

# SENATE BILL No. 1167

June 5, 2012, Introduced by Senator MEEKHOF and referred to the Committee on Local Government and Elections.

A bill to amend 1909 PA 278, entitled "The home rule village act," (MCL 78.1 to 78.28) by amending the title, as amended by 1998 PA 148, and by adding sections 27a, 27b, 27c, 27d, 27e, 27f, 27g, 27h, 27i, 27j, 27k, 27l, 27m, and 27n.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

TITLE

An act to provide for the incorporation of villages and for revising and amending their charters; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness; to validate bonds issued and obligations previously incurred; **TO PROVIDE FOR THE DISINCORPORATION OF VILLAGES;** and to prescribe penalties and provide remedies.

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1           SEC. 27A. (1) TO INITIATE THE DISINCORPORATION OF A VILLAGE, A  
2    PETITION SIGNED BY NOT LESS THAN 15% OF THE REGISTERED ELECTORS OF  
3    THE VILLAGE REQUESTING A VOTE ON THE QUESTION OF WHETHER THE  
4    VILLAGE SHALL DISINCORPORATE SHALL BE FILED WITH THE TOWNSHIP  
5    CLERK.

6           (2) A PETITION SHALL DESIGNATE THE TOWNSHIP OR TOWNSHIPS INTO  
7    WHICH THE VILLAGE IS PROPOSED TO BE DISINCORPORATED. A VILLAGE  
8    SHALL BE DISINCORPORATED INTO THE TOWNSHIP OR TOWNSHIPS IN WHICH IT  
9    IS LOCATED, ALONG EXISTING TOWNSHIP BOUNDARIES.

10          (3) AFTER THE PETITION IS FILED WITH THE TOWNSHIP CLERK, A  
11    PETITION AFFECTING THE VILLAGE SHALL NOT BE FILED WITH THE STATE  
12    BOUNDARY COMMISSION AND A PETITION REQUESTING DISINCORPORATION OF  
13    THE VILLAGE INTO A DIFFERENT TOWNSHIP SHALL NOT BE FILED UNDER THIS  
14    ACT UNTIL THE DISINCORPORATION PROCESS PROVIDED FOR BY THIS ACT HAS  
15    CONCLUDED.

16          (4) BY NOT MORE THAN 14 DAYS AFTER THE PETITION IS FILED, THE  
17    TOWNSHIP CLERK SHALL VERIFY THE SIGNATURES AND DETERMINE THE  
18    SUFFICIENCY OF THE PETITION. UNLESS THE COUNCIL PROCEEDS UNDER  
19    SECTIONS 27E TO 27N, IF THE CLERK DETERMINES THAT THE PETITION IS  
20    SUFFICIENT, THE QUESTION OF THE DISINCORPORATION OF THE VILLAGE  
21    SHALL APPEAR ON THE BALLOT AT THE NEXT GENERAL OR SPECIAL ELECTION  
22    TO BE HELD IN THE VILLAGE, SUBJECT TO THE MICHIGAN ELECTION LAW,  
23    1954 PA 116, MCL 168.1 TO 168.992. THE TOWNSHIP CLERK SHALL PREPARE  
24    THE BALLOT LANGUAGE, IN SUBSTANTIALLY THE FOLLOWING FORM:

25           "SHALL INCORPORATION OF THE VILLAGE OF \_\_\_\_\_ BE VACATED?  
26           ( ) YES  
27           ( ) NO".

1           (5) THE COUNTY ELECTION COMMISSION OF THE COUNTY IN WHICH THE  
2 GREATEST NUMBER OF ELECTORS OF THE VILLAGE RESIDE SHALL PROVIDE  
3 BALLOTS FOR THE ELECTION.

4           (6) THE CLERK AND ELECTION OFFICIALS OF EACH TOWNSHIP INTO  
5 WHICH THE VILLAGE IS PROPOSED TO BE DISINCORPORATED SHALL CONDUCT  
6 THE ELECTION ON THE PROPOSED DISINCORPORATION IN THE VILLAGE AND  
7 THE PORTIONS OF THE TOWNSHIP OUTSIDE THE BOUNDARIES OF THE VILLAGE,  
8 RESPECTIVELY.

