

# MICHIGAN'S SYSTEM OF LOCAL GOVERNMENT

## *Introduction*

According to the 2012 Census of Governments, Michigan has 2,877 units of local government, including counties, cities, villages, townships, planning and development regions, special districts and authorities, and school districts. The number of units of local government is considerably higher in Michigan than many other states.

The creation of local units of government is often the result of local initiative. Some local governments predate the formation of the state of Michigan itself. Several counties, townships, and a few cities were first organized on the authority of the Michigan territorial government and the **Northwest Ordinance**. However, most local units came into being after Michigan was admitted to the Union in 1837 on the basis of permissive legislation — that is, citizens petitioned Lansing for the right to organize under one statute or another.

There is no overall state plan as to how the system of local governments should be arranged. Rather than impose a preconceived structure, the state has chosen a flexible, incremental approach. In general, it permits people in local areas to decide what form of local government they want based on the concerns and needs of the area.

## *The Michigan Approach*

The Michigan approach to creating local governments is based on the premises that the state requires a comprehensive system of governments through which it could extend its authority to all parts of the state and that rural areas would need less local government than urban areas.

A two-tiered network of government comprised of **counties** and **townships** turned out to meet both requirements of the state. The **county system** creates an overlay of governments through which the state can effectively manage its vast territory. Having a system of such outposts was essential during a time when transportation was laborious and communications slow.

The county system was imported from England, but modified by individual states to fit their needs and circumstances. Michigan borrowed and adapted the **New York model** in which the county board of commissioners included each township supervisor in the county. This model emerged as a way to stem clashes between township government advocates and county supporters. In 1968, the state legislature created the county commissioner system of county representation. Under this plan, commissioners are directly elected from districts within the county.

**Townships** were the result of an organizational plan conceived by Thomas Jefferson and incorporated in the Northwest Ordinance of 1785, adopted by Congress. Under the Northwest Ordinance, government lands that would comprise the future states of Ohio, Indiana, Illinois, Michigan, Wisconsin, and Minnesota, were surveyed and divided into townships each comprised of 36 1-square-mile parcels. The local government in the territory was to be patterned after the town meeting system of New England. When settlers from the east came to Michigan, they began organizing township governments — governments for rural areas that would eventually blanket the entire state.

Through these two forms of local government, state officials had their counterpart officers at the county and township levels through which state laws could be enforced, birth and death records maintained, roads built, land records recorded, taxes collected, and the like.

However, these two governments were not adequate for more densely populated areas where certain municipal services, such as water, sewer, police, and fire, were desired. For these areas, the legislature provided for the establishment of city governments. Prior to 1909, petitions were submitted to the state seeking approval for an area to become a city, and the legislature chartered each city by passing a special act. Beginning in 1909, cities were granted home rule by the legislature, a grant of authority that permitted cities to draft and adopt their own charters by vote of the people.

Villages are an intermediate level of government. They have most of the special powers of cities but not the duties the state demands, and so villages remain part of the townships in which they are located. Village residents participate in township affairs and pay township taxes. Like cities, villages have home rule status, which they were granted by legislative act in 1895. Previously, the state legislature enacted village charters by special act, similar to cities.

The Michigan approach to local government included two processes for adjusting boundaries to expanding settlements. Township territories can be annexed or joined to adjacent cities with voter approval in the involved units. Many cities, such as Detroit, Grand Rapids, Flint, and others, when first incorporated, included only one or two square miles of area. They expanded through the mechanism of **annexation**. Eventually, annexation would cause bitter relations between a city and its neighboring townships.

**Consolidation** is the second process and is intended to accommodate a governmental merger of units that have come together socially and economically, but not politically. This process has been used infrequently.

### ***The Contemporary Reality***

At the local level, cities, villages, and townships exercise the primary governing authority. The three units have similar, but not identical, service and regulatory powers. The major differences are that townships do not have full territorial integrity or control over the road system. They also have limited general taxing power and only limited flexibility in structuring the government. Villages differ from cities in that villages are not legally separated from the township and are not required to assess property for tax purposes or conduct state and national elections. Unlike cities, neither townships nor villages are empowered to levy a personal income tax.

