

**Ordinance No. 149**

**ORDINANCE TO PROVIDE FOR THE APPOINTMENT OF THE VILLAGE CLERK AND THE VILLAGE TREASURER**

**THE VILLAGE OF DECATUR ORDAINS:**

**SECTION 1. INTENT:**

As authorized by Chapter II, Section 1 (3) of the General Law Village Act, being Act 3 of the Public Acts of Michigan of 1895 as amended M.S.A. 5.1215 (3) and MCL 62.1 (3), the Village Clerk and Village Treasurer shall be chosen by the nomination of the Village President and appointment by the majority of the Village Council. The Village Clerk and Treasurer are administrative officers of the Village.

**SECTION 2. TERM OF OFFICE:**

The Village clerk and Village Treasurer shall serve for a four-year term and may be reappointed by the Village Council upon the completion of each four-year term. If a vacancy occurs through death or resignation the Village Council may appoint an acting Village Clerk or Village Treasurer until a replacement has been selected. The Village Clerk and Treasurer will report and be responsible to the Village Manager for the official functions and activities of their respective offices and for the day-to-day operations of their respective office, except as otherwise provided by State law. The Village Clerk and the Village Treasurer will be at will employees of the Village of Decatur.

The individual(s) appointed Village Clerk and Village Treasurer under this Ordinance shall have a term of office commencing as of the date such individual(s) take and subscribe the oath of office and file the same with the Village, together with the filing of any bond required by law, but the term of office shall commence not earlier than the second Monday of March 2004 or when the office is vacated whichever comes first.

**SECTION 3. EFFECTIVE DATE:**

This ordinance shall take effect forty-five (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 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 election 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.

Adopted August 5, 2002