

Village
of
Honor

A Home Rule Village Since 1915

CHARTER
Benzie County
Michigan

Amended March 8, 2004

CHARTER OF THE VILLAGE OF HONOR

Article 1.

Sec. 1. The Village of Honor is located in Town twenty six (26) North, Range fourteen west, in the County of Benzie, State of Michigan, and takes in the following descriptions: South one half of the South one half of the North east one quarter, (S ½ of S ½ of NE ¼), Section eight (8) except that piece of parcel lying and being South and West of the Platte River and the South one half of the south West one quarter (S1/2 of SW ¼ Section Nine (9)).

Sec. 2. The inhabitants, residents within the boundaries aforesaid, shall hereafter be known in law by the corporate name of the Village of Honor, and by that name they and their successors shall have perpetual succession, capable in law of suing or being sued, complaining and defending, in any court of law or equity; and may make and use a common seal and alter the same at pleasure; and shall also have the power to purchase, hold and convey such real and personal estate as the purposes of the Corporation require.

Article 2.

Sec. 1. The officers of said Village shall be a president, who shall be the executive head, four elected trustees, one clerk, and one treasurer, who shall also act as collector.

Sec. 2. The President shall subject to the confirmation of the Village Council, appoint a Street Commissioner, Village Attorney, Deputy Clerk and Deputy Treasurer.

Article 3.

Sec. 1. The qualified electors of said village shall meet at the court room in said village on the 30th day of January, A. D. 1915, and there proceed to vote upon the adoption or rejection of this charter, and to elect one president, one clerk, one assessor and one treasurer, who shall hold their respective offices until the second Monday in March, Nineteen Hundred and Fifteen and until their successors are elected and qualified and enter upon the duties of their offices Six Trustees shall also be elected, three holding office until the second Monday, in March, 1915, and three holding office until the second Monday in March, 1916; and for the purpose of nominating candidates for the first election for the several offices before mentioned, a village caucus shall be held in said village not later than the 20th day of January, A.D. 1915 at 2:00 o'clock in the afternoon, A. D. 1915 at 2:00 o'clock in the afternoon, said caucus to be held in the court room in said village.

Sec. 2. At the election to be held on the second Monday in March of 2004, and on the second Monday of March of each even numbered year hereafter, the election of officers and trustees shall be held at the Village Hall located in the said Village, and, for the purpose of holding said elections, the Village shall constitute one election district. At such election, and on every even year thereafter, there shall be elected one president, one clerk, and one treasurer who shall hold their respective offices for two years, and two trustees positions shall be elected to a four year term. All officers and trustees shall serve until their respective successors are elected and qualified.

Sec. 3. The Clerk shall review the qualification and registration of all electors.

Sec. 4. Election inspectors shall be appointed by the Village Council. Compensation shall be approved by the Council.

Sec. 5. The terms of office of all officers shall commence immediately after their election of appointment and qualification and shall continue until the election of appointment and qualification of their successors.

Sec. 6. Officers appointed to fill vacancies shall hold their office until the next annual election, and until their successors are elected and qualified.

Sec. 7. All persons elected or appointed to office shall be an elector of the village and all officers of the village, elected or appointed, shall take and subscribe to the constitutional oath of office and file the same with the clerk, and in case of failure to do so within ten days after receiving notice of the election or appointment, shall be deemed to have declined the office.

Sec. 8. Before entering upon the duties of his office, the treasurer, and such other officers as the council may require so to do, shall within the time prescribed for filing his official oath, file with the village clerk such bond or security as may be required by law, or by any ordinance or resolution of the council and with such sureties as shall be approved by the council. Should the clerk be required to give bond, it shall be deposited with the treasurer

Article 4

Sec. 1. The president and trustees shall constitute the village council, which shall have control and management of all the finances, and all the real and personal property belonging to the corporation, and shall examine and settle all accounts chargeable against said village.

Sec. 2. A majority of the board shall constitute a quorum for the transaction of business and a less number may adjourn from time to time.

Sec. 3. It shall be the duty of the president to see that all officers of said village faithfully discharge their duties, and in case of his absence or inability to serve, the trustees shall have power to elect from their own number, a president pro tem, who shall have the power and perform all the duties of the president.

Sec. 4. The Village President shall be a voting member of the Village Council for all of its decisions.

Article 5.

Sec1. The clerk shall attend all meetings of the village council, record their proceedings preserve and keep all books and papers belonging to said corporation and appertaining to his office, take care of the corporate seal, attend to the publication of all by-laws, ordinances, rules, regulations and notices as the village council shall direct.

