

THE HOME RULE VILLAGE ACT (EXCERPT)
Act 278 of 1909

78.4 Petition; presentation; action of county board of commissioners; resolution; vote; review.

Sec. 4. (1) A petition under section 2 shall be addressed to the county board of commissioners of the county in which the territory to be affected by the proposed incorporation, consolidation, or change of boundaries is located. The petition shall be filed with the clerk of the county board of commissioners not less than 30 days before the board of commissioners convenes in regular session, or in a special session called for the purpose of considering the petition. The board of commissioners shall determine if the petition complies with the requirements of this act and if the statements contained in the petition are correct. If a majority of the board determines that the petition does not comply with the requirements of this act or that the statements contained in the petition are not correct, the board shall not conduct further proceedings on the petition. If the board determines that the petition complies with the requirements of this act and that the statements contained in the petition are correct, the board shall, by resolution, provide that the question of making the proposed incorporation, consolidation, or change of boundaries be submitted to the qualified electors of the district to be affected at the next general election, or at a special election before the next general election on a regular election day established under section 641 of the Michigan election law, 1954 PA 116, MCL 168.641, that is held 60 days or more after the adoption of the resolution.

(2) After the adoption of a resolution submitting the ballot question to a vote of the electors, neither the sufficiency nor legality of the petition under section 2 may be questioned in any proceeding.

History: 1909, Act 278, Eff. Sept. 1, 1909;—CL 1915, 2846;—CL 1929, 1766;—CL 1948, 78.4;—Am. 2003, Act 304, Eff. Jan. 1, 2005.