

Revised Statutes of 1846 (EXCERPT)
R.S. of 1846

Powers and Duties of Townships.

41.2 Inhabitants of organized township as body corporate; powers and duties generally; acquisition of property for public purposes; suit, act, or proceeding; supervisor as agent.

Sec. 2. (1) The inhabitants of an organized township are a body corporate and have, in addition to other powers that are conferred, all of the following powers and duties:

- (a) To sue and be sued and appoint necessary agents and attorneys for that purpose.
- (b) To make contracts necessary and convenient for the exercise of their corporate powers.

(2) In addition to other powers that are conferred, the township board may investigate any matter that is under the jurisdiction of the township and the authority vested in the township or an officer under this act. The supervisor or the township board by majority consent of the township board members serving may serve upon a person a subpoena that has been authorized by a court of proper jurisdiction in the county in which the township is situated compelling the person to appear before the board or a committee of the board to be examined under oath or to produce a document or object for inspection or copying. If a person objects to or otherwise fails to comply with the subpoena served upon him or her, the supervisor or the township board by majority consent of the township board members may file in that court an action to enforce the notice. The court may issue an order requiring the person to appear to be examined or to produce a document or object for inspection or copying. Failure to obey the order of the court is punishable by the court as a contempt.

(3) By resolution of the township board, a majority of the members serving may acquire property for public purposes by purchase, gift, condemnation, lease, construction, or otherwise and may convey or lease that property or part of that property not needed for public purposes.

(4) A suit, act, or proceeding, by or against a township, in its corporate capacity, shall be in the name of the township. The supervisor of each township shall be the agent for his or her township for the transaction of legal business, by whom a suit may be brought and defended, and upon whom process against the township shall be served.

History: R.S. 1846, Ch. 16;—CL 1857, 494;—CL 1871, 637;—How. 670;—CL 1897, 2268;—CL 1915, 2047;—CL 1929, 957;—CL 1948, 41.2;—Am. 1988, Act 117, Imd. Eff. May 2, 1988;—Am. 1989, Act 77, Imd. Eff. June 20, 1989;—Am. 1992, Act 16, Imd. Eff. Mar. 16, 1992.

41.3 Power to grant and vote sums of money; purpose; creation of debt or liability.

Sec. 3. The inhabitants of a township shall have the power, by a vote of the registered electors of the township, to grant and vote sums of money, not exceeding amounts limited by law, that they consider necessary for defraying proper charges and expenses arising in the township. The township board or a township officer shall not create a debt or liability against the township, or issue a warrant, certificate, or order for the payment of money, unless the creation of the debt or liability or the payment of the money has been authorized by vote of the registered electors of the township or by law.

History: R.S. 1846, Ch. 16;—CL 1857, 495;—CL 1871, 638;—Am. 1875, Act 212, Eff. Aug. 3, 1875;—How. 671;—Am. 1887, Act 61, Imd. Eff. Apr. 9, 1887;—CL 1897, 2269;—Am. 1909, Act 62, Eff. Sept. 1, 1909;—Am. 1915, Act 43, Imd. Eff. Apr. 7, 1915;—CL 1915, 2048;—Am. 1919, Act 89, Eff. Aug. 14, 1919;—CL 1929, 958;—Am. 1931, Act 152, Eff. Sept. 18, 1931;—Am. 1947, Act 75, Imd. Eff. May 7, 1947;—CL 1948, 41.3;—Am. 1964, Act 72, Eff. Aug. 28, 1964;—Am. 1989, Act 77, Imd. Eff. June 20, 1989.

41.3a Minimum staffing requirement; adoption of ordinance prohibited.

Sec. 3a. Beginning on the effective date of the amendatory act that added this section, a township board shall not adopt an ordinance that includes any minimum staffing requirement for township employees. Except as otherwise provided in this section, any provision in a township ordinance adopted by a township board on or after the effective date of the amendatory act that added this section that contains a minimum staffing requirement for township employees is void and unenforceable.

History: Add. 2011, Act 138, Imd. Eff. Sept. 13, 2011.

41.4-41.7 Repealed. 1989, Act 77, Imd. Eff. June 20, 1989.

Compiler's note: The repealed sections pertained to power to make orders and bylaws, and to regulation of conduct on bridges.