

Chapter 1

ADMINISTRATION

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ARTICLE I. IN GENERAL

Sec. 1-1. Ordinances—Recording; publishing; filing.

(a) All ordinances passed by the common council shall be recorded in a proper book provided therefor, and published in a local newspaper that serves the Village of Elkton.

(b) The original shall be filed in the office of the village clerk and due proof of the publication of all ordinances shall be procured by the clerk and attached thereto; and at least three (3) clippings of said ordinances from the paper in which they are published shall be posted up in these public places in said village.

(Ord. No. 2, § 1, 12-13-1897; Ord. No. 13, 2-28-1898; Ord. of 7-3-90)

Sec. 1-2. Same—Original copy.

No person shall take from the clerk's office the original of any of the ordinances of the village, or the book in which they are recorded, except when the same is taken out by the clerk of said village, to be used in evidence in some court, and then only when a proper subpoena is issued and directed to the village clerk of said village.

(Ord. No. 2, § 2, 12-13-1897)

Sec. 1-3. Purchasing of public buildings and grounds.

The Village of Elkton may acquire, purchase and erect such public buildings as may be required for the use of the village and may purchase appropriate and own such real estate as may be necessary for public grounds, parks, markets, public buildings and other purposes necessary or convenient for the public good. Such buildings and grounds or any part thereof may be sold at public sale or at private sale or leased as occasion may require. A public park shall not be sold without the consent of a majority of the qualified electors of the Village of Elkton.

(Ord. No. 90, 2-3-87)

Secs. 1-4—1-25. Reserved.

ARTICLE II. PRESIDENT/TRUSTEES*

DIVISION 1. GENERALLY

Sec. 1-26. Compensation.

(a) *Amount of compensation.* The president, clerk and each trustee of the Village of Elkton shall be paid the sum of sixty dollars (\$60.00) for each regular meeting of the village council actually attended by him/her during his/her term of office. The president, clerk, treasurer and assessor shall be paid an annual salary as set by the village council.

(b) *When payable.* The salary due to the president and each trustee for the preceding year shall be payable on the last Friday of February in each year from the general fund of the village.

(Ord. No. 49, §§ 1—3, 5-15-58; Ord. of 7-3-90; Mo. of 10-13-93)

Secs. 1-27—1-50. Reserved.

DIVISION 2. COMMITTEES†

Sec. 1-51. Village president; ex officio member.

Village president shall be ex officio member of all committees.
(Ord. of 9-13-90, § 10)

Sec. 1-52. Finance committee.

The committee shall consist of two (2) council members. The committee shall be responsible for the final proposed budget that is presented to council for approval. The committee shall oversee all financial matters of the village and shall make recommendations to council regarding same. The finance committee shall review all expenditures and initial all bills presented to council for payment. The committee shall be responsible for any other tasks assigned by council.

(Ord. of 9-13-90, § 1)

Sec. 1-53. Department of public works committee.

The committee shall consist of two (2) council members. The committee shall be responsible for the development of the department of public works budget which will include water

***Cross references**—Emergency services, definitions, § 21-1; authority, responsibility of president, § 21-3.

†**Editor's note**—Ord. of 9-13-90, §§ 1—10, repealed former §§ 1—6 (12.100—12.106), relative to committees, and enacted a new Div. 2, §§ 1-51—1-57 to read as herein set out. The provisions of former §§ 1—6 (12.100—12.106) derived from Ord. No. 1, adopted Dec. 13, 1897.

and sewer, buildings and grounds, streetlights, streets, sidewalks and drains, and sanitation. The committee shall be responsible for development of the long range maintenance of all buildings, grounds, streets, sewer, water works, and other real property that belongs to the village. The committee shall assure that all services provided by the DPW are completed in as efficient manner as possible. The committee shall perform whatever other tasks assigned by council.

(Ord. of 9-13-90, § 3)

Sec. 1-54. Parks and recreation committee.

The committee shall consist of two (2) council members. The committee shall be responsible for overseeing the operation of all parks and recreation programs of the village. One member of this committee shall be on the parks advisory authority. The committee will work closely with the parks advisory authority in improvement and operation of all parks. The committee shall be responsible for the development of the budget for parks and recreation. The committee will be responsible for investigation of all complaints regarding the operation of the village parks. The committee shall perform whatever other tasks are assigned by council.

(Ord. of 9-13-90, § 6)

Sec. 1-55. Planning, regulation and ordinance committee.

The committee shall consist of two (2) council members. The committee shall be responsible for all ordinances, resolutions, and regulations for the village. The committee shall assure that all are up to date and shall make recommendations to council for the need of new ordinances or revisions. The committee shall be responsible for maintaining and revision of the long range plans of the village. The committee shall be responsible for the development and revision of the operational plans of the village. The committee shall be responsible for advising council when operational deadlines are approaching such as budget development, contract bids for service, etc. The committee shall perform whatever other tasks assigned by council.

(Ord. of 9-13-90, § 7)

Sec. 1-56. Police and ambulance committee.

The committee shall consist of two (2) council members. The committee shall be responsible for overseeing the operation of the police department and ambulance. The committee will investigate all complaints made in regards to the police department or ambulance service. The committee shall assure that the best service possible is provided as allowed by the budget. The committee shall be responsible for the development of the budget for the police department and ambulance. The committee shall make recommendations regarding employee conduct to the labor relations committee should any investigation result in violations of the employee rules and regulations. All other matters regarding the police department or ambulance will be

addressed by this committee. The committee shall perform whatever other tasks assigned by council.

