

# **ORDINANCE #6**

## **AN ORDINANCE FOR ESTABLISHING THE POSITION OF VILLAGE CLERK, TO READ AS AMENDED**

THE VILLAGE OF SPRINGPORT ORDAINS:

**Section I. ESTABLISHMENT OF OFFICE.**

In accordance with the authority for the appointment of such Village Officers as the Council shall deem necessary for the execution of the powers granted to the Village contained in Section 1 of Chapter II of Act No. 3, Public Act of 1895, as amended, which is the Charter of the Village, there is hereby established the Office of the Village Clerk. The Village Clerk is an administrative officer of the Village.

**Section II. APPOINTMENT OF VILLAGE CLERK.**

The Village President, or Village Manager when such exists, shall be responsible for the employment, suspension, and discharge of the Village Clerk subject to Village Council approval. The Village Manager shall make such recommendations to the Village President, who with the concurrence of four or more Trustees, will effect such actions. The Clerk shall serve at the pleasure of the Village President, or Village Manager when such exists, and may, upon recommendation of the Village Manager to the Village President, be removed by the affirmative vote of 2/3 of the serving Council, but only after a hearing before the Council. The Village Clerk will report and be responsible to the Village President, or Village Manager when such exists, for the official functions and activities of the Clerk's position and for the day-to-day operations of the Department and Office, except as otherwise provided by State law. The Village Clerk shall be selected on the basis of administrative and technical abilities with special reference to achieving and maintaining certification at the appropriate level for the Village.

**Section III. DUTIES.**

The Clerk shall possess all the powers vested in and shall be charged with the duties imposed upon Clerks by State law. In addition, the Clerk shall perform all other such duties in the manner prescribed by the Charter of the Village, the ordinances of the Village, or by State law. The Clerk shall perform such other duties as may be assigned or prescribed by State law, the Village Charter, ordinances of the Village or the Council. The Clerk shall:

1. Be the Clerk of the Council and keep a permanent journal of its proceedings.
2. Keep a record of all ordinances, resolutions, and actions of the Council.
3. Have the power to administer all oaths required by State law, this Charter and ordinances of the Village.
4. Be custodian of the Village Seal, and affix it to all documents and instruments requiring the Seal and shall attest the same.
5. Be custodian of all papers, documents and records pertaining to the Village, the custody of which is not otherwise provided for in this Charter.

6. Give the proper officials of the Village ample notice of the expiration or termination of any official bonds, franchises, contracts or agreements.
7. Issue and sign all licenses granted after the license fee has been paid to the Treasurer and register the same.
8. Certify by signature all ordinances and resolutions enacted or passed by the Council.
9. Conduct elections in accordance with this Charter and State election law.
10. Be the general accountant of the Village and maintain a system of accounts that conform to such uniform system as may be required by State law.
11. Publish and post notices of the Village as required by this Charter, State law, and the ordinances of the Village.
12. Conduct sales and transfers of cemetery lots and sites and issue any required deeds after appropriate fees have been paid to the Treasurer.

**Section IV. DISBURSEMENT OF COMPENSATION.**

The Village Clerk shall be compensated under the terms of an associated Resolution for the Compensation of Village Officers. The resolution will contain the amount and schedule of compensation.

**Section V. SEVERABILITY:**

If any portion of this ordinance or the application thereof any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect the remaining portions of the applications of the ordinance which can be given effect without the invalid portion or applications provided that such remaining portions or applications are not determined by said court to be inoperable, and to this end this ordinance is declared to be severable.

**Section VI. EFFECTIVE DATE.**

This ordinance shall take effect 45 days after adoption unless a petition signed by not less than 10% of the registered electors of the Village is filed with the Village Clerk within the 45-day period, in which case the ordinance takes effect upon approval at an election held on the question.

**EFFECTIVE DATE: \_\_\_\_\_ day of \_\_\_\_\_, 2002**

**Section VII. REPEAL OF CONFLICTING ORDINANCES:**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED the 24<sup>th</sup> day of July, 2000.

AMENDED the \_\_\_\_\_ day of \_\_\_\_\_, 2002

Reviewed By:

Signed: \_\_\_\_\_  
Mary Ward, Village President

\_\_\_\_\_  
Cynthia O. Twichell, Village Manager

Signed: \_\_\_\_\_  
Rosalie Terpening, Temp Clerk

\_\_\_\_\_  
Stuart Saunders, Village Attorney