9           (7) IF THE ELECTION ON THE PROPOSED DISINCORPORATION IS TO BE  
10 HELD IN CONJUNCTION WITH A GENERAL ELECTION OR A STATE PRIMARY  
11 ELECTION IMMEDIATELY BEFORE A GENERAL ELECTION, THE NOTICES OF  
12 CLOSE OF REGISTRATION AND ELECTION SHALL BE PUBLISHED AS PROVIDED  
13 FOR BY THE STATE ELECTION LAWS. OTHERWISE, THE COUNTY CLERK OF THE  
14 COUNTY IN WHICH THE GREATEST NUMBER OF ELECTORS OF THE VILLAGE  
15 RESIDE SHALL PUBLISH THE NOTICES OF CLOSE OF REGISTRATION AND  
16 ELECTION. THE NOTICE OF CLOSE OF REGISTRATION SHALL INCLUDE THE  
17 BALLOT LANGUAGE OF THE PROPOSAL.

18           (8) THE RESULTS OF THE ELECTION ON THE PROPOSED  
19 DISINCORPORATION SHALL BE CANVASSED BY THE BOARD OF CANVASSERS OF  
20 THE VILLAGE AND THE BOARD OF CANVASSERS OF EACH TOWNSHIP IN WHICH  
21 THE VILLAGE IS LOCATED.

22           (9) THE DISINCORPORATION OF THE VILLAGE SHALL TAKE PLACE UNDER  
23 THIS SECTION ONLY IF 2/3 OF THE ELECTORS VOTING ON THE QUESTION  
24 VOTE "YES". IF THE DISINCORPORATION IS APPROVED, THE COUNCIL SHALL  
25 IMMEDIATELY CAUSE A TRANSCRIPT OF ALL THE PROCEEDINGS IN THE CASE  
26 TO BE CERTIFIED TO BOTH OF THE FOLLOWING:

27           (A) THE COUNTY CLERK OF THE COUNTY IN WHICH THE VILLAGE OR THE

1 PRINCIPAL PART OF THE VILLAGE IS LOCATED.

2 (B) THE SECRETARY OF STATE.

3 SEC. 27B. UPON RECEIVING THE TRANSCRIPT OF THE PROCEEDINGS IN  
4 SUBMITTING TO A VOTE OF THE ELECTORS THE QUESTION OF VACATING THE  
5 INCORPORATION OF ANY VILLAGE AS PROVIDED IN SECTION 27A, THE COUNTY  
6 CLERK SHALL SUBMIT THE TRANSCRIPT TO THE COUNTY BOARD OF  
7 COMMISSIONERS, WHICH SHALL, AT ITS NEXT REGULAR ANNUAL MEETING,  
8 PASS A RESOLUTION VACATING THE INCORPORATION OF THE VILLAGE.

9 SEC. 27C. (1) UPON THE VACATION OF THE INCORPORATION OF ANY  
10 VILLAGE UNDER SECTIONS 27A AND 27B, THE OFFICERS OF THE VILLAGE  
11 SHALL IMMEDIATELY DEPOSIT ALL BOOKS, PAPERS, RECORDS, AND FILES  
12 RELATING TO THE ORGANIZATION OF OR BELONGING TO THE VILLAGE THAT  
13 ARE IN THEIR CUSTODY AS VILLAGE OFFICERS WITH THE COUNTY CLERK OF  
14 THE COUNTY IN WHICH THE VILLAGE OR THE PRINCIPAL PART OF THE  
15 VILLAGE IS LOCATED FOR SAFE KEEPING AND REFERENCE. THE INDEBTEDNESS  
16 OF THE VACATED VILLAGE, WHETHER BONDED OR OTHERWISE, SHALL BE  
17 ASSESSED, LEVIED, AND COLLECTED UPON THE TERRITORY EMBRACED WITHIN  
18 THE BOUNDARIES OF THE VILLAGE IMMEDIATELY PRIOR TO THE VACATION.  
19 THE TOWNSHIP BOARD OF THE TOWNSHIP OR TOWNSHIPS IN WHICH THE  
20 TERRITORY FORMERLY EMBRACED WITHIN THE LIMITS OF THE VACATED  
21 VILLAGE SHALL LEVY UPON THE ASSESSMENT ROLL OR ROLLS OF THE  
22 TOWNSHIP UPON THE PROPERTY FORMERLY EMBRACED WITHIN THE LIMITS OF  
23 THE VILLAGE, THE INDEBTEDNESS OF THE VILLAGE, OR SUCH PORTION OF  
24 THE VILLAGE THAT IS APPORTIONED TO THE PART OF THE TERRITORY  
25 FORMERLY CONSTITUTING THE VILLAGE THAT LIES WITHIN THE TOWNSHIP AS  
26 PROVIDED IN SUBSECTION (2). THIS LEVY SHALL BE MADE NOT MORE THAN 1  
27 YEAR AFTER THE DATE THAT THE VILLAGE INCORPORATION IS VACATED.

