

THE HOME RULE VILLAGE ACT (EXCERPT)
Act 278 of 1909

78.23 Village charter; mandatory provisions.

Sec. 23. Each village charter shall provide for all of the following:

(a) The election of and compensation for a president who shall be the executive head, a clerk, and a legislative body. Notwithstanding a charter provision to the contrary, a village election shall be nonpartisan.

(b) The election or appointment of other officers or administrative boards considered necessary.

(c) The levying and collection of village taxes.

(d) That the subjects of taxation for municipal purposes shall be the same as for state, county, and school purposes under the general law.

(e) An annual appropriation of money for municipal purposes.

(f) The public peace and health, and for the safety of persons and property.

(g) One or more election districts; subject to section 21, the time, place, and means of holding elections; and the registration of electors.

(h) Keeping in the English language a written or printed journal of proceedings of the legislative body.

(i) The publication of an ordinance or a synopsis of an ordinance before the ordinance becomes operative. Any charter provision to the contrary notwithstanding, a village may adopt an ordinance punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both, if the violation substantially corresponds to a violation of state law that is a misdemeanor for which the maximum period of imprisonment is 93 days. Whether or not provided in its charter, a village may adopt a provision of any state statute for which the maximum period of imprisonment is 93 days, the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or a plumbing code, electrical code, or building code that has been promulgated by this state, by a department, board, or other agency of this state, or by an organization or association that is organized and conducted for the purpose of developing that code, by making reference to that law or code in an adopting ordinance without publishing that law or code in full. The law or code shall be clearly identified in the ordinance, and a statement of the purpose of the law or code shall be published with the adopting ordinance. Printed copies of the law or code shall be kept in the office of the village clerk and made available to the public at all times. The publication shall contain a notice stating that a complete copy of the law or code is available to the public at the office of the village clerk. Except as otherwise provided in this subdivision, a village shall not enforce any provision adopted by reference for which the maximum period of imprisonment is greater than 93 days. A village may adopt section 625(1)(c) of the Michigan vehicle code, 1949 PA 300, MCL 257.625, by reference in an adopting ordinance and shall provide that a violation of that ordinance is a misdemeanor punishable by 1 or more of the following:

(i) Community service for not more than 360 hours.

(ii) Imprisonment for not more than 180 days.

(iii) A fine of not less than \$200.00 or more than \$700.00.

(j) That the business of the legislative body shall be conducted at a public meeting of the body held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, and all records of the municipality shall be available to the public under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(k) Adopting, continuing, amending, or repealing village ordinances.

(l) A system of accounts that conforms to a uniform system required by law.

History: 1909, Act 278, Eff. Sept. 1, 1909;—CL 1915, 2865;—CL 1929, 1785;—Am. 1941, Act 285, Eff. Jan. 10, 1942;—Am. 1947, Act 345, Eff. Oct. 11, 1947;—CL 1948, 78.23;—Am. 1977, Act 198, Imd. Eff. Nov. 17, 1977;—Am. 1982, Act 373, Eff. Mar. 30, 1983;—Am. 1999, Act 254, Imd. Eff. Dec. 28, 1999;—Am. 1999, Act 258, Eff. Dec. 29, 1999;—Am. 2003, Act 304, Eff. Jan. 1, 2005;—Am. 2012, Act 11, Imd. Eff. Feb. 15, 2012.