

THE GENERAL LAW VILLAGE ACT (EXCERPT)
Act 3 of 1895

CHAPTER I
INCORPORATION.

61.1 Incorporation of villages; charter.

Sec. 1. This act is the charter for all villages incorporated under this act.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2684;—CL 1915, 2555;—CL 1929, 1465;—CL 1948, 61.1;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

61.1a Definitions.

Sec. 1a. As used in this act:

(a) "Appointed officer" means any officer, except an officer who is appointed to fill an elective but vacant seat on the council.

(b) "Civil infraction action", "municipal civil infraction", and, except as used in section 2 of chapter VI, "civil infraction" mean those terms as defined in section 113 of the revised judicature act of 1961, 1961 PA 236, MCL 600.113.

(c) "Council" or "members of council", with respect to voting procedure, means 1 of the following:

(i) The president and 6 trustees, if the village has not adopted an ordinance reducing the number of trustees under chapter II.

(ii) The president and 4 trustees, if the village has adopted an ordinance reducing the number of trustees under chapter II.

(d) "Elector" means an individual who has the qualifications of an elector under section 492 of the Michigan election law, 1954 PA 116, MCL 168.492.

(e) "Officer" means the village president, clerk, or treasurer, a village trustee, or an appointed person authorized by the council.

(f) "Quorum" means, except as otherwise defined, 1 of the following:

(i) Three council members, if the village has adopted an ordinance reducing the number of trustees under chapter II.

(ii) Four council members, if the village has not adopted an ordinance reducing the number of trustees under chapter II.

History: Add. 1945, Act 24, Eff. Sept. 6, 1945;—CL 1948, 61.1a;—Am. 1994, Act 16, Eff. May 1, 1994;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

61.1b Construction of act; validation of bonds.

Sec. 1b. No provision of this act shall apply or be construed as having heretofore applied to any village incorporated or reincorporated under Act No. 278 of the Public Acts of 1909, as amended, being sections 78.1 to 78.28 of the Compiled Laws of 1948, unless specifically adopted by the electors as a part of its village charter. The provisions of this act shall be deemed to be in the nature of charter provisions for any village incorporated thereunder or subject thereto and any such provision may be altered or removed by amendment adopted by the electors as provided in Act No. 278 of the Public Acts of 1909, as amended, provided that the effect of the amendment is such as might legally be accomplished by charter provision in the case of a village operating under Act No. 278. All such amendments heretofore so adopted by any village incorporated under or subject to this act, and all actions heretofore taken and all bonds heretofore issued under or in accordance with such amendments, are hereby validated to the same effect as if the foregoing provision had been in effect when such amendments were adopted.

History: Add. 1962, Act 186, Imd. Eff. May 24, 1962.

61.1c Emergency financial manager; authority and responsibilities.

Sec. 1c. Notwithstanding any provision of this act, if an emergency financial manager has been appointed under the local government fiscal responsibility act, Act No. 101 of the Public Acts of 1988, being sections 141.1101 to 141.1118 of the Michigan Compiled Laws, with respect to a village governed by this act, then that emergency financial manager may exercise the authority and responsibilities provided in this act to the extent authorized by Act No. 101 of the Public Acts of 1988.

History: Add. 1988, Act 196, Imd. Eff. June 27, 1988.

61.1d Minimum staffing requirement; adoption of village charter or ordinance prohibited.

Sec. 1d. Beginning on the effective date of the amendatory act that added this section, a village shall not

adopt a village charter or ordinance that includes any minimum staffing requirement for village employees. Except as otherwise provided in this section, any provision in a village charter or ordinance adopted on or after the effective date of the amendatory act that added this section that contains a minimum staffing requirement for village employees is void and unenforceable.

History: Add. 2011, Act 140, Imd. Eff. Sept. 13, 2011.

61.2-61.11 Repealed. 1998, Act 255, Imd. Eff. July 13, 1998.

Compiler's note: The repealed sections pertained to incorporation of villages.

61.12 Village incorporated; body politic; powers.

Sec. 12. A village incorporated under this act is a body politic and corporate under the name designated for it upon incorporation. By that name, the village may sue and be sued, contract and be contracted with, acquire and hold real and personal property for the purposes for which it was incorporated, have a common seal, change the common seal at pleasure, and exercise all the powers under this act.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2695;—CL 1915, 2566;—CL 1929, 1476;—CL 1948, 61.12;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

61.14 Repealed. 1974, Act 4, Imd. Eff. Jan. 30, 1974.

Compiler's note: The repealed section pertained to the village board of registration.

61.15 Repealed. 1998, Act 255, Imd. Eff. July 13, 1998.

Compiler's note: The repealed section pertained to registration of electors.