



# SENATE BILL No. 349

February 9, 1993, Introduced by Senators CONROY, SCHWARZ, ARTHURHULTZ, CHERRY, BERRYMAN, STABENOW, HONIGMAN, HART, KELLY, KOIVISTO and FAXON and referred to the Committee on Local Government and Urban Development.

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~~ IF A VIOLATION OF AN ORDINANCE IS A CIVIL INFRAC-  
5 TION, THE ORDINANCE SHALL PROVIDE A CIVIL FINE FOR ITS  
6 VIOLATION. A VIOLATION OF AN ORDINANCE IS A MUNICIPAL CIVIL  
7 INFRACTION ONLY IF THE ORDINANCE EXPLICITLY STATES THAT A VIOLA-  
8 TION IS A MUNICIPAL CIVIL INFRACTION. IF A VIOLATION OF AN ORDI-  
9 NANCE IS NOT A CIVIL INFRACTION, PUNISHMENT for ~~the~~ A violation  
10 of ~~a township~~ THE ordinance shall not exceed a fine of \$500.00,  
11 or imprisonment for 90 days, or both, in the discretion of the  
12 court. Fines collected for the violation of the ordinances of a  
13 charter township shall be distributed as provided in section 8379  
14 of THE REVISED JUDICATURE ACT OF 1961, Act No. 236 of the Public  
15 Acts of 1961, being section 600.8379 of the Michigan Compiled  
16 Laws.

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

21       Section 2. This amendatory act shall not take effect unless  
22 Senate Bill No. 348

23               of the 87th Legislature is enacted into law.