1   HOWEVER, IF THE INDEBTEDNESS FALLS DUE AT A SPECIFIED TIME, AN  
2   ASSESSMENT SHALL BE MADE THAT WILL SATISFY THE INDEBTEDNESS WHEN IT  
3   FALLS DUE.

4           (2) THE TAXES ASSESSED AND LEVIED UNDER SUBSECTION (1) SHALL  
5   BE COLLECTED THE SAME AS OTHER TAXES, AND SHALL BE PLACED IN A  
6   SEPARATE FUND AND APPLIED TO THE PAYMENT OF THE INDEBTEDNESS. THE  
7   MANNER OF THE PAYMENT OF THE INDEBTEDNESS SHALL BE FIXED BY  
8   RESOLUTION OF THE TOWNSHIP BOARD OR BOARDS DESCRIBED IN SUBSECTION  
9   (1).

10           SEC. 27D. (1) IF THE TERRITORY FORMERLY EMBRACED WITHIN A  
11   VILLAGE VACATED PURSUANT TO SECTIONS 27A AND 27B CONSISTS OF  
12   TERRITORY OF 2 OR MORE TOWNSHIPS IN THE SAME COUNTY, THE TOWNSHIP  
13   BOARDS SHALL APPORTION, AMONG THEIR TOWNSHIPS, THE AMOUNT OF THE  
14   INDEBTEDNESS OF THE VACATED VILLAGE THAT EACH TOWNSHIP SHALL BEAR.

15           (2) IF A VILLAGE VACATED PURSUANT TO SECTIONS 27A AND 27B WAS  
16   COMPRISED OF TERRITORY FROM 2 DIFFERENT COUNTIES, THE COUNTY BOARDS  
17   OF COMMISSIONERS OF THE 2 COUNTIES SHALL DETERMINE WHAT PORTION OF  
18   THE INDEBTEDNESS OF THE VACATED VILLAGE EACH COUNTY SHALL BEAR,  
19   USING AS A BASIS THE LAST PRECEDING ASSESSMENT ROLL OF THE VACATED  
20   VILLAGE BEFORE ITS VACATION. THE INDEBTEDNESS, WHEN SO APPORTIONED,  
21   SHALL BE ASSESSED, LEVIED, AND COLLECTED AS PROVIDED IN SECTION  
22   27C.

23           SEC. 27E. NOT LATER THAN THE NEXT MEETING OF COUNCIL HELD  
24   AFTER THE CLERK VERIFIES THE PETITION SIGNATURES AND DETERMINES THE  
25   SUFFICIENCY OF THE PETITION UNDER SECTION 27A, THE COUNCIL MAY BY  
26   RESOLUTION ELECT TO PROCEED UNDER THIS SECTION AND SECTIONS 27F TO  
27   27N.

1           SEC. 27F. (1) A DISINCORPORATION COMMISSION SHALL BE COMPOSED  
2 OF 3 MEMBERS REPRESENTING EACH TOWNSHIP INTO WHICH THE VILLAGE IS  
3 PROPOSED TO BE DISINCORPORATED AND A NUMBER OF MEMBERS REPRESENTING  
4 THE VILLAGE EQUAL TO THE NUMBER OF MEMBERS REPRESENTING TOWNSHIPS.

