PUBLIC UTILITY FRANCHISE
Act 266 of 1909

AN ACT to authorize township boards to grant the right to use the highways, streets, alleys and other public places of any township for poles, wires, pipes or conduits, or tracks for railways, and to operate and maintain the same, and to authorize townships to grant public utility franchises, and to provide for the submission of such public utility franchise grants to the electors for confirmation.

History: 1909, Act 266, Eff. Sept. 1, 1909.

The People of the State of Michigan enact:

460.601 Franchise to use streets and public places; grant by township board.

Sec. 1. The township board of any township may grant to any person, partnership, association or corporation the right to use the highways, streets, alleys, and other public places of the township to set poles, string wires, lay pipes or conduits or to lay tracks for railways and to operate and maintain the same and the right to transact a local business in such township, subject to such reasonable regulations as said board shall prescribe from time to time.

History: 1909, Act 266, Eff. Sept. 1, 1909;—CL 1915, 4836;—CL 1929, 11103;—CL 1948, 460.601.

460.602 Franchise granted by township board; majority vote; designation as revocable or irrevocable; vote by electors.

Sec. 2. (1) A township may grant a franchise by a majority vote of the township board. The board shall designate a franchise granted under this act as either revocable or irrevocable.

(2) If the franchise is designated as irrevocable, approval of the franchise as irrevocable shall be submitted to a vote of the electors of the township at the next election.

(3) If the electors do not approve the irrevocability of the franchise, the franchise shall remain valid but continue as a revocable franchise.

History: 1909, Act 266, Eff. Sept. 1, 1909;—CL 1915, 4837;—CL 1929, 11104;—CL 1948, 460.602;—Am. 1996, Act 322, Imd. Eff. June 26, 1996.

460.603 Vote by electors to grant irrevocable trust; notice.

Sec. 3. At least 20 days before the next election, the township clerk shall give notice that the question of granting an irrevocable franchise will be submitted to a vote of the electors by posting a notice in 3 or more public places in the township.

History: 1909, Act 266, Eff. Sept. 1, 1909;—CL 1915, 4838;—CL 1929, 11105;—CL 1948, 460.603;—Am. 1996, Act 322, Imd. Eff. June 26, 1996.

460.603a Revocable franchise granted before effective date of act.

Sec. 3a. Unless revoked by the board or otherwise voted by the electors, a revocable franchise granted before the effective date of the amendatory act that added this section shall be a revocable franchise under this act subject to the terms and conditions of any existing agreements or contracts between the franchisee and the township.

History: Add. 1996, Act 322, Imd. Eff. June 26, 1996.

460.604, 460.605 Repealed. 1996, Act 322, Imd. Eff. June 26, 1996.

Compiler's note: The repealed sections pertained to confirmation of grant by electors.

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