

THE GENERAL LAW VILLAGE ACT (EXCERPT)

Act 3 of 1895

CHAPTER IV

DUTIES OF OFFICERS.

PRESIDENT.

64.1 President as chief executive officer; duties generally.

Sec. 1. The president is the chief executive officer of the village. He or she shall preside at the meetings of the council. The president is a voting member of the council. The president shall give the council information concerning the affairs of the village, and recommend measures which he or she considers expedient. Unless otherwise provided in an ordinance adopted under section 8 of chapter V, the president shall exercise supervision over the affairs of the village and over the public property belonging to the village. The president shall see that the laws relating to the village and the ordinances and regulations of the council are enforced.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2727;—CL 1915, 2597;—CL 1929, 1507;—CL 1948, 64.1;—Am. 1983, Act 205, Imd. Eff. Nov. 10, 1983;—Am. 1985, Act 173, Imd. Eff. Dec. 2, 1985;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

64.2 Village president; duties as conservator of peace.

Sec. 2. The president is a conservator of the peace and may exercise within the village the power to suppress disorder. The president may command the assistance of all able-bodied citizens to aid in the enforcement of the ordinances of the council in cases of emergency or disaster, subject to the applicable limitations of state law.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2728;—CL 1915, 2598;—CL 1929, 1508;—CL 1948, 64.2;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

64.3 Suspension or removal of officer; examination and inspection of books, records, and papers; additional duties of president; section subject to ordinance.

Sec. 3. The president may suspend any officer authorized by this act or appointed pursuant to this act for neglect of duty, and with the approval of the council remove any officer appointed by the council when the president considers it in the public interest. The president may at any time examine and inspect the books, records, and papers of any agent, employee, or officer of the village, and shall perform generally all duties prescribed by the ordinances of the village. This section is subject to an ordinance adopted under section 8 of chapter V.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2729;—CL 1915, 2599;—CL 1929, 1509;—CL 1948, 64.3;—Am. 1985, Act 173, Imd. Eff. Dec. 2, 1985;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

64.4 Acting president.

Sec. 4. In the absence or disability of the president, the president pro tempore of the council shall perform the duties of the president.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2730;—CL 1915, 2600;—CL 1929, 1510;—CL 1948, 64.4.

CLERK.

64.5 Clerk; duties.

Sec. 5. (1) The clerk shall keep the corporate seal and all the documents, official bonds, papers, files, and records of the village, not by this act or the ordinances of the village entrusted to some other officer. The clerk is the clerk of the council and shall attend its meetings.

(2) In case of the absence of the clerk, or if from any cause the clerk is unable to discharge, or is disqualified from performing, his or her duties, the council may appoint a council member, or some other person, to perform the duties of the clerk for the time being.

(3) The clerk shall record all the proceedings and resolutions of the council, and shall record, or cause to be recorded, all the ordinances of the village.

(4) The clerk shall countersign and register all licenses granted.

(5) When required, the clerk shall make reproductions pursuant to the records media act, 1992 PA 116, MCL 24.401 to 24.403, of the papers and records filed and kept in his or her office and shall certify the reproductions under the seal of the village. The admissibility in evidence of such reproductions is governed by section 3 of 1964 PA 105, MCL 691.1103.

(6) The clerk may administer oaths and affirmations.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2731;—CL 1915, 2601;—CL 1929, 1511;—CL 1948, 64.5;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

64.6 Clerk as general accountant; duties; check disbursement.

Sec. 6. (1) The clerk shall be the general accountant of the village.

(2) Claims against the village shall be filed with the clerk for adjustment. After examination, the clerk shall report the claims, with the accompanying vouchers and counterclaims of the village, and the true balance, to the council for allowance. After the claims are allowed by the council, the clerk shall present check disbursement authorizations to the treasurer for payment of the claims, designating the fund from which payment is to be made, and take proper receipts.

(3) The clerk shall not present check disbursement authorizations upon a fund after the fund is exhausted. When a tax or money is levied, raised, or appropriated, the clerk shall report the amount to the village treasurer, stating the objects and funds for which it is levied, raised, or appropriated, and the amounts to be credited to each fund.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2732;—CL 1915, 2602;—CL 1929, 1512;—CL 1948, 64.6;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

64.7 Clerk; duties.

Sec. 7. Unless otherwise provided by ordinance, the clerk shall do all of the following:

(a) Have charge of all the books, vouchers, and documents relating to the accounts, contracts, debts, and revenues of the corporation.

(b) Countersign and register all bonds issued, and keep a list of all property belonging to the village, and of all its debts and liabilities.

(c) Keep a complete set of books, exhibiting the financial condition of the village in all its departments, funds, resources, and liabilities, with a proper classification, and showing the purpose for which each fund was raised.

