

Act No. 315
Public Acts of 1994
Approved by the Governor
July 21, 1994
Filed with the Secretary of State
July 21, 1994

STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1994

Introduced by Senator DiNello

ENROLLED SENATE BILL No. 109

AN ACT 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 certain law enforcement officers and agencies to provide for the publication of ordinances to prescribe powers and duties of township boards and certain local and state officers and agencies 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

Section 1 Section 1 of Act No 246 of the Public Acts of 1945 as amended by Act No 177 of the Public Acts of 1991 being section 41 181 of the Michigan Compiled Laws is amended to read as follows

Sec 1 (1) The township board of a township may at a regular or special meeting by a majority of the members elect of the township board adopt ordinances regulating the public health safety and general welfare of persons and property including but not limited to fire protection licensing or use of bicycles traffic and parking of vehicles sidewalk maintenance and repairs the licensing of business establishments the licensing and regulating of public amusements and the regulation or prohibition of public nudity and provide penalties for the violation of the ordinances The township shall enforce the ordinances and may employ and establish a police department with full power to enforce township ordinances and state laws If state laws are to be enforced a township shall have a law enforcement unit or may by resolution appropriate funds and call upon the sheriff of the county in which the township is located the department of state police or other law enforcement agency to provide special police protection for the township The sheriff department of state police or other local law enforcement agency shall if called upon provide special police protection for the township and enforce local township ordinances to the extent that township funds are appropriated for the enforcement Special township deputies appointed by the sheriff shall be under the jurisdiction of and solely responsible to the sheriff Ordinances regulating traffic and parking of vehicles and bicycles shall not be in contravention of the Michigan vehicle code Act No 300 of the Public Acts of 1949 as amended, being sections 257 1 to 257 923 of the Michigan Compiled Laws

(2) Ordinances enacted may apply to streets roads highways or portions of the township determined by the township board or may be limited to specified platted lands within the township and with respect to these lands shall be valid and enforceable whether the roads and streets have been dedicated to public use or not Township boards of townships enacting ordinances under this section may accept contributions from duly constituted representatives of the platted lands benefited by the ordinances to defray administrative and enforcement costs incident to the enactment of ordinances

(3) As used in this section public nudity means knowingly or intentionally displaying in a public place or for payment or promise of payment by any person including but not limited to payment or promise of payment of an admission fee any individual's genitals or anus with less than a fully opaque covering or a female individual's breast with less than a fully opaque covering of the nipple and areola Public nudity does not include any of the following

(a) A woman's breastfeeding of a baby whether or not the nipple or areola is exposed during or incidental to the feeding

(b) Material as defined in section 2 of Act No 343 of the Public Acts of 1984 being section 752 362 of the Michigan Compiled Laws

(c) Sexually explicit visual material as defined in section 3 of Act No 33 of the Public Acts of 1978 being section 722 673 of the Michigan Compiled Laws

This act is ordered to take immediate effect

Secretary of the Senate

Co Clerk of the House of Representatives

Approved

Governor