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## Michigan Townships Association

### ***Our Mission:***

*To advance local democracy by fostering township leadership and public policy essential for a strong and vibrant Michigan*

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## Townships are...

- the most common form of local government in Michigan
- varying sizes & population
- 1,240 in total



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## Townships are....

- home to more than half of all Michigan residents
- the governing unit for more than 96% of the geographic area of the state



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## Sources of Authority...

- Michigan Constitution
- State statutes
- Case law



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## Michigan Constitution...

- Article VII, § 17 Townships; corporate character, powers and immunities. Each organized township shall be a body corporate with powers and immunities provided by law.

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## Authority has limits...

- Article VII, § 34 Construction of constitution and law concerning counties, townships, cities, villages. The provisions of this constitution and law concerning counties, townships, cities and villages shall be liberally construed in their favor. Powers granted to counties and townships by this constitution and by law shall include those fairly implied and not prohibited by this constitution.

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## Limited Powers...

- "Local governments have no inherent powers and possess only those limited powers which are expressly conferred upon them by State Constitution or state statute or which are necessarily implied therefrom."

*Hanselman v Killeen - 419 Mich. 168 (1984)*

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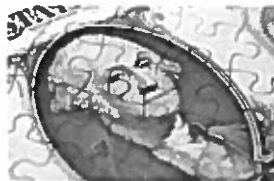
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## Revenue Sources

- Property taxes
- Revenue Sharing
  - Constitutional
  - Statutory



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## Governmental authority to...

- Assess property
- Levy and collect taxes
- Conduct elections
- Make laws by adopting ordinances
- Regulate land use
- Regulate activities with general "police power" for public health, safety and welfare
- Exercise powers and duties expressly granted or fairly implied by law



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## Municipal corporation

- Acquire, own and dispose of real and personal property
- Sue and be sued
- Appoint necessary agents and attorneys for that purpose
- Make contracts necessary for the exercise of their corporate powers
- Incur and pay obligations
- Receive and deposit monies



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## Public entity

- Decisions must be made in public at scheduled meetings
- Decisions must be made in the public interest
- Finances are public
- Limits on how money may be spent



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## Mandated Functions

- ✓ Elections
- ✓ Assessing
- ✓ Tax collecting
- ✓ Township board legislative functions
- ✓ Open Meetings Act and Freedom of Information Act compliance
- ✓ Accounting, Audit, and Financial Reporting



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## Permissive Functions

- ✓ Roads
- ✓ Fire Protection
- ✓ Police Protection
- ✓ Emergency Medical
- ✓ Water / Sewer
- ✓ Parks and Recreation
- ✓ Planning and Zoning
- ✓ Code Enforcement
- ✓ Ordinance Enforcement
- ✓ Liquor Inspections
- ✓ Library
- ✓ Cemetery



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## Ordinance Authority

- "Police Power" Ordinances
  - Blight Elimination
  - Cemetery
  - Dangerous Buildings
  - Utility Franchise
  - Cost Recovery (Fire Run Charge)
  - Land Division Ordinance
  - Liquor Control
  - Noise and Public Nuisance
  - Noxious Weeds
  - Nuisance Abatement
  - Outdoor and Open Burning
  - Truck Route

- Administrative Ordinances
  - Group Insurance Benefits
  - Retirement Benefits
  - Establishing Planning Commission
  - Fire Department Structure
  - Officials Compensation Commission
  - Housing Commission

### Zoning Ordinances

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## Township Officers

- Supervisor
- Clerk
- Treasurer
- Trustees - not to exceed 4
- Terms - 4 years



■ Article VII, § 18 Township officers; term, powers and duties.

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## Board Administrative Authority

The township board:

- ✓ Authorizes contracts
- ✓ Acquires, conveys property
- ✓ Controls uses of property
- ✓ Manages facilities
- ✓ Directs litigation
- ✓ Employs township personnel, contractors, consultants, volunteers



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## General Law Townships

- Michigan Constitution
- Township Board
  - Supervisor
  - Clerk
  - Treasurer
  - 2 or 4 Trustees



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**Typical Organization Chart  
General Law Township**  
Michigan Law (Revised), 611 of 1946  
MCL 47.1, 47.102



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## Charter Townships

- Over 2,000 population
- 4 Trustees
- All authorities of a General Law Township, plus ...The Charter Township Act
- Administrative authority delegated to supervisor or superintendent
- Qualified boundary protection
- More flexible operating millage authority

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**Typical Organization Chart  
Charter Township**  
The Charter Township Act, Public Law 224 of 1947  
MCL 47.1, 47.102



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## Examples of Township Departments

- Fire Department
- Building Department
- Planning & Zoning Department
- Assessing Department
- Parks Department
- Police Department



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## Statutory Boards & Commissions

- A township may establish two types of bodies: **statutory and advisory**
- **Statutory boards and commissions** are public bodies either required or authorized by law
- **Advisory committees** are not mandated

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## Statutory Boards & Commissions

Common township boards and commissions:

- Planning Board
- Zoning Board of Appeals
- Board of Review
- Election Commission
- Police/Fire Administrative Board
- Library Board
- Park Commission



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## Other Statutory Bodies

- Downtown Development Authority, Tax Increment Finance Authority, Local Development Finance Authority, Brownfield Redevelopment Authority
- Economic Development Corporation
- Housing Commission
- Port Authority
- Building Authority (not code authority)
- District Court (limited)

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## Advisory Committees

- Non-statutory
- "Ad hoc" = "for this purpose" (as needed)
- A township board may choose to create advisory committees.
- Advisory committees may be appointed by the township board or individual officials, such as the supervisor, clerk, treasurer or superintendent/manager

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## Interaction with Other Entities...

- efficient delivery of services
- infrastructure expansion
- appropriate economic development site selection



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## Work with local units.....

- Fire/police departments
  - Jointly
  - Contracted
- Cemeteries
- Parks/recreation
- Utilities
- Libraries
- Planning/zoning



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## Strengthening for the future

- Regional partnerships for economic growth
- Job creation
- Maintaining and creating attractive communities



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## Interaction with Other Entities

- Villages
  - Assessing
  - Assessment roll includes village properties
  - Assessment appeals to Township Board of Review
  - Conducts elections for village council elective offices
  - May collect village taxes (summer)

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## Interaction with Other Entities

- School Districts
  - Tax collection
  - Elections
  - Intergovernmental agreements
- Authorities
  - Emergency Services Authority
  - District Library
  - Downtown Development Authority

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## Interaction with Other Entities

- County Road Commissions
  - pay for county road projects
  - enforce speeding, parking or other traffic violations
  - involved with setting speed limits on county highways
- County Sheriffs



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## Michigan's Local Governments

- Michigan has 9<sup>th</sup> largest population
- Michigan has fewer local units
  - Ranking in bottom half of local units on a per capita basis
  - Lowest ratio of any other Great Lake State

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## Maintaining Local Democracy

- allow people to live and work in **unique communities** that best match their **values and preferences** for taxation, service levels and regulatory climate
- provide quality services to over 51 percent of Michigan's citizens



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## Questions



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