(Ord. of 9-13-90, § 8)

Cross reference—Officers and employees, Ch. 1, Art. III.

Sec. 1-57. Labor relations committee.

The committee shall consist of two (2) council members. The committee shall be responsible for all matters regarding employee working conditions, benefits, wages, and employee rules and regulations. The committee will be responsible for grievances or other employee related disagreements. The committee shall be responsible for conducting employee evaluations and make recommendations to council on matters concerning labor relations. The committee shall perform whatever other tasks that may be assigned by council.

(Ord. of 9-13-90, § 9)

Secs. 1-58–1-70. Reserved.

ARTICLE III. OFFICERS AND EMPLOYEES*

DIVISION 1. GENERALLY

Secs. 1-71–1-90. Reserved.

DIVISION 2. POLICE CHIEF†

Sec. 1-91. Duties.

It shall be the duty of the chief of police, within the Village of Elkton, to preserve the public peace, to prevent crime and to arrest the offenders, to protect the rights of persons and property, to preserve order, to remove nuisances existing in the public streets and elsewhere, to protect property at fires, to quell riots and disturbances, and to the best of his ability enforce the laws and ordinances throughout the village, and to perform such other duties as are prescribed by the ordinances, or are required of him under the laws of this state and shall perform any other duties pertaining to his office as the council may require. He shall have power to arrest all persons in the village found in the act of violating any law or ordinance, or

***Cross references**—Police and ambulance committee, § 1-56; impounding animals, § 9-34; dangerous animals, Ch. 9, Art. IV; dangerous buildings, duties of police department, § 13-96; offenses and miscellaneous provisions, § 37-1(h)(2); vehicle insurance, § 49-53(a); schedule of offenses and penalties, § 49-116; abandoned, disabled and inoperative vehicles, Ch. 49, Art. VI; wilful failure to disobey directions, misdemeanor, § 49-257; regulations for operating snowmobile, § 49-273.

†Editor's note—Ord. of 9-13-90, §§ 1–6, repealed former §§ 1–7 (12.150–12.157), relative to the marshal, and enacted a new Div. 2, §§ 1-91–1-95 to read as herein set out. The provisions of former §§ 1–7 (12.150–12.157) derived from Ord. No. 3, adopted Dec. 13, 1897.

aiding or abetting in any such violation, and shall take such persons so arrested before the court having jurisdiction in said Village of Elkton, to be dealt with according to law.

(Ord. of 9-13-90, § 1)

Sec. 1-92. Resisting or interfering with the chief of police.

No person shall resist or obstruct the chief of police or any assistant he may have in the discharge of his duty, nor shall interfere with, hinder or prevent him from discharging his duties as such officer, nor shall offer or endeavor so to do, and no person shall assist any person in custody of any officer of the village to escape from such custody, or shall rescue or attempt to rescue any person so in custody.

(Ord. of 9-13-90, § 5)

Sec. 1-93. Accounts to be kept.

The chief of police shall keep book accounts with the village, in which he shall enter all arrests made, monies received and paid by him, and shall send a statement thereof to the common council at the first meeting of each month. He shall take receipts for all money paid out by him to the treasurer or any other person and produce the same to the common council as his voucher.

(Ord. of 9-13-90, § 4)

Sec. 1-94. Absence of chief of police.

In case of the absence of the chief of police, or his inability from any cause to act as chief of police, the president may designate and appoint any person to act as chief of police during such absence or disability. Such person so appointed shall possess the same authority and perform the same duties as the chief of police. The chief of police, before leaving the village for any length of time to exceed one day, shall notify the president of such intended absence.

(Ord. of 9-13-90, § 2)

Sec. 1-95. Penalty.

Any violation of the provisions of this division shall be punished by a fine not to exceed one hundred dollars (\$100.00) together with the cost of prosecution, or by imprisonment in the county jail not to exceed ninety (90) days or by both such fine and imprisonment in the discretion of the court, unless payment of such fine and cost of prosecution be sooner made.

(Ord. No. 3, 1-2-1898; Ord. No. 6, 12-21-1897)

Secs. 1-96—1-99. Reserved.

ARTICLE IV. ELECTIONS**Sec. 1-100. Purpose.**

The purpose of this article is to require the holding of nonpartisan elections and to specify the procedures for which such elections will be held.

(Ord. of 2-10-04)

Sec. 1-101. Nonpartisan elections required.

(a) As authorized by Chapter III, Section 3(1) and (2) of the General Law Village Act, being Act 3 of the Public Acts of 1895, as amended, and Act 255 of the Public Acts of 1998, elections in the village shall hereafter be nonpartisan.

(b) This section shall apply beginning with the first village election for which the nomination deadline is not less than thirty (30) days after the effective date of this section.

(Ord. of 2-10-04)

Sec. 1-102. Election procedure.

(a) All elections will be held at the time of the general election, and the village will not conduct a primary election.

(b) The person receiving the highest number of votes shall be declared the elected winner for a single office.

(c) If more than one position is open, the first opening will go to the person who receives the highest number of votes, the second opening will go to the person who receives the second highest number of votes, and if there are more than two (2) positions available, this procedure will follow until all positions are filled.

(Ord. of 2-10-04)

Sec. 1-103. Effective date.

This article shall take effect forty-five (45) days after the date of adoption, unless a petition signed by not less than ten (10) percent of the registered electors of the village is filed with the village clerk, within the forty-five-day period, in which case the article takes effect upon approval at an election held on the question.

(Ord. of 2-10-04)

Chapters 2-4

RESERVED

