

Appendix 8

Sample Ordinance to Reduce the Number of Trustees

We strongly recommend that you consult with your village attorney to appropriately modify this sample ordinance to meet your village's needs.

AN ORDINANCE to provide for reduction in the number of trustees on village council.

The Village of (Name of Village) ordains:

Section 1. Reduction of number of trustees on council

As authorized by Section (2), Chapter II of the General Law Village Act (1895 PA 3, as amended), the number of trustees on the Village Council shall be reduced from six trustees to four trustees who, with the president, shall constitute the council.

Section 2. Term of office

Use one of the following:

[If prior to the adoption of the ordinance reducing the size of council, three village trustees have been elected at each biennial village election for a term of four years each.]

After the effective date of adoption of this ordinance, two village trustees shall be elected at each succeeding biennial village election. This ordinance shall not shorten the term of any incumbent trustee. Nor shall this ordinance shorten or eliminate a prospective term unless the nomination deadline for that term is not less than 30 days after the effective date of this ordinance.

OR

[If prior to the adoption of the ordinance reducing the size of council, all six village trustees have been elected at each biennial village election for a term of two years each.]

After the effective date of adoption of this ordinance, four village trustees shall be elected each succeeding biennial village election. This ordinance shall not shorten the term of any

incumbent trustee. Nor shall this ordinance shorten or eliminate a prospective term unless the nomination deadline for that term is not less than 30 days after the effective date of this ordinance.

Section 3. Effective date

This ordinance shall take effect 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 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 any 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. 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:

Ordinance Declared Adopted

*Jane E. Smith—term due to expire
November 20, ____, shall be extended and
shall expire on November 20,*

Village Clerk

_____.

[NOTE: The following are offered as examples. It is suggested that all current trustees be listed regardless of whether or not that there is to be a change in the length of his/her term.]

*Ralph M. Morris—term due to expire
November 20, ____, shall not be extended.*

[NOTE: The term of a trustee may be extended but not shortened.]

[If the ordinance is passed, notice of the delayed effect of the ordinance and the right of petition must be published separately at the same time and in the same manner as the ordinance is published. Below is a sample of such a notice.]

Sample of published notice of adoption of the ordinance

Notice to the electors of the Village of (Name of Village): Take notice that Village Ordinance No. _____ which provides for the reduction of the number of village trustees (from six to four) was adopted pursuant to 1895 PA 3 as amended on (date of adoption) and will take effect 45 days after the date of adoption unless a petition signed by not less than ten percent of the registered electors of the village is filed with the village clerk within the 45-day period in which case the ordinance will take effect upon the approval of an election held on the question.