

THE CHARTER TOWNSHIP ACT (EXCERPT)
Act 359 of 1947

42.3a Notice to clerk of township not incorporated as charter township; resolution of township board; notice of right to referendum; petition; signatures; submitting question of incorporation at general or special election; wording of ballot.

Sec. 3a. (1) Within 30 days after the effective date of this 1984 amendatory act and after each regular or special federal or state census, the secretary of state shall notify the clerk of a township which is not incorporated as a charter township pursuant to this act and which has a population of 2,000 or more inhabitants, excluding the population of any incorporated village, according to the most recently made regular or special federal or state census that the township may be incorporated as the charter township of under this act.

(2) After notification is received by the clerk, the township board may:

(a) Adopt, by a majority vote, a resolution opposed to incorporation.

(b) Adopt, by a majority vote, a resolution of intent to approve incorporation and if a petition of disagreement to the intent resolution relative to the incorporation is filed within 60 days before final passage of the resolution, the electors of the township have the right to a referendum on the incorporation question.

(c) Adopt, by a majority vote, a resolution to place before the electorate the question of incorporation at the next regular or special election.

(3) The clerk shall publish in a newspaper of general circulation in the township a notice of the right to referendum within 15 days after receipt of notification from the secretary of state. A second notice shall be published 7 days after the first notice.

(4) The petition under subsection (2)(b) shall be signed by not less than 10% of the number of electors of the township voting for township supervisor at the last election in which a supervisor was elected. The township clerk shall check the signatures on the petitions with those of the electors signing the petitions as they appear on the registration cards of the township. If petitions bearing the required number of signatures of electors have been filed, the clerk shall do and perform all acts required for the submission of the question of incorporation at the next general or special election. The wording of the ballot shall be in accordance with section 2.

History: Add. 1976, Act 90, Eff. Mar. 31, 1977;—Am. 1984, Act 361, Eff. Mar. 29, 1985.