VILLAGE OF NORTHPORT
ORDINANCE NO. 135-2022

An Ordinance to provide for the appointment of the Northport Village clerk; to repeal all ordinances or parts of ordinances in conflict; and to provide an effective date.

RECITALS

Whereas, the General Law Village Act (MCL §61.1, *et seq*.; hereinafter, the "Act") provides, *inter alia*, that the Village council "by a vote of 2/3 of the members of council may provide by ordinance for the nomination by the president and the appointment by the council of the clerk … for such a term as the ordinance may provide."; and

Whereas, within the scope of the Village's authority as granted in Michigan law, the Village wishes to establish the role of Village clerk as an appointed position nominated by the Village President and approved by Council as set forth in the Act;

THE VILLAGE OF NORTHPORT ORDAINS:

SECTION 1 – ESTABLISHMENT OF OFFICE.

As authorized by Section 1(3) of Chapter II of the General Law Village Act (being Michigan Public Act 3 of 1895, codified at MCL 61.1 *et seq*.), as amended, the Village clerk of the Village of Northport shall be chosen by nomination by the Village President and appointment by a majority vote of the Village Council of the Village of Northport.

SECTION 2 – TERM OF OFFICE.

The term of office of the Village clerk shall be two years from the second Monday of November each even-numbered year and until a successor is appointed. The person first appointed as Village clerk under this ordinance shall have an initial term of office commencing as of the date such person takes and subscribes the oath of office and files the same with the Village clerk, together with the filing of any bond required by law, but such initial term of office shall commence not earlier than the second Monday of November, 2022.

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 acting 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 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 – REPEAL.

All prior existing ordinances or parts of ordinances adopted by the Village of Northport inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

SECTION 6 – PUBLICATION.

The Village clerk shall certify to the adoption of this ordinance and cause the same to be published as required by law.

YEAS: _____

NAYS: _____

ABSENT: _____

The ordinance is / not adopted.

The undersigned, Clerk for the Village of Northport, hereby certifies that the foregoing Ordinance was ___ adopted by the Village of Northport Council on the _____ day of 2022. It was published in the *Leelanau Enterprise* on the _____ day of _____ 2022 and a copy of the same was filed with the Leelanau County Clerk on the _____day of _____ 2022.

Village of Northport

_____

Joni L. Scott, Clerk