

Appendix 6

Sample Ordinance to Appoint the Village Clerk

We strongly recommend that you consult with your village attorney to appropriately modify this sample ordinance to meet your village's needs.

AN ORDINANCE to provide for the appointment of the (Name of Village) village clerk.

The Village of (Name of Village) ordains:

Section 1. Establishment of office

As authorized by section 1(3) chapter II of the General Law Village Act (1895 PA 3, as amended), the village clerk shall be chosen by nomination by the village president and appointment by a majority vote of the village council.

Section 2. Term of office

The term of office of the village clerk shall be two years, beginning [date], after the clerk's appointment.

Section 3. Effective date

This ordinance shall take effect 45 days after the date of its adoption, unless a petition signed by not less than ten percent of the registered electors of the village is filed with the acting village clerk or village office within such 45 days.

If a petition is filed within such period of time, this ordinance shall then take effect only upon its approval at the next general village or special village election held on the question of whether the ordinance shall be approved. Notice of the delayed effect of this

ordinance and the right of petition under this section shall be published separately at the same time and in the same manner as the ordinance or a notice of the ordinance is published in a local newspaper of general circulation.

Section 4. Adoption

This ordinance shall be adopted by an affirmative vote of at least two-thirds of the members of the village council.

Section 5. Publication

The village clerk shall certify to the adoption of this ordinance and cause the same to be published as required by law.

Yeas:

Nays:

Ordinance declared adopted

Village Clerk

[If the ordinance is passed, notice of the delayed effect of the ordinances and the right of petition must be published separately at the same time and in the same manner as the ordinance is published. Below is a sample of such a notice.]

Sample of published notice of adoption of the ordinance

Notice to the electors of the Village of (Name of Village): Take notice that Village Ordinance No. _____ which provides for the appointment of the village clerk was adopted pursuant to 1895 PA 3 as amended on (date of adoption) and will take effect 45 days after the date of adoption unless a petition signed by not less than ten percent of the registered electors of the village is filed with the village clerk within the 45-day period in which case the ordinance will take effect upon the approval of an election held on the question.