

# HOUSE BILL No. 4897

June 4, 1991, Introduced by Reps. Byrum, Niederstadt, Bartnik, Profit, Middleton, Baade, Weeks, Trim, Dobronski, DeMars, Gire, Gilmer, Stallworth, Oxender, Gnodtke, Hertel, McBryde, Bennett, Horton and Olshove and referred to the Committee on Towns and Counties.

A bill to amend section 1 of Act No. 246 of the Public Acts of 1945, entitled as amended

"An act to authorize township boards to adopt ordinances and regulations to secure the public health, safety and general welfare; to provide for the establishment of a township police department; to provide for policing of townships by the county sheriff; to provide for the publication of ordinances; to prescribe powers and duties of township boards; to provide penalties; and to repeal all acts and parts of acts in conflict therewith,"

as amended by Act No. 78 of the Public Acts of 1989, being section 41.181 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 1 of Act No. 246 of the Public Acts of  
2 1945, as amended by Act No. 78 of the Public Acts of 1989, being  
3 section 41.181 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5       Sec. 1. (1) The township board of a township may, at a  
6 regular or special meeting by a majority of the members elect of

1 the township board, adopt ordinances regulating the public  
2 health, safety, and general welfare of persons and property,  
3 including, but not limited to fire protection, licensing or use  
4 of bicycles, traffic and parking of vehicles, sidewalk mainte-  
5 nance and repairs, the licensing of business establishments,  
6 ~~and~~ the licensing and regulating of public amusements, AND THE  
7 REGULATION OR PROHIBITION OF NUDE ENTERTAINMENT and provide pen-  
8 alties for the violation of the ordinances. The township shall  
9 enforce the ordinances and may employ and establish a police  
10 department with full power to enforce township ordinances and  
11 state laws. If state laws are to be enforced, a township shall  
12 have a law enforcement unit or may by resolution appropriate  
13 funds and call upon the sheriff of the county or department of  
14 state police or other local law enforcement agency in which the  
15 township is located to provide special police protection for the  
16 township. The sheriff, department of state police, or other  
17 local law enforcement agency shall, if called upon, provide spe-  
18 cial police protection for the township and enforce local town-  
19 ship ordinances ~~—~~ to the extent that township funds are appro-  
20 priated for the enforcement. Special township deputies appointed  
21 by the sheriff shall be under the jurisdiction of and solely  
22 responsible to the sheriff. Ordinances regulating traffic and  
23 parking of vehicles and bicycles shall not be in contravention of  
24 the Michigan vehicle code, Act No. 300 of the Public Acts of  
25 1949, as amended, being sections 257.1 to 257.923 of the Michigan  
26 Compiled Laws.

1       (2) Ordinances enacted may apply to streets, roads,  
2 highways, or portions of the township determined by the township  
3 board or may be limited to specified platted lands within the  
4 township, and with respect to these lands shall be valid and  
5 enforceable whether the roads and streets have been dedicated to  
6 public use or not. Township boards of townships enacting ordi-  
7 nances under this section may accept contributions from duly con-  
8 stituted representatives of the platted lands benefited by the  
9 ordinances ~~—~~ to defray administrative and enforcement costs  
10 incident to the enactment of ordinances.

11       (3) AS USED IN THIS SECTION, "NUDE ENTERTAINMENT" MEANS LIVE  
12 ENTERTAINMENT IN WHICH AN INDIVIDUAL EXPOSES HIS OR HER GENITALS  
13 OR ANUS TO 1 OR MORE INDIVIDUALS FOR PAYMENT OR THE PROMISE OF  
14 PAYMENT BY ANY PERSON.