

EMERGENCY SERVICES TO MUNICIPALITIES (EXCERPT)

Act 57 of 1988

***** 124.602.amended THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE 2024 REGULAR SESSION SINE DIE *****

124.602.amended Incorporation of 2 or more municipalities as authority for purpose of providing emergency services; transfer of municipal emergency service; creation of authority by adoption of articles of incorporation; endorsement; form; jurisdiction of authority; publication of articles of incorporation; filing certified copy; effective date of authority; validity of incorporation; applicable laws.

Sec. 2. (1) Any 2 or more municipalities may incorporate an authority for the purpose of providing emergency services to the incorporating municipalities. An incorporating municipality may transfer to the authority of which it is a part any municipal emergency service.

(2) An authority is created by the adoption of articles of incorporation by the legislative body of each incorporating municipality. The adoption by an incorporating municipality must be endorsed on the articles of incorporation in the case of a county by the county executive or chairperson of the board of commissioners of the county and the county clerk; in the case of a city by the mayor and clerk of the city; in the case of a village by the president and clerk of a village; and in the case of a township by the supervisor and clerk of a township, in a form substantially as follows:

"The foregoing articles of incorporation were adopted by the _____ of the _____ of _____, _____ County, Michigan, at a meeting duly held on the _____ day of _____, 20____ of said _____ Clerk of said _____."

(3) Subject to this subsection, the incorporating municipalities shall determine the territory under the authority's jurisdiction. An authority's jurisdiction must be comprised of territory within the incorporating municipalities. The articles of incorporation must be published on the website of each incorporating municipality, or, if a website is unavailable, in the clerk's office of each incorporating municipality. A printed copy of the articles of incorporation, certified as a true copy by the person or persons designated in the articles, and containing the date and place of publication, must be filed with the secretary of state. An authority becomes effective at the time provided in its articles of incorporation. The validity of the incorporation of an authority is conclusively presumed unless questioned in a court of competent jurisdiction within 60 days after the date on which certified copies of the articles of incorporation are filed with the secretary of state.

(4) The laws of this state applying to a municipality that becomes a part of an authority also continue to apply to the municipality and the authority after the municipality becomes a part of the authority.

(5) If the territory under the authority's jurisdiction does not include all of the taxable property within each incorporating municipality, the authority may levy a tax under section 12 on all of the taxable property within the limits of the authority, but the authority must not be funded under section 13.

History: 1988, Act 57, Eff. Apr. 1, 1988;—Am. 2024, Act 64, Eff. (sine die).