

SENATE BILL No. 790

March 5, 1992, Introduced by Senators DI NELLO, BERRYMAN, GEAKE, CARL, WELBORN, N. SMITH, ARTHURHULTZ, BARCIA, DILLINGHAM, KOIVISTO, EMMONS, MC MANUS and EHLERS and referred to the Committee on Family Law, Criminal Law, and Corrections.

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. 177 of the Public Acts of 1991, 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. 177 of the Public Acts of 1991, 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, the
6 licensing and regulating of public amusements, and the regulation
7 or prohibition of public nudity and provide penalties for the
8 violation of the ordinances. The township shall enforce the
9 ordinances and may employ and establish a police department with
10 full power to enforce township ordinances and state laws. If
11 state laws are to be enforced, a township shall have a law
12 enforcement unit or may by resolution appropriate funds and call
13 upon the sheriff of the county in which the township is located,
14 the department of state police, or other law enforcement agency
15 to provide special police protection for the township. The sher-
16 iff, department of state police, or other local law enforcement
17 agency shall, if called upon, provide special police protection
18 for the township and enforce local township ordinances to the
19 extent that township funds are appropriated for the enforcement.
20 Special township deputies appointed by the sheriff shall be under
21 the jurisdiction of and solely responsible to the sheriff.
22 Ordinances regulating traffic and parking of vehicles and bicy-
23 cles shall not be in contravention of the Michigan vehicle code,
24 Act No. 300 of the Public Acts of 1949, as amended, being sec-
25 tions 257.1 to 257.923 of the Michigan Compiled Laws.

26 (2) Ordinances enacted may apply to streets, roads,
27 highways, or portions of the township determined by the township

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

9 (3) As used in this section, "public nudity" means knowingly
10 or intentionally displaying in a public place, or for payment or
11 promise of payment by any person including, but not limited to,
12 payment or promise of payment of an admission fee, any
13 individual's genitals or anus with less than a fully opaque
14 covering, OR A FEMALE INDIVIDUAL'S BREAST WITH LESS THAN A FULLY
15 OPAQUE COVERING OF THE NIPPLE AND AREOLA.