Sec. 2. All proceedings of the council must be written or printed in the English

language.

Article 6.

Sec. 1. The treasurer shall have the custody of all moneys belonging to and receivable by the corporation, and keep an account of all receipts and expenditures thereof. He shall pay no money out of the treasury, except in pursuance of and by authority of law, and upon warrants signed by the clerk and counter signed by the president, which shall specify the purpose for which the amounts named shall be paid. At the 1st regular meeting of the council prior to the annual election, and at any other time when called upon by a resolution of the village board so to do, he shall present to said board a report, in writing of all items of receipts and disbursements with a statement of the debts, dues and demands of said corporation.

Article 7.

Deleted March 12, 2001

Article 8

Deleted March 12, 2001

Article 9

Sec. 1. A vacancy in office of any of the officers of said village (except president) shall be filled by the village council, but for no longer than until the next regular election.

Article 10

Sec. 1. The elected officers and Trustees of the Village shall receive such compensation or salary as shall be fixed by Ordinance. All other officers shall receive such compensation or salary as the Council, by resolution, shall prescribe

Article 11

The village council shall have power to raise by general tax upon the taxable inhabitants of said village and the property therein liable for taxation such sums of money as they shall deem proper, but not to exceed the sum of ten (10) mills on a dollar in any one year upon the assessed valuation of such property for highway purposes and to defray the general expenses of this corporation, and to carry into effect its several powers and privileges of this charter. The subjects of taxation for village purposes shall be the same as for state, county, and school purposes.

Article 12

Deleted March 12, 2001.

Article 13

Sec. 1. The style of all ordinances shall be: "The Village of Honor ordains". All ordinances shall require for their passage the concurrence of a majority of the council. No ordinance imposing a penalty shall take effect in less than Twenty days after its passage.

Sec. 2. All ordinances, when regularly enacted, shall be recorded by the village clerk in a book to be call the "Record of Ordinances," and it shall be the duty of the president and clerk to authenticate the same by their official signatures upon such record.

Sec. 3. Within ten days after the passage of any ordinance, the same shall be published in a newspaper printed in the village, or if no newspaper is so published, copies of the same shall be posted in three of the most public places in said village and the clerk shall place under the record of the ordinance a certificate under his hand and corporate seal of said village, stating the time of such publication or the time and place of posting such notices and no ordinance shall become operative until so published.

Sec. 4. Prosecutions for violations of ordinances shall be begun and carried on as provided for by the general law for the incorporation of villages.

Article 14

Sec. 1. All sessions of the village council shall be public, and all records of the corporation shall be open at all times to the inspection of interested persons. A meeting of the council shall be held at least once in each month.

Article 15

Sec. 1. The village council shall have full power within said village to declare and define the powers and duties of the officers of said village, whose powers and duties are not specifically prescribed in the charter.

Sec. 2. To determine the amount and sufficiency of the sureties in the official bonds of officers as they shall deem proper to require security from in the discharge of official duty.

Sec. 3. To provide for the care and preservation of the public property of said village, and to make all needful rules and regulations for the safe keeping of the same, and to take whatever steps that seem necessary to guard against and protect property from fire.

Sec. 4. To license and regulate shows, traveling concerts, auction sales, gift enterprises, hawkers, hucksters, peddlers, or prohibit them from soliciting patronage within the limits of said village.

Sec. 5. To preserve peace and good order; to suppress, restrain and close up all disorderly houses, gambling tables or other devices for gaming, and punish the keepers of the same, when so kept in violation of any by-laws, regulation or ordinances of said village; to cause all vagrants, disorderly persons, street beggars, common prostitutes and drunkards to be apprehended and punished.

Sec. 6. To prevent and punish immoderate riding or driving in the streets.

Sec. 7. To prevent and remove nuisances, and to punish persons for committing the same.

Sec. 8. To compel the owners or occupants of lots to clean the sidewalks in front of or adjacent thereto of every encumbrance or obstruction.

Sec. 9. To restrain horses, cattle, mules, sheep, swine and other animals from going at large in the streets of said village, and to prevent the owners of such animals from tying them in the highways so as to interfere in any way with travel on the sidewalks or in the streets, under such penalties as they shall, in the by-laws, prescribe.

Sec. 10. To regulate the placing of electric light, telephone and telegraph poles and the setting out of shade trees and care of same.

