplish the transition from a Home Rule City to a Home Rule City-City Manager form of government and it shall constitute a part of this charter only to the extent and for the time required to accomplish this end.

SECTION 16.7 PUBLICATION OF CHARTER.

This proposed Charter and amendments shall be published in the Bangor Advance on March 14, 1978, together with a notice of the election on the adoption of this Chapter.

RESOLUTION OF ADOPTION.

At a meeting of the Charter Commission of the City of Bangor held in the Council Chamber of the City of Bangor, the usual meeting place of the Charter Commission, on March 7, 1978, the following members of the Charter Commission were present: John Balzer, Janice A. Dzuibinski, Marilee Wiles, Rosemary Insidioso, Clark W. Dowell, William H. Waite, Richard Rosga, Absent: Joseph P. Distefano, Robert G. Chandler.

At such meeting, the following resolution was offered, seconded and adopted by the Charter Commission:

RESOLVED, That the Charter Commission of the City of Bangor does hereby adopt the foregoing instrument as the proposed Charter of the City of Bangor and the Chairman of this Commission is

hereby instructed to transmit the same to the Governor of the State of Michigan, accordance with the provisions of the statute, for his approval.

The vote on the adoption of said resolution was as follows:

Ayes: 7

Nays: 0

JOHN BALZER

John Balzer, Chairman of the Charter Commission of the City of Bangor

Countersigned by the following Commissioners:

JANICE A. DZUBNSKI

Janice A. Dzubnski, Secretary of the Charter Commission of the City of Bangor

MARLIEE WILES

ROSEMARY INSIDIOSO

WILLIAM H. WAITE

RICHARD ROSGA

CLARK W. DOWELL

All of the Commissioners having attested as to said resolution as above and also having attested the copy to be signed by the Governor, the meeting adjourned, subject to the call of the chairman.

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

Approved:

Governor of the State of Michigan

William G. Milliken, Lieutenant and Acting Governor

Dated: February 5, 1968

