



SENATE BILL No. 732

August 31, 1993, Introduced by Senator CONROY and referred to the Committee on Judiciary.

A bill to amend sections 20 and 21 of Act No. 359 of the Public Acts of 1947, entitled

"An act to authorize the incorporation of charter townships; to provide a municipal charter therefor; and to prescribe the powers and functions thereof,"

being sections 42.20 and 42.21 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 20 and 21 of Act No. 359 of the Public
2 Acts of 1947, being sections 42.20 and 42.21 of the Michigan
3 Compiled Laws, are amended to read as follows:

4 Sec. 20. (1) ~~All legislation~~ LEGISLATION of A charter
5 ~~townships~~ TOWNSHIP shall be by ordinance or by resolution.
6 ~~The term "resolution" shall mean the official action of the~~
7 ~~township board in the form of a motion, and such action~~ A
8 RESOLUTION shall be limited to matters required or permitted to
9 be done by resolution by this act or by state or federal law and

1 to matters pertaining to the internal affairs or concerns of the
 2 township government. ~~All other acts~~ ANY OTHER ACT of the town-
 3 ship board, and ~~all acts carrying a penalty~~ ANY ACT IMPOSING A
 4 SANCTION for the violation ~~thereof~~ OF THE ACT, shall be by
 5 ordinance. "RESOLUTION" MEANS THE OFFICIAL ACTION OF THE TOWN-
 6 SHIP BOARD IN THE FORM OF A MOTION.

7 (2) Each ordinance shall be identified by a number and a
 8 short title. Each proposed ordinance shall be introduced in
 9 written or printed form. The style of ~~all ordinances~~ AN
 10 ORDINANCE shall be, "The charter township of
 11 ordains:". Except in the case of
 12 ~~ordinances which are~~ AN ORDINANCE THAT IS declared to be AN
 13 emergency ~~ordinances~~ ORDINANCE, ~~no~~ AN ordinance shall NOT be
 14 finally passed by the township board at the same meeting at which
 15 it is introduced, ~~nor until it has been~~ OR BEFORE IT IS pub-
 16 lished in the form in which it ~~was~~ IS introduced. ~~at least~~
 17 ~~once.~~ ~~No~~ AN ordinance shall NOT be revised, altered, or amended
 18 by reference to its title only, but the section or sections of
 19 the ordinance revised, altered, or amended shall be re-enacted
 20 and published at length. ~~, and all ordinances, when~~ WHEN
 21 enacted, AN ORDINANCE shall be immediately recorded by the town-
 22 ship clerk in a book to be called "The ordinance book". ~~, and it~~
 23 ~~shall be the duty of the~~ THE supervisor and township clerk ~~to~~
 24 SHALL authenticate ~~such~~ THE record by their official signatures
 25 ~~thereon~~ ON THE RECORD. The ordinances of each charter township
 26 shall be compiled and published in loose leaf or booklet form not
 27 less than once in every 10-year period.

1 Sec. 21. (1) The township board shall provide in each
2 ordinance ~~for the punishment of those who violate the township's~~
3 ~~provisions~~ A SANCTION FOR VIOLATION OF THE ORDINANCE.

4 ~~Punishment~~

5 (2) IF A VIOLATION OF AN ORDINANCE IS A CIVIL INFRACTION,
6 THE ORDINANCE SHALL PROVIDE A CIVIL FINE FOR ITS VIOLATION. A
7 VIOLATION OF AN ORDINANCE IS A MUNICIPAL CIVIL INFRACTION ONLY IF
8 THE ORDINANCE EXPLICITLY STATES THAT A VIOLATION IS A MUNICIPAL
9 CIVIL INFRACTION. AN ORDINANCE SHALL NOT MAKE AN ACT OR OMISSION
10 A MUNICIPAL CIVIL INFRACTION IF THAT ACT OR OMISSION CONSTITUTES
11 A CRIME UNDER ANY OF THE FOLLOWING:

12 (A) ARTICLE 7 OR SECTION 17766A OF THE PUBLIC HEALTH CODE,
13 ACT NO. 368 OF THE PUBLIC ACTS OF 1978, BEING SECTIONS 333.7101
14 TO 333.7545 AND 333.17766A OF THE MICHIGAN COMPILED LAWS.

15 (B) THE MICHIGAN PENAL CODE, ACT NO. 328 OF THE PUBLIC ACTS
16 OF 1931, BEING SECTIONS 750.1 TO 750.568 OF THE MICHIGAN COMPILED
17 LAWS.

18 (C) ACT NO. 158 OF THE PUBLIC ACTS OF 1966, BEING
19 SECTIONS 752.11 TO 752.12 OF THE MICHIGAN COMPILED LAWS.

20 (D) SECTION 1 OF ACT NO. 70 OF THE PUBLIC ACTS OF 1877,
21 BEING SECTION 752.21 OF THE MICHIGAN COMPILED LAWS.

22 (E) ACT NO. 119 OF THE PUBLIC ACTS OF 1967, BEING
23 SECTIONS 752.271 TO 752.274 OF THE MICHIGAN COMPILED LAWS.

24 (F) SECTION 25 OF CHAPTER 158 OF THE REVISED STATUTES OF
25 1846, BEING SECTION 752.525 OF THE MICHIGAN COMPILED LAWS.

26 (G) SECTION 2 OF ACT NO. 26 OF THE PUBLIC ACTS OF 1970,
27 BEING SECTION 752.582 OF THE MICHIGAN COMPILED LAWS.

1 (H) SECTION 5 OF ACT NO. 105 OF THE PUBLIC ACTS OF 1951,
2 BEING SECTION 752.825 OF THE MICHIGAN COMPILED LAWS.

3 (I) ACT NO. 10 OF THE PUBLIC ACTS OF 1952, BEING
4 SECTIONS 752.841 TO 752.845 OF THE MICHIGAN COMPILED LAWS.

5 (J) SECTION 1 OF ACT NO. 45 OF THE PUBLIC ACTS OF 1952,
6 BEING SECTION 752.861 OF THE MICHIGAN COMPILED LAWS.

7 (K) SECTION 1 OF ACT NO. 81 OF THE PUBLIC ACTS OF 1954,
8 BEING SECTION 752.881 OF THE MICHIGAN COMPILED LAWS.

9 (L) SECTION 3A OF ACT NO. 106 OF THE PUBLIC ACTS OF 1963,
10 BEING SECTION 752.903A OF THE MICHIGAN COMPILED LAWS.

11 (3) IF A VIOLATION OF AN ORDINANCE IS NOT A CIVIL INFRAC-
12 TION, PUNISHMENT for ~~the~~ A violation of ~~a township~~ THE ordi-
13 nance shall not exceed a fine of \$500.00, or imprisonment for 90
14 days, or both, in the discretion of the court.

15 (4) Fines collected for the violation of the ordinances of a
16 charter township shall be distributed as provided in section 8379
17 of THE REVISED JUDICATURE ACT OF 1961, Act No. 236 of the Public
18 Acts of 1961, being section 600.8379 of the Michigan Compiled
19 Laws.

20 (5) AS USED IN THIS SECTION, "CIVIL INFRACTION" AND
21 "MUNICIPAL CIVIL INFRACTION" MEAN THOSE TERMS AS DEFINED IN
22 SECTION 113 OF ACT NO. 236 OF THE PUBLIC ACTS OF 1961, BEING
23 SECTION 600.113 OF THE MICHIGAN COMPILED LAWS.

24 Section 2. This amendatory act shall not take effect unless
25 Senate Bill No. 731

26 of the 87th Legislature is enacted into law.