Sec. 11. And for all or any of the purposes enumerated, or for executing any of the powers conferred upon said village council by this charter, the village council may make, establish and publish, modify, amend and repeal by-laws, rules, regulations and ordinances and prescribe such penalties and fines as they may deem proper for the violation of the same, not exceeding a fine of one hundred dollars or imprisonment in the county jail not exceeding ninety days, and enforce the same against any person guilty of such violation in any court of competent jurisdiction.

Article 16

REFERENDUM AND RECALL AND INITIATIVE

Sec. 1. That said village has adopted the principles of initiative, referendum and recall as understood under the general laws of the state.

Sec. 2. That whenever any proposed resolution or ordinance shall be accompanied by a petition signed by at least twenty percent and not less than forty electors of the electors of said village estimated upon the basis of the total vote for president in said village at the last preceding election, and requesting that said proposed resolution or ordinance be submitted to a vote of the people of said village, the village clerk shall thereupon ascertain and certify the number of qualified signers thereto and if such certificate shows the required number of qualified signers, the village council, shall within twenty days, thereafter either (a) pass said resolution or ordinance, subject to the referendum provided herein and without alteration, or (b) call a special election in manner and form as required by the general village laws of this State to vote upon said proposition which may not be set forth in full in the election notice therefore but said election notice shall contain an accurate abstract thereof in all its essential details, and if said election shall show a majority voting in favor of said resolution or ordinance same shall, ipso fact, become the law of the village and transcribed in the record as such, with the date and result of election thereof.

Sec. 3. That the village council may, on its own motion and shall upon like petition as provided in section two next above, submit at any general or special election as above provided, any proposed ordinance or measure, in same manner as above provided by election and submitting the question, and if a majority of those voting shall thereby declare in favor of the repeal, the same shall thereby be repealed and record shall be made accordingly, if in favor of amending, same shall stand amended and recorded accordingly, otherwise in effect as before the election.

Sec. 4. The holder of any elective office may be removed at any time by majority vote in favor of his successor in manner as follows: A petition signed by electors of said village in number and manner as provided in section 2 last above, and demanding the election of a successor to the incumbent in the office in question sought to be removed, said petition shall be subscribed and sworn to that the signatures are all genuine signatures of persons whose name it purports to be, which petition shall then be filed with the village clerk. Said clerk shall immediately call a special council meeting which shall be held within twenty-four hours, said council shall examine said petition and, if sufficient, shall order and fix a date not to exceed twenty days therefrom and not less than ten days therefrom for holding the recall election, and ten days notice of said election shall be posted in six places in said village and published not less than once in a paper printed in said village, if there be one. If said petition be not sufficient, same shall be returned to those persons presenting same for amendment and future presentment at the discretion of those presenting same when same shall be considered and acted upon by the council as in the first instance. The successor thus elected shall hold office only until the next regular election. The person sought to be removed may a candidate by notice to that effect in writing given to the council five days before election, and in that case his name shall appear upon the official ballot at the recall election. Ballot shall be in the following form:

OFFICIAL BALLOT
VILLAGE OF HONOR

Special election for balance of unexpired term of _____
as _____ of said village.
For _____

Vote for one only
Names of Candidates

_____()
_____()
_____()

Village Clerk

In such election the person receiving the highest number of votes shall be declared elected. The election shall be conducted otherwise as the general elections in villages are conducted and as provided by the statutes in such cases. The officer elected at such election shall qualify as required by law, and shall thereupon become and take

the place of the officer sought to be removed and to hold said office, and have custody of the insignia thereof.

Article 17

Sec. 1. The said Village of Honor shall, in all things not herein otherwise provided, be governed by, and its powers and duties defined by the general law for the incorporation of villages.

This is to certify that we, the undersigned charter commissioners of the proposed Village of Honor, Benzie County, Michigan, did by a majority vote, adopt the foregoing proposed charter for said village. In witness whereof we have hereunto set our hands this eleventh day of December, A. D. 1914.

James L. Barker,
Frank Conklin,
O. A. Hobson,
F. G. Peck,
L. E. Stacey, Sec.

CERTIFICATE OF ELECTION TO APPROVED VILLAGE CHARTER

I hereby certify that a village election to elect the officers of said Village of Honor, and to vote upon the acceptance and approval of the annexed village charter was held in the Village of Honor, Benzie County, Michigan on the 30th day of January, A. D. 1915. I further certify that the following is the result of said vote on said village charter:

Whole Number of Votes Cast --- Seventy-three
Whole Number of Votes Cast in Favor of Charter – Fifty eight
Whole Number of Votes cast in opposition to Charter – Eleven
Four blanks.

E. C. Nieman
Village Clerk