County governments have undergone change from earlier days. The change, though, has been more in detail than in role. That is, county government, in many ways, still exists to extend the outreach of state government and serve state interests. Moreover, this role is perhaps being strengthened. For instance, counties are partners with the state in state programs such as public health, mental health, courts, vital records, land and property records, disaster preparedness, solid waste management, highway and road administration and maintenance, property tax administration, law enforcement, elections administration, and incarceration of convicts. In areas such as elections administration and jail management, the role of counties is being expanded. In a few service areas — welfare, for example — the state has assumed full responsibility.

Counties are also a local government in that they conduct some services that are local, rather than state, in orientation. Parks and recreation programs, senior citizen services, medical care facilities (nursing homes), hospital and ambulance services, county highway patrols, public transportation, libraries, drainage systems, and water and sewer facilities are some examples of programs in which counties are engaged for local reasons. In many instances, counties operate these programs in partnership with cities, villages, and townships.

Despite the many services provided by these four general purpose governments, other needs arise that fall outside their jurisdiction. To address some of these needs, local officials and citizens establish special districts or authorities. In some cases, a community government may establish a special district pursuant to general statutes; in other cases, the state legislature may adopt a law customized to fit a particular situation. Formation of a special district is then subject to voter approval. Special districts are often attractive for several reasons. One is that voters can be reasonably assured that a particular problem will be addressed, often financed by user fees rather than general property taxation. Another is that special districts provide a degree of flexibility in forming service jurisdictions that address areas of need or want for a particular service. Moreover, they provide a means of crossing municipal boundaries without threatening the integrity of the general purpose units.

To assist officials in these numerous governmental units in gaining a wider perspective, the state established a network of planning and development regions, another form of local government. By action of the governments within the regions, each region was given an organizational structure. These regional units do not provide services to citizens. Rather, they conduct studies on various governmental functions, such as transportation and water resource management. Findings from the studies are intended for use by decision makers in counties, cities, townships, and villages.

### ***State-Local Relations***

State government now assumes a greater administrative role over the local governments than in times past. Examples include general statutes setting rules on open meetings; free access to records and documents; and uniform budgeting and accounting procedures including financial audits, annual financial reports, and assignment of emergency managers in units that face a

financial crisis. The state court system may establish other rules in the areas of employment practices, discrimination, or zoning, among others.

In addition, various state agencies have partnership programs with local units. State agencies, like the departments of transportation and health and human services, exercise a significant supervisory role with respect to the planning, conduct, and reporting of particular programs.

State financial aid forms another cornerstone in the relationship between the state and local governments. Property taxes and fees for services constitute the main source of locally raised funds in most units, but state aid substantially supplements local financing. Some state aid, such as that from the sales tax, is mandated by the constitution or statute and deposited to the local units' General Fund. Other assistance — such as that for schools, roads, mental health, public health, libraries, and cultural facilities — is restricted to the purpose for which it is granted.

Sources: Professor Ken VerBurg, Department of Resource Development, Michigan State University; VerBurg K., *Managing the Modern Michigan Township*, Michigan State University, Department of Resource Development, 2002; *Statistical Abstract of the United States*, 2001, U.S. Census Bureau; Center for Educational Performance and Information, State of Michigan; *Directory of Michigan Municipal Officials*, Michigan Municipal League (2005); Vanderberg, Alan, *Michigan Local Government Structure, Services and Practices*, July, 2002. Updated by the Legislative Service Bureau, 2015.

## MICHIGAN COUNTIES



**NOTE:** Michigan has 83 counties. According to the 2010 federal decennial census, they range in population from 2,156 persons in Keweenaw County in the Upper Peninsula to Wayne County's 1,820,584 persons (approximately 40% of whom reside in the city of Detroit) in the southeastern part of the state.