5           (2) THE VILLAGE PRESIDENT, WITH APPROVAL OF THE VILLAGE  
6 COUNCIL, SHALL APPOINT THE MEMBERS REPRESENTING THE VILLAGE. THE  
7 TOWNSHIP SUPERVISOR OF A TOWNSHIP, WITH APPROVAL OF THE TOWNSHIP  
8 BOARD, SHALL APPOINT THE MEMBERS REPRESENTING THE TOWNSHIP.

9           (3) DISINCORPORATION COMMISSION MEMBERS MAY BE VILLAGE OR  
10 TOWNSHIP OFFICIALS.

11          SEC. 27G. (1) AN INDIVIDUAL APPOINTED TO THE DISINCORPORATION  
12 COMMISSION SHALL TAKE THE CONSTITUTIONAL OATH OF OFFICE.

13          (2) A VACANCY IN THE DISINCORPORATION COMMISSION IS CREATED IN  
14 THE MANNER PROVIDED IN SECTION 3 OF 1846 RS 15, MCL 201.3.

15          (3) IF A MEMBER OF A DISINCORPORATION COMMISSION VACATES  
16 OFFICE, THE VACANCY SHALL BE FILLED BY APPOINTMENT IN THE SAME  
17 MANNER AS PROVIDED IN SECTION 27F.

18          SEC. 27H. (1) THE PRESIDENT OF THE VILLAGE SHALL APPOINT 1 OF  
19 THE VILLAGE MEMBERS AS CHAIRPERSON OF THE DISINCORPORATION  
20 COMMISSION.

21          (2) THE VILLAGE CLERK SHALL CALL THE FIRST MEETING OF THE  
22 DISINCORPORATION COMMISSION AND SHALL SERVE AS SECRETARY OF THE  
23 COMMISSION AND KEEP ITS MINUTES AND RECORDS.

24          (3) AT ITS FIRST MEETING, THE DISINCORPORATION COMMISSION  
25 SHALL ELECT OTHER OFFICERS IT CONSIDERS ADVISABLE.

26          (4) THE DISINCORPORATION COMMISSION SHALL ADOPT BYLAWS TO  
27 GOVERN THE CONDUCT OF ITS BUSINESS.

1 (5) A MAJORITY OF THE MEMBERS OF THE DISINCORPORATION  
2 COMMISSION CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSINESS AT A  
3 MEETING OF THE COMMISSION. A MAJORITY OF THE MEMBERS ARE REQUIRED  
4 FOR OFFICIAL ACTION OF THE DISINCORPORATION COMMISSION.

5 (6) THE DISINCORPORATION COMMISSION SHALL CONDUCT ITS BUSINESS  
6 AT A PUBLIC MEETING HELD IN COMPLIANCE WITH THE OPEN MEETINGS ACT,  
7 1976 PA 267, MCL 15.261 TO 15.275.

8 (7) A WRITING PREPARED, OWNED, USED, IN POSSESSION OF, OR  
9 RETAINED BY THE DISINCORPORATION COMMISSION IN THE PERFORMANCE OF  
10 AN OFFICIAL FUNCTION IS SUBJECT TO THE FREEDOM OF INFORMATION ACT,  
11 1976 PA 442, MCL 15.231 TO 15.246.

12 SEC. 27I. (1) THE DISINCORPORATION COMMISSION MAY CONTRACT FOR  
13 CONSULTANTS AND ADVISORS AS MAY BE REASONABLY NECESSARY IN ITS  
14 DISCRETION TO CARRY OUT ITS RESPONSIBILITIES.

15 (2) THE VILLAGE COUNCIL SHALL APPROPRIATE FOR THE  
16 DISINCORPORATION COMMISSION SUFFICIENT FUNDS FOR THE COMMISSION TO  
17 REASONABLY CARRY OUT ITS RESPONSIBILITIES.

18 (3) THE DISINCORPORATION COMMISSION MAY ACCEPT ANY PRIVATE OR  
19 PUBLIC FUNDING.

