

**THE VILLAGE OF MILLINGTON
ORDINANCE NO. 79**

An Ordinance for establishing the position of Village Clerk:

The Village of Millington ordains:

Section 1 **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 2 **Appointment of Village Clerk.** The Village Manager 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 Manager and may upon recommendation of the Village Manager to the Village President, be removed by the affirmative vote of four or more Trustees, but only after a hearing before the Council. The Village Clerk will report and be responsible to the Village Manager 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 3 **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 described 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 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 which 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 Village.
12. The Clerk shall perform such other duties as may be designated or prescribed by State law, the Village Charter, ordinances of the Village or the Council.

Section 4 **Compensation**. The annual salary of the Clerk shall be established by the Village Council at the time a budget is approved or at such other time, the Council deems proper and necessary.

Section 5 **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 6 Repeal of Conflicting Ordinances. All ordinances or parts of ordinance in conflict herewith are hereby repealed.

Section 7 Effective Date. This ordinance shall become effective forty-five (45) days after its adoption.

VILLAGE OF MILLINGTON

BY:

Dolan Rensert

ITS: VILLAGE PRESIDENT

ATTEST:

Rebecca Kochenderfer

VILLAGE CLERK

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 79, duly adopted by the Council of the Village of Millington at a Regular meeting held on April 9, 2007 at 6:00 p.m. in the Council Chambers of the Municipal Building, Millington, Michigan, and that said Ordinance No. 79 was on the 13th day of April, 2007, published in the Millington Herald, a newspaper printed and circulated in the Village of Millington.

VILLAGE OF MILLINGTON

BY:

Rebecca Kochenderfer

ITS: VILLAGE CLERK

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