(d) Keep an account of all the money received for each of the several funds of the village, and credit all check disbursements drawn, keeping an account with each fund.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2733;—CL 1915, 2603;—CL 1929, 1513;—CL 1948, 64.7;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

64.8 Duties; financial report to council; contents.

Sec. 8. The clerk shall report to the council, whenever required, a detailed statement of the receipts, expenditures, and financial condition of the village, of the debts to be paid, and moneys necessary to meet the estimated expenses of the corporation, and shall perform such other duties pertaining to his office as the council may require.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2734;—CL 1915, 2604;—CL 1929, 1514;—CL 1948, 64.8.

64.8a Functions subject to ordinance.

Sec. 8a. The functions of the village clerk are subject to an ordinance adopted under section 8 of chapter V.

History: Add. 1985, Act 173, Imd. Eff. Dec. 2, 1985.

TREASURER.

64.9 Village treasurer; duties.

Sec. 9. The treasurer shall do all of the following:

(a) Have the custody of all money, bonds other than official bonds filed with the clerk under chapter II, mortgages, notes, leases, and evidences of value belonging to the village.

(b) Receive all money belonging to, and receivable by the corporation.

(c) Keep an account of all receipts and expenditures.

(d) Collect and keep an account of all taxes and money appropriated, raised, or received for each fund of the village, and keep a separate account of each fund.

(e) Pay check disbursement authorizations out of the particular fund raised for the purpose for which the disbursement was authorized.

(f) Perform duties prescribed by this act relating to assessing property and levying taxes.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2735;—CL 1915, 2605;—CL 1929, 1515;—Am. 1935, Act 199, Eff. Sept. 21, 1935;—CL 1948, 64.9;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

64.10 Treasurer; reports; contents.

Sec. 10. The treasurer shall report to the clerk on the first Monday of every month, if required, the amounts

received and credited to each fund, on what account received, the amounts paid out from each fund during the preceding month, and the amount of money remaining in each fund on the day of the report. The treasurer shall also exhibit to the council annually within 45 days after the end of the fiscal year, and as often and for such period as the council shall require, a full and detailed account of the receipts and disbursements of the treasury since the date of the treasurer's last annual report, classifying them by the funds to which the receipts are credited and out of which the disbursements are made, and the balance remaining in each fund.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2736;—CL 1915, 2606;—CL 1929, 1516;—CL 1948, 64.10;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

64.11 Treasurer; vouchers.

Sec. 11. The treasurer shall take vouchers for all money paid from the treasury, showing the amount and fund from which payment was made. Upon settlement of the vouchers with the proper officers of the village, the treasurer shall file the vouchers with the clerk.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2737;—CL 1915, 2607;—CL 1929, 1517;—CL 1948, 64.11;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

64.12 Treasurer; disposition of money; private use prohibited.

Sec. 12. The treasurer shall keep all village money in depository accounts authorized by law. The treasurer shall not use, either directly or indirectly, the village money, warrants, or evidences of debt for his or her own use or benefit, or that of any other person. On proof of the violation, the village council shall declare the office vacant and appoint a successor for the remainder of the term.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2738;—CL 1915, 2608;—CL 1929, 1518;—CL 1948, 64.12;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

64.12a Functions subject to ordinance.

Sec. 12a. The functions of the village treasurer are subject to an ordinance adopted under section 8 of chapter V.

History: Add. 1985, Act 173, Imd. Eff. Dec. 2, 1985.

MARSHAL.

64.13-64.16 Repealed. 1998, Act 255, Imd. Eff. July 13, 1998.

Compiler's note: The repealed sections pertained to powers and duties of marshal.

SURVEYOR.

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

Compiler's note: The repealed section pertained to power and duties of surveyor.

STREET COMMISSIONER.

64.18, 64.19 Repealed. 1998, Act 255, Imd. Eff. July 13, 1998.

Compiler's note: The repealed sections pertained to powers and duties of street commissioner.

ASSESSOR.

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

Compiler's note: The repealed section pertained to powers and duties of assessor.

COMPENSATION.

64.21 Village officers; compensation.

Sec. 21. The president and each trustee shall receive compensation for the performance of the duties of the office of president or trustee only as provided by ordinance. The ordinance shall specify how the compensation is determined due and paid. Except as otherwise provided by law, these officers shall receive no other compensation for services performed for and on behalf of the village during their term of office. Except as otherwise provided in this act or by other law regulating fees for services, other officers shall receive such compensation as may be prescribed by the council.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2747;—CL 1915, 2618;—Am. 1917, Act 51, Eff. Aug. 10, 1917;—CL 1929, 1527;—CL 1948, 64.21;—Am. 1954, Act 160, Eff. Aug. 13, 1954;—Am. 1992, Act 42, Imd. Eff. May 12, 1992;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.