20 SEC. 27J. (1) THE DISINCORPORATION COMMISSION MAY ADOPT A  
21 DISINCORPORATION PLAN FOR THE VILLAGE. ADOPTION OF A  
22 DISINCORPORATION PLAN REQUIRES THE AFFIRMATIVE VOTE OF 2/3 OF THE  
23 MEMBERS REPRESENTING THE VILLAGE AND 2 OF THE MEMBERS REPRESENTING  
24 EACH TOWNSHIP OF THE DISINCORPORATION COMMISSION.

25 (2) THE DISINCORPORATION PLAN SHALL PROVIDE AN ORDERLY PROCESS  
26 FOR DISINCORPORATION OF THE VILLAGE. THE DISINCORPORATION PLAN  
27 SHALL INCLUDE ALL OF THE FOLLOWING ELEMENTS:

1 (A) AN INTERIM LAND USE PLAN AND INTERIM ZONING OF THE  
2 PROPERTY WITHIN THE LIMITS OF THE VILLAGE.

3 (B) PROVISION FOR PAYMENT OF ALL INDEBTEDNESS OF THE VILLAGE,  
4 INCLUDING ANY OUTSTANDING JUDGMENTS, OR JUDGMENTS THAT MAY RESULT  
5 FROM PENDING OR FUTURE LITIGATION TO WHICH THE VILLAGE MAY BECOME A  
6 PARTY.

7 (C) DISPOSITION OF REAL AND PERSONAL PROPERTY AND OTHER  
8 ASSETS, INCLUDING FUNDS, DEPOSITS, AND INVESTMENTS.

9 (D) DISPOSITION OF ALL PUBLIC RECORDS OF THE VILLAGE IN  
10 ACCORDANCE WITH A RECORDS RETENTION PLAN AS PROVIDED BY LAW,  
11 INCLUDING FILES, BOOKS, AND PAPERS.

12 (E) TRANSFER OR TERMINATION OF EMPLOYEES, AND CONTRACTS OF  
13 EMPLOYMENT, AND DISPOSITION OF EMPLOYEE BENEFITS, INCLUDING  
14 RETIREMENT, HEALTH AND LIFE INSURANCE, UNEMPLOYMENT COMPENSATION,  
15 ACCRUED SICK AND VACATION LEAVE, AND ANY OTHER BENEFITS.

16 (F) JURISDICTION OVER STREETS, ROADS, BRIDGES, ALLEYS,  
17 SIDEWALKS, AND ANY PUBLIC EASEMENTS IN THE VILLAGE, AND FOR THEIR  
18 MAINTENANCE AND REPAIR, INCLUDING STREET LIGHTS AND SNOW REMOVAL.

19 (G) JURISDICTION OVER TRAFFIC CONTROL AND TRAFFIC CONTROL  
20 DEVICES.

21 (H) PROVISION FOR ANY SPECIAL ASSESSMENTS OR SPECIAL  
22 ASSESSMENT DISTRICTS WITHIN THE VILLAGE, INCLUDING, BUT NOT LIMITED  
23 TO, STREET MAINTENANCE, STREET SWEEPING, AND PRIVATE ROAD SERVICE.

24 (I) THE TRANSFER OR TERMINATION OF PUBLIC UTILITIES AND PUBLIC  
25 SERVICES OF THE VILLAGE, INCLUDING, BUT NOT LIMITED TO, WATER,  
26 SEWER, DRAINAGE, CABLE TELEVISION, STREET LIGHTING, ELECTRIC  
27 SERVICE, AND GARBAGE AND REFUSE SERVICE.



1 (J) REGULATION OR ORDERLY TRANSFER OF RESPONSIBILITY FOR ANY  
2 SPECIAL DISTRICTS, INCLUDING, BUT NOT LIMITED TO, ESTABLISHED  
3 HISTORIC DISTRICTS, DOWNTOWN DEVELOPMENT DISTRICTS, TAX INCREMENT  
4 FINANCING DISTRICTS, AND LAND SUBJECT TO ANY LAND TRANSFER  
5 AGREEMENTS.

6 (K) PROVISION FOR ANY AUTHORITIES THAT THE VILLAGE HAS  
7 ESTABLISHED OR IN WHICH THE VILLAGE IS A MEMBER.

