

THE GENERAL LAW VILLAGE ACT (EXCERPT)
Act 3 of 1895

65.5 Village council; rules and record of proceedings; quorum; adjournment; compelling attendance; vote; ordinance or resolution appropriating money; publication of proceedings and vote; availability of certain writings to public.

Sec. 5.

(1) The council shall prescribe the rules of its own proceedings, and shall keep a record of those proceedings. Except as otherwise provided in this section, a majority of the members of council are a quorum for the transaction of business. A majority of the members of council serving, if meeting to fill a vacancy in the office of village president or village trustee, are a quorum for the transaction of business. A lesser number may adjourn and compel the attendance of absent members in a manner as prescribed by ordinance. In the absence of an ordinance, if the village council lacks a quorum for more than 60 consecutive calendar days, then the presiding officer of the village council may compel the attendance of board members and other officers of the village at a regular or special meeting and enforce the orderly conduct in the meeting. A member of the council or any other officer of the village who refuses to attend a meeting for a reason other than a confining illness or extenuating circumstances is guilty of gross neglect of duty. Any police officer designated by the presiding officer of the meeting shall serve as the sergeant-at-arms of the village council in the enforcement of this subsection.

(2) An office must not be created or abolished; a street, alley, or public ground vacated; real estate or an interest in real estate purchased, leased, sold, or disposed of; or a public improvement ordered, except by a majority vote of the members of council. The vote must be taken by yeas and nays, and entered in the journal. However, a tax must not be increased or a special assessment imposed except by an affirmative vote of 2/3 of the members of council.

(3) Money must not be appropriated except by ordinance or resolution of the council. An ordinance appropriating money must not be passed, or a resolution appropriating money must not be adopted, except by a majority vote of the members of council. The vote must be taken by yeas and nays, and entered in the journal. Within 15 days after a meeting of the council, a synopsis or the entirety of the proceedings, including the vote of the members, prepared by the clerk and approved by the president showing the substance of each separate decision of the council must be published in a newspaper of general circulation in the village or posted in 3 public places in the village.

(4) A writing prepared, owned, used, in the possession of, or retained by the council or by the clerk, treasurer, or other officer of the village in the performance of an official function must be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895 ;-- CL 1897, 2752 ;-- CL 1915, 2623 ;-- Am. 1925, Act 43, Eff. Aug. 27, 1925 ;-- CL 1929, 1532 ;-- CL 1948, 65.5 ;-- Am. 1977, Act 197, Imd. Eff. Nov. 17, 1977 ;-- Am. 1983, Act 205, Imd. Eff. Nov. 10, 1983 ;-- Am. 1998, Act 255, Imd. Eff. July 13, 1998 ;-- Am. 2020, Act 81, Imd. Eff. Apr. 2, 2020