

# HOUSE BILL No. 4645

April 13, 1989, Introduced by Reps. Niederstadt, DeMars, Stupak, Pridnia, Rocca, Webb, Bartnik, Hart, Gnodtke, Miller, Nye, Weeks, Wartner, Strand, Pitoniak, Emmons, Middaugh, Hoekman, Bender, Stopczynski, DeLange, Maynard, Stacey, London, Porreca, Oxender, Ouwinga, Jaye, Martin, Trim, Owen, Van Regenmorter, Gilmer, Munsell, Saunders, Dolan, Sikkema, Camp, Bankes, Fitzgerald, Bandstra, Krause and Van Singel and referred to the Committee on Towns and Counties.

A bill to amend section 3 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 the county sheriff; to provide penalties; and to repeal all acts and parts of acts in conflict therewith,"

being section 41.183 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 3 of Act No. 246 of the Public Acts of  
2 1945, being section 41.183 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4       Sec. 3. (1) The township board may, in ~~such ordinances~~ A  
5 TOWNSHIP ORDINANCE, provide a penalty for A violation ~~thereof,~~  
6 ~~of a fine not exceeding~~ OF THAT ORDINANCE. EXCEPT AS OTHERWISE  
7 REQUIRED FOR A PROSECUTION UNDER AN ORDINANCE ENACTED PURSUANT TO

1 SECTION 10 OF ACT NO. 343 OF THE PUBLIC ACTS OF 1984, BEING  
2 SECTION 752.370 OF THE MICHIGAN COMPILED LAWS, THE PENALTY FOR A  
3 VIOLATION OF A TOWNSHIP ORDINANCE SHALL NOT EXCEED A FINE OF  
4 \$500.00, or ~~by imprisonment in the county jail not to exceed~~  
5 FOR 90 days, or ~~by both. such fine and imprisonment.~~

6 (2) ~~if~~ EXCEPT AS OTHERWISE REQUIRED FOR A PROSECUTION  
7 UNDER AN ORDINANCE ENACTED PURSUANT TO SECTION 10 OF ACT NO. 343  
8 OF THE PUBLIC ACTS OF 1984, BEING SECTION 752.370 OF THE MICHIGAN  
9 COMPILED LAWS, IF the township lies within a district served by 1  
10 or more municipal courts, ~~prosecutions~~ THE PROSECUTION for  
11 ~~the~~ A violation of ~~such ordinances~~ A TOWNSHIP ORDINANCE shall  
12 be instituted in ~~any one of the~~ A municipal ~~courts~~ COURT of  
13 the district. ~~, and in such cases the~~ THE same right to appeal  
14 to the circuit ~~courts~~ COURT shall exist FOR THE VIOLATION OF A  
15 TOWNSHIP ORDINANCE as ~~in cases of violations of the~~ EXISTS FOR  
16 A VIOLATION OF state law cognizable by the municipal court. ~~in~~  
17 ~~which the prosecution is instituted. Fines, penalties and~~  
18 ~~forfeitures~~ A FINE, PENALTY, OR FORFEITURE FOR A VIOLATION OF A  
19 TOWNSHIP ORDINANCE shall be payable in the same manner, and to  
20 the same fund, as ~~fines~~ A FINE for the violation of ~~the laws~~  
21 ~~of the~~ A LAW OF THIS state. Costs shall be paid and reported by  
22 ~~such~~ A municipal ~~courts~~ COURT in the same manner as ~~is~~  
23 ~~provided~~ for offenses under state law. ~~where the prosecution~~  
24 ~~is instituted in a municipal court.~~

25 (3) ~~if~~ EXCEPT AS OTHERWISE REQUIRED FOR A PROSECUTION  
26 UNDER AN ORDINANCE ENACTED PURSUANT TO SECTION 10 OF ACT NO. 343  
27 OF THE PUBLIC ACTS OF 1984, BEING SECTION 752.370 OF THE MICHIGAN

1 COMPILED LAWS, IF the township lies within a district served by  
2 the district court, ~~prosecutions~~ A PROSECUTION for ~~the~~ A vio-  
3 lation of ~~such ordinances~~ A TOWNSHIP ORDINANCE shall be insti-  
4 tuted in the district court, unless the person accused of violat-  
5 ing ~~such an~~ THE ordinance enters a plea of guilty before a mag-  
6 istrate or a traffic bureau as ~~otherwise~~ provided and autho-  
7 rized by law. Fines and costs imposed or assessed ~~in such an~~  
8 ~~action~~ FOR THE VIOLATION OF A TOWNSHIP ORDINANCE shall be dis-  
9 tributed in accordance with section 8379 of THE REVISED JUDICA-  
10 TURE ACT OF 1961, Act No. 236 of the Public Acts of 1961, ~~as~~  
11 ~~added,~~ being section 600.8379 of the MICHIGAN Compiled Laws.  
12 ~~of 1948.~~