8 (L) FINDINGS AS TO THE FISCAL IMPACT OF DISSOLUTION UPON THE  
9 TOWNSHIP OR TOWNSHIPS INTO WHICH THE VILLAGE IS PROPOSED TO BE  
10 DISINCORPORATED AND THE RESIDENTS OF THE VILLAGE, INCLUDING THE  
11 ESTIMATED REVENUES GAINED BY THE TOWNSHIP AND LOSSES TO EACH  
12 MUNICIPALITY FROM PROPERTY TAXES AND FROM STATE REVENUE SHARING AND  
13 FROM GAS AND WEIGHT TAX REVENUES DISTRIBUTED BY THIS STATE TO THE  
14 VILLAGE AND ANY TOWNSHIP INTO WHICH THE VILLAGE IS PROPOSED TO BE  
15 DISINCORPORATED.

16 (M) A PROCESS FOR THE RESOLUTION OF ANY DISPUTE THAT MAY ARISE  
17 OVER THE IMPLEMENTATION OF THE PLAN, IF ADOPTED, AND THE PROCEDURE  
18 THAT A PARTY TO ANY DISPUTE MAY UTILIZE FOR THIS PROCESS.

19 (3) THE DISINCORPORATION COMMISSION MAY MAKE FINDINGS AS TO  
20 THE EFFECT OF DISINCORPORATION UPON COLLATERAL MATTERS INCLUDING,  
21 BUT NOT LIMITED TO, PROPERTY VALUES, PUBLIC SERVICE LEVELS AND  
22 COSTS, AND LOCAL PROPERTY TAX RATES.

23 SEC. 27K. A DISINCORPORATION PLAN ADOPTED UNDER SECTION 27J  
24 SHALL BE SUBMITTED TO THE COUNCIL AND TO THE TOWNSHIP BOARD OF EACH  
25 AFFECTED TOWNSHIP. THE COUNCIL AND TOWNSHIP BOARD OR BOARDS MAY  
26 RATIFY THE DISINCORPORATION PLAN. IF THE COUNCIL AND THE TOWNSHIP  
27 BOARD OF EACH AFFECTED TOWNSHIP RATIFY THE PLAN, THE QUESTION OF

1 DISINCORPORATION PURSUANT TO THE PLAN SHALL BE PLACED ON THE BALLOT  
 2 PURSUANT TO SECTION 27I. IF THE COUNCIL OR THE TOWNSHIP BOARD OF  
 3 EACH AFFECTED TOWNSHIP FAILS TO RATIFY THE DISINCORPORATION PLAN,  
 4 THE QUESTION OF DISINCORPORATION SHALL BE SUBMITTED TO THE  
 5 ELECTORATE AS DESCRIBED IN SECTION 27A NOT MORE THAN 1 YEAR AFTER  
 6 THE DATE THE DISINCORPORATION PETITION WAS FILED UNDER SECTION 27A.

7 SEC. 27I. (1) IF THE DISINCORPORATION PLAN IS APPROVED UNDER  
 8 SECTION 27K, THE CLERK OF THE DISINCORPORATION COMMISSION SHALL  
 9 PREPARE AND CERTIFY TO THE COUNTY CLERK OF EACH COUNTY WHERE THE  
 10 VILLAGE IS LOCATED BALLOT LANGUAGE DESCRIBING THE PROPOSED  
 11 DISINCORPORATION AND THAT INCLUDES THE FOLLOWING IN SUBSTANTIALLY  
 12 THE FOLLOWING FORM:

13 "SHALL THE VILLAGE OF \_\_\_\_\_ BE DISINCORPORATED  
 14 PURSUANT TO THE PLAN ADOPTED BY THE DISINCORPORATION COMMISSION?

15 ( ) YES

16 ( ) NO".

