

original would be. He shall possess and exercise the powers of the township clerk so far as the same are required to be performed within the Village, except as to the filing of chattel mortgages, and he shall have authority to administer oaths and affirmations.

Section 15. Village Treasurer, Powers and Duties. The treasurer shall have such duties as set forth in Chapter IX of this charter, and such further duties as imposed by the applicable laws of this state.

Section 16. The Village assessor shall perform such duties in relation to the assessing of property and levying of taxes as are prescribed by this charter or by law.

Section 17. The Board of Review of this Village in relation to assessments made for taxation purposes shall consist of three members who shall be the Village assessor and two qualified free holders and electors appointed by the Council, and shall perform such duties and have such powers as are provided in this charter and the laws of the state. In the first instance, the two members to be appointed by the Council shall be so appointed within thirty (30) days after this charter takes effect, one for a term expiring at 8:00 o'clock P.M. on December 31, 1959, and the other for a term expiring at 8:00 o'clock P.M. on December 31, 1960. At any regular or special meeting of the Council during November or December of each year, beginning with the year 1959, the Council shall appoint a successor for a two-year term to that member whose term is then expiring. The members of the Board of Review shall receive no compensation.

Section 18. All appointive officers shall hold office until their successors are elected or appointed, and until qualified.

Section 19. In addition to other provisions herein contained, a vacancy shall exist in any elective office when an elected officer fails to qualify as in this charter provided, dies, resigns, is removed from office, removes from the Village, or is convicted of a felony.

Section 20. No member of the Council or other officer or employee of the Village shall knowingly accept any gift, frank, ticket, pass, reduced price or reduced rate of service within the Village or from any person known to him to have or to be endeavoring to secure a contract with the Village.

Section 21. It shall be the duty of the Village clerk, within two days after the meeting and determination of the Council, to notify each person elected or appointed, in writing, of his election or appointment.

Section 22. If for any reason any appointment shall not be made by the Council within the time provided in this charter, it may be made at any subsequent regular or special meeting.

Section 23. A vacancy in any elective office shall within thirty (30) days after such vacancy occurs be filled by appointment by a majority of the members of the Council, or of the remaining members of the Council when the vacancy is in the Council. Such appointee shall hold office until the next regular municipal election. When a vacancy occurs in any office to which a person has been appointed for a definite term, such vacancy shall within thirty (30) days be filled.

Section 24. The Council shall provide for the public peace, health, welfare and safety of persons and property.

CHAPTER IV

REGISTRATION, NOMINATION AND ELECTION

Section 1. General.

(a) The Village originally shall consist of one ward and one voting precinct. The Council may from time to time establish by ordinance additional voting precincts.

Section 2. Registration.

(a) The registration and re-registration of electors in the Village shall be conducted as provided for in the constitution and general laws of the State of Michigan.

Section 3. Nomination.

(a) Candidates for any elective office, to be voted for at any election under the provisions of this charter, shall be nominated by petition in the manner hereinafter prescribed and the names of such candidates for any office and no others shall be printed on the election ballot to be voted for at the next regular municipal election.

(b) Such petition for nomination shall be in substantially the following form: We, the undersigned, being duly qualified electors of the Village of Quakertown do hereby request that the name of (name of candidate) be placed on the ballot as a candidate for (name of office) at the election to be held in said Village on the . . . day of . . . 19 . . . We further state that we know him to be a qualified elector of said Village and a person of good moral character and qualified in our judgment for the duties of such office.

Names of
Qualified Electors: Address Date

It shall be unlawful for any person to sign more than one such nominating petition for the same office, except where two or more candidates are to be elected for the same office, then he may sign as many petitions as there are persons to be elected for said office.

Such petition shall be without any mark or designation showing the party affiliation of the person being so nominated. The person circulating nominating petition shall, before the acceptance of such petition by the Village Clerk, subscribe to the following oath:

State of Michigan, County of Oakland, s. s. . . . being duly sworn, deposes and says that he is the circulator of the foregoing petition containing . . . signatures, that the signatures appended hereto were made in his presence and are the signatures of the persons whose names they purport to be, and that all of said signers are qualified electors of the said Village to the best of his knowledge and belief.

Signed . . .

Subscribed and sworn to before me this . . . day of . . . 19 . . .

Notary Public, Oakland County, Michigan.

My commission expires . . . If there be more than one circulator, each circulator shall subscribe to the above oath.

