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61.2-61.11 Repealed. 1998, Act 255, Imd.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Compiler's note: The repealed sections pertained to incorporation of villages.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61.14 Repealed. 1974, Act 4, Imd.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Compiler's note: The repealed section pertained to the village board of registration.

61.15 Repealed. 1998, Act 255, Imd.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Compiler's note: The repealed section pertained to registration of electors.

CHAPTER II
OFFICERS.

62.1 Village officers; council; ordinance providing for election and terms of office; adoption; filing petition to delay effect of ordinance; ballot question.

Sec. 1. (1) Except as provided in subsections (2) and (3), in each village, the following officers shall be elected: a president, 6 trustees, 1 clerk, and 1 treasurer. The president and trustees constitute the council. In all votes for which not less than a majority vote of council is required, the calculation of the number of votes required shall be based on the maximum number that constitutes council.

(2) The council by a vote of 2/3 of the members of council may provide by ordinance for the reduction in the number of trustees to 4 or for the election of all trustees at the same election for 2-year terms at the first possible election after 2004 who with the president shall constitute the council, and may provide by ordinance for the method of changing from 2-year staggered terms to 4-year staggered terms. If village trustees are elected biennially for staggered 4-year terms, the ordinance shall as nearly as possible maintain staggered terms and provide for an equal number of seats to be filled at each election. The ordinance may extend but shall not shorten the term of an incumbent trustee. The ordinance may extend a prospective term. The ordinance shall not shorten or eliminate a prospective term unless the nomination deadline for that term is not less than 30 days after the effective date of the ordinance. An ordinance adopted under this subsection shall satisfy both of the following conditions:

(a) The ordinance shall be voted on and adopted at a meeting that occurs not less than 10 days after the initial meeting or public hearing at which the ordinance was considered.

(b) Notice of each meeting at which the ordinance is considered indicating that an ordinance reducing the size of the council or to change the time of election of the trustees comprising the council will be 1 of the

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subjects of the meeting shall be published not less than 10 days before the meeting in a newspaper of general circulation in the village.

(3) The 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 or the treasurer or both for such a term as the ordinance may provide. The ordinance shall apply beginning with the first term the nomination deadline for which would have been not less than 30 days after the effective date of the ordinance or shall apply when the office is vacated, whichever occurs first.

(4) The council shall provide that an ordinance adopted under subsection (2) or (3) takes effect 45 days after the date of adoption unless a petition signed by not less than 10% of the registered electors of the village is filed with the village clerk within the 45-day period, in which case the ordinance takes effect upon approval at an election held on the question. Notice of the delayed effect of the ordinance and the right of petition under this subsection shall be published separately at the same time, and in the same manner, as the ordinance is published pursuant to section 4 of chapter VI. The village clerk shall verify the signatures on the petitions. If a petition bearing the required number of valid signatures of electors is filed, the question of adoption of the ordinance shall be submitted at the next general or special election. The ballot language for the question shall be prepared by the village clerk, unless the question concerns the appointment of the clerk under subsection (2), in which case the ballot language shall be prepared by the village council.

(5) A village that has adopted an ordinance reducing the number of trustees to 4 or providing for the appointment by the council of the clerk or treasurer may increase the number of trustees to 6 or provide for the election of the clerk or treasurer by the same process as provided in subsection (2) or (3), respectively, and in subsection (4).

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2699;—CL 1915, 2569;—CL 1929, 1479;—CL 1948, 62.1;—Am. 1998, Act 255, Imd. Eff. July 13, 1998;—Am. 2003, Act 305, Eff. Jan. 1, 2005;—Am. 2004, Act 300, Imd. Eff. July 23, 2004.

62.2 Additional officers; appointment.

Sec. 2. (1) The president may nominate and the council appoint such officers as shall be provided for by resolution or ordinance of the council. The council may provide by ordinance or resolution for the appointment of other officers whose election or appointment is not specifically provided for in this act, as the council considers necessary for the execution of the powers granted by this act. The powers and duties of such officers shall be prescribed by the council. The council may require that the officers perform their duties faithfully and that proper measures be taken to punish neglect of duty by an officer.

(2) 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, 2700;—CL 1915, 2570;—Am. 1925, Act 105, Imd. Eff. Apr. 30, 1925;—CL 1929, 1480;—CL 1948, 62.2;—Am. 1985, Act 173, Imd. Eff. Dec. 2, 1985;—Am. 1998, Act 255, Imd. Eff. July 13, 1998.

62.3 Appointments; time.

Sec. 3. Except for an appointment to fill a vacancy or unless a different time is prescribed in the ordinance or resolution creating the office, an appointment to a village office shall be made at the first village council meeting after the qualification of a council member who is elected at the village's regular election. If, for any cause, an appointment is not made at that meeting or on the day prescribed in the ordinance or resolution creating the office, the appointment may be made at a subsequent regular or special meeting of the council.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2701;—CL 1915, 2571;—CL 1929, 1481;—CL 1948, 62.3;—Am. 2003, Act 305, Eff. Jan. 1, 2005.

62.4 Term of office.

Sec. 4. Unless otherwise provided by ordinance, the president, clerk, and treasurer hold their respective offices for the term of 2 years and until their successors are elected and qualified. The term of office for a president, clerk, or treasurer elected at the village's regular election begins on November 20 after the officer's election and qualification.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2702;—CL 1915, 2572;—Am. 1925, Act 105, Imd. Eff. Apr. 30, 1925;—CL 1929, 1482;—CL 1948, 62.4;—Am. 1971, Act 18, Imd. Eff. May 5, 1971;—Am. 1998, Act 255, Imd. Eff. July 13, 1998;—Am. 2003, Act 305, Eff. Jan. 1, 2005;—Am. 2012, Act 551, Eff. Mar. 28, 2013.

62.5 Village trustees; term of office; ordinance providing for election and terms of office.

Sec. 5. Except as otherwise provided in this section, 3 village trustees shall be elected at each biennial village election for the term of 4 years and until their successors are qualified. As an alternative, if provided by an ordinance adopted by the village all 6 village trustees shall be elected at the biennial village elections for the term of 2 years and until their successors are qualified. The term of office for a trustee elected at the

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