17 (2) THE CLERK OF THE DISINCORPORATION COMMISSION SHALL CERTIFY  
 18 THE PROPOSED DISINCORPORATION FOR INCLUSION ON THE BALLOT AT THE  
 19 NEXT GENERAL ELECTION, THE STATE PRIMARY IMMEDIATELY PRECEDING THE  
 20 GENERAL ELECTION, OR A SPECIAL ELECTION NOT OCCURRING WITHIN 45  
 21 DAYS OF A STATE PRIMARY OR A GENERAL ELECTION, AS SPECIFIED BY THE  
 22 CLERK OF THE DISINCORPORATION COMMISSION. HOWEVER, THE CLERK OF THE  
 23 DISINCORPORATION COMMISSION SHALL NOT CERTIFY THE PROPOSED  
 24 DISINCORPORATION FOR INCLUSION ON THE BALLOT AT EITHER OF THE  
 25 FOLLOWING:

26 (A) AN ELECTION TO BE HELD LESS THAN 60 DAYS AFTER THE DATE OF  
 27 CERTIFICATION.

1 (B) AN ELECTION TO BE HELD MORE THAN 1 YEAR AFTER THE TOWNSHIP  
2 CLERK VERIFIES THE PETITION SIGNATURES AND DETERMINES THAT THE  
3 PETITION IS SUFFICIENT UNDER SECTION 27A.

4 (3) IF A SPECIAL ELECTION IS REQUESTED BY THE CLERK OF THE  
5 DISINCORPORATION COMMISSION, THE COUNTY CLERK OF THE COUNTY IN  
6 WHICH THE GREATEST NUMBER OF ELECTORS OF THE VILLAGE RESIDE SHALL  
7 SCHEDULE THE ELECTION IN COMPLIANCE WITH SECTION 641 OF THE  
8 MICHIGAN ELECTION LAW, 1954 PA 116, MCL 168.641. THE PROPOSAL SHALL  
9 BE SUBMITTED TO THE QUALIFIED AND REGISTERED ELECTORS RESIDING IN  
10 THE VILLAGE AND EACH TOWNSHIP INTO WHICH THE VILLAGE IS PROPOSED TO  
11 BE DISINCORPORATED AT THAT ELECTION.

12 (4) IF A DISINCORPORATION COMMISSION FAILS TO ADOPT A PLAN  
13 UNDER SECTION 27J OR THE CLERK OF THE DISINCORPORATION COMMISSION  
14 DOES NOT CERTIFY THE PROPOSED DISINCORPORATION FOR INCLUSION ON THE  
15 BALLOT UNDER THIS SECTION, THE QUESTION OF DISINCORPORATION SHALL  
16 BE SUBMITTED TO THE ELECTORS AS DESCRIBED IN SECTION 27A NOT MORE  
17 THAN 1 YEAR AFTER THE DATE THE DISINCORPORATION PETITION WAS FILED  
18 UNDER SECTION 27A.

19 SEC. 27M. (1) THE PROPOSED DISINCORPORATION IS APPROVED BY THE  
20 ELECTORS AND SHALL TAKE PLACE PURSUANT TO THE PLAN ADOPTED UNDER  
21 SECTION 27J ONLY IF A MAJORITY OF EACH OF THE FOLLOWING VOTES CAST  
22 ON THE QUESTION OF THE PROPOSED DISINCORPORATION ARE IN FAVOR OF  
23 THE DISINCORPORATION:

24 (A) THE VOTES CAST BY ELECTORS OF THE VILLAGE.

25 (B) THE VOTES CAST BY THE ELECTORS OF EACH TOWNSHIP INTO WHICH  
26 THE VILLAGE IS PROPOSED TO BE DISINCORPORATED, COUNTED SEPARATELY,  
27 AND EXCLUDING VOTES CAST BY RESIDENTS OF THE VILLAGE.

1           (2) UNLESS THE PROPOSED DISINCORPORATION IS APPROVED AS  
2 PROVIDED IN SUBSECTION (1), THE PROPOSED DISINCORPORATION PURSUANT  
3 TO A PLAN ADOPTED UNDER SECTION 27J IS DISAPPROVED BY THE ELECTORS  
4 AND THE VILLAGE SHALL NOT BE DISINCORPORATED PURSUANT TO THE PLAN.

5           SEC. 27N. A NEW PETITION SHALL NOT BE FILED UNDER SECTION 27A  
6 LESS THAN 2 YEARS AFTER THE ELECTION IF THE DISINCORPORATION IS  
7 DISAPPROVED BY THE ELECTORS AT AN ELECTION HELD PURSUANT TO SECTION  
8 27A OR 27I.