(c) All nominating petitions shall be filed with the Village Clerk on or before four o'clock P.M. on the fifth Saturday prior to any regular or special election of which any officer or officers of the Village is or are to be elected. No person shall be nominated to any office in the Village unless the petition or petitions filed in his behalf for such office have been signed by not less than ten (10) qualified electors of the Village.

(d) The Village Clerk shall receive any such petition and shall endorse thereon the word "Received" and the date and time of filing and shall forthwith examine the petition or petitions filed for each candidate and if satisfied that the required number of electors have signed the same, he shall endorse thereon the word "APPROVED" with the date of approval and his signature.

(e) Acceptance of such nomination shall be presumed unless the candidate, within seven (7) days from the deadline for filing nominating petitions, shall make and file with the Village Clerk a withdrawal of his candidacy.

(f) All petitions shall be open to public inspection after being filed in the office of the Village clerk, in accordance with such reasonable rules and regulations as shall be prescribed by him.

Section 4. Elections.

(a) Regular municipal elections shall be held on the Tuesday succeeding the first (1st) Monday of November in every odd numbered year for the election of officers of the Village in accordance with the provisions of this charter.

(b) Special elections may, subject to the general laws of the state, be held at such times as the Council may by resolution determine, the purpose and object of which shall be set forth in the resolution calling such election.

(c) Notice of the time and place of holding any election and of the officers to be elected and the questions to be voted upon shall, except as herein otherwise provided, be given by the clerk in the same manner and at the same times as provided in the state election laws for the giving of notices by village clerks in state elections. Such notice of election shall be published in a newspaper if any is published in the Village and shall be posted in three (3) public places in the Village at least two weeks and not more than four weeks before the election. The affidavit of the clerk as to such posting and/or publishing shall be conclusive proof thereof.

(d) Ballots shall be printed without any party mark, emblem, vignette, or designation whatever, on plain, substantial paper, and the same shall be printed, numbered, and the names of candidates transposed and alternated, in accordance with the provisions of the general election laws. Beneath the names printed on the ballots for each office, there shall be printed one or more blank lines according to the number to be elected to such office, with squares to the left thereof, so that the elector may write or paste thereon the names of any person other than those printed thereon, and to vote for such person by placing a cross in the square opposite his name.

(e) The ballot for officers shall be in substantially the following form:

OFFICIAL BALLOT

Candidates for election to the Village offices of (naming offices to be filled) of the Village of Quakertown at the election held on the . . . day of . . . 19 . . .

(Place a cross in the square opposite the names of the persons for whom you desire to vote.)

FOR PRESIDENT

Vote for One
(Here list the names of the candidates with a square at the left of each name.)

FOR COUNCILMEN

Vote for Two
(Here list the names of candidates with a square at the left of each name.)

FOR CLERK

Vote for One
(Here list the names of candidates with a square at the left of each name.)

FOR TREASURER

Vote for One
(Here list the names of candidates with a square at the left of each name.)

FOR ASSESSOR

Vote for One
(Here list the names of candidates with a square at the left of each name.)

(f) The Village clerk shall prepare all ballots for printing and copies of all ballots shall be on file in the office of the clerk at least five (5) days before the election. The clerk shall cause to be delivered at each polling place prior to the time of the opening of the polls a number of ballots equal to at least one and one-fourth (1 1/4) times the number of registered electors in such polling precinct, and also all supplies, stationery, books, blanks and accessories necessary for the conduct of such election.

(g) Immediately upon the closing of the polls the board of election inspectors shall count and tabulate the number of votes cast for each of the candidates and upon each of the questions to be voted upon, and shall make immediate returns thereof to the Village clerk upon blanks to be furnished by the Village clerk.

(h) A recount of the votes cast in any Village election for any office or upon any proposition may be had in accordance with the general election laws of the state.

(i) The Village Council shall convene at 8:00 o'clock P.M. on the first day, other than a Sunday or Holiday, succeeding any regular or special election and shall canvass the results of such election, and shall determine the vote upon all questions and propositions and declare whether the same have been adopted or rejected and what persons have been elect-

ed at such election to the several offices respectively. The person receiving the highest number of votes for any office shall be deemed to have been duly elected to that office. If more than one person is equal in number to the number to be elected to that office, receiving the highest number of votes for that office, shall be deemed to have been duly elected to that office.

(j) If any person shall make a false oath or affidavit in connection with any matter required by this charter or shall violate any provision of this charter or shall knowingly neglect or refuse to perform any duty herein prescribed, such person shall be guilty of a misdemeanor and upon conviction shall be punished as in this charter provided.

(k) The inhabitants of the Village, having the qualifications of electors under the constitution and general laws of the state and no others, shall be electors therein. Every elector of the Village who is registered in the Village registration book in accordance with the general laws of the state shall be entitled to vote at any election held under the provisions of this charter.

(l) The polls for all elections shall be open at seven (7) o'clock A.M. of election day and remain open until eight (8) o'clock P.M. of said day.

(m) The Council shall provide all necessary voting booths, equipment, ballot boxes and supplies for the conduct of all elections.

(n) The general and special Village elections shall be governed by the appropriate laws of the state unless otherwise provided herein.

(o) Inspectors and clerks of election shall be appointed by the Village Council and shall receive such compensation as shall have been previously fixed by the Council.

(p) The Village Council shall have power, and it shall be their duty, to remove any inspector or clerk of election if in their judgment such inspector or clerk should be removed to insure the proper and efficient conduct of the election, to fill any vacancy in the office of inspector or clerk of election, and in general to perform such acts as election commissions in villages are authorized to perform.

(q) If at any election of Village officers, two or more candidates should receive an equal number of votes, the Council shall set a date for the appearance of such candidates for the purpose of determining by lot, which of the candidates shall have the right to the office voted for. The manner of determining by lot shall be the same as that used in case of a tie vote for a county office. If one of the persons receiving a tie vote should demand a recount, the determination of election by lot shall not be in order until a recount of the votes cast for the office has been conducted and a tie is still indicated.

(r) No informalities in conducting a Village election shall invalidate the same if such election shall be conducted in substantial conformity with the requirements of this charter.

CHAPTER V

RECALL

Section 1. Any elective officer may be removed by the qualified electors of the Village in accordance with the general laws of the state.

CHAPTER VI

ORDINANCES

Section 1. The enacting clause of all ordinances shall read: "The Village of Quakertown ordains." Each proposed ordinance shall be introduced in written or printed form.

Section 2. Except as otherwise provided in this charter, the Council shall have power by ordinance to amend or repeal any ordinance in whole or in part.

Section 3. All ordinances shall be recorded in an indexed book marked "Ordinance Book" and the record of each ordinance shall be authenticated by the signatures of the president and clerk. Such recording and authentication shall be done promptly after the passage of the ordinance, but failure to promptly record and authenticate any ordinance shall not invalidate it or suspend its operation. Within one (1) week after passage of any ordinance, the same shall be published in a newspaper printed in the Village, if any is published therein; otherwise copies of the ordinance shall, within the same time, be posted in three (3) of the most public places in the Village; and the clerk shall immediately after such publication or posting, enter in the record of the ordinance, a certificate under his hand stating the time and places of such publication or posting. Such certificate shall be prima facie evidence of the due publication and/or posting of the ordinance.

Section 4. Every ordinance shall become effective upon its publication unless a later effective date is provided therein.

Section 5. The Council shall have authority to provide in any ordinance for the punishment of those who violate the same by a fine not exceeding One Hundred Dollars (\$100) or imprisonment for a period not exceeding ninety (90) days, or both, in the discretion of the Court. Such imprisonment may be in the Village prison, if any; in the Oakland County jail, or in any penal institution in the state authorized by law to receive prisoners from the Village.

Section 6. Prosecution for violation of any ordinance of the Village shall be commenced within two years after the commission of the offense, provided that the limitation herein imposed shall not be construed as a limitation on the Village's right to forfeit any franchise, grant or license for violation of the terms and conditions thereof.

Section 7. In all judicial proceedings, it shall be sufficient to plead any ordinance by title and the number of applicable section or sections.

Section 8. Judicial notice shall be taken of the enactment, existence, provisions and continuing force of all ordinances of the Village.

Section 9. Whenever it shall be necessary to prove any ordinance in any judicial proceedings, the same may be proved by a record thereof kept by the clerk, by a copy thereof duly certified as a true copy by the clerk, under the seal of the Village, or from any volume purporting to have been published, printed and compiled by authority of the Council.

CHAPTER VII

INITIATIVE AND REFERENDUM

Section 1. An ordinance may be initiated by petition or a referendum on an ordinance enacted by the