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STATE BOUNDARY COMMISSION

LEGAL SUFFICIENCY CRITERIA CHECKLIST

FOR PREPARATION OF ANNEXATION, INCORPORATION, OR CONSOLIDATION PETITIONS

(Based on State Boundary Commission Rules 25, 26 and 27)

PART I (Perimeter map or drawing)

- minimum size: 8 1/2" x 13"; maximum size: 14" x 18"
- include a north arrow
- identify section, township, and range numbers and county
- clearly show and label graphically the territory proposed to be annexed, incorporated, or consolidated
- identify the following in relation to the petitioned territory:
 - (a) inclusion or exclusion of property owned by the petitioner and/or other parties
 - (b) identifiable roads
 - (c) section lines and *corners*
 - (d) adjacent local government boundaries
 - (e) major geographic features (eg bodies of water, wetlands, major structures)
- shall be unambiguous to a layperson
- shall be of sufficient scale and clarity

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- shall be substantially accurate and consistent with the Part III legal description in identifying the territory being proposed for annexation, incorporation, or consolidation; this map should be able to stand independently from the Part III legal description in its ability to identify the area proposed for annexation, incorporation, or consolidation

Notes:

- a) The petitioner is encouraged to review a boundary history of the city/village limits on file with the Office of the Great Seal (Secretary of State) for contiguity and accuracy in preparing the Part I map and Part III legal description.*
- b) The area proposed to be annexed in an annexation case must share a common boundary with the city to which it is to be annexed.*

PARTS II through VI

- shall be prepared on forms furnished by the Commission [or an accurate facsimile of current forms];
- Petition forms are available either by contacting the State Boundary Commission Office or on the web at: www.michigan.gov/sbc (click on FORMS link in bottom section of page)
- Local government contact information on Part IIa must be accurate and current.

PART III

- shall clearly identify by an accurate written description the boundaries of the territory being proposed for annexation, incorporation, or consolidation;
- shall be substantially accurate and consistent with the perimeter map or drawing [PART I] of the territory being proposed for annexation, incorporation, or consolidation.

NOTE: PARTS IV-VII VARY BY THE TYPE OF PETITION. THE FOLLOWING IS A ROUGH GUIDELINE. PLEASE REFER TO THE INSTRUCTIONS ON INDIVIDUAL PETITION FORMS DEPENDING ON YOUR SITUATION.

PART IV – Incorporations

- Petitions signed by qualified electors on Bureau of Elections Form No. 2010-2002. (Available on the SBC website).
- Petition must be signed by qualified electors and freeholders residing within the area of the proposed incorporation equal to at least 5% of the population living in the territory proposed for incorporation. See MCL 123.1007(2)

PART IV – Consolidations

- Petitions signed by registered electors on Bureau of Elections Form No. 2010-2002. (Available on the SBC website).
- Petition must be signed by registered electors who are residents of 1 or more of the affected municipalities at least equal to 5% of the total population of the affected municipalities. See MCL 123.1012(1)

PART IV- Annexations

- See individual petition forms for additional information necessary.

PART V

- See individual petition forms for additional information necessary.

PART VI (Map for incorporation or consolidation petition only)

- shall clearly identify the relationship of the area proposed for incorporation or consolidation to the balance of the involved and adjacent units of government;
- may be of any size the petitioner chooses;
- this map is not a factor in determining the legal sufficiency of petition.
- See Annexation petition for Part VI instructions for Annexations.

PART VII (Map for annexation petition)

- shall clearly identify the relationship of the area being proposed for incorporation, consolidation or annexation to the balance of the involved and adjacent units of government;
- may be of any size petitioner chooses;
- this map is not a factor in determining legal sufficiency of petition.

ANNEXATION PETITIONS

BY FIRM, CORPORATION OR OTHER FORMAL ORGANIZATION

Include copies of documents necessary to show petitioner was authorized to file, such as:

- board resolutions
- meeting minutes
- correspondence
- transmittal letters

Document the following:

- officer or agent was authorized to initiate petition on behalf of organization
- governing body of the organization was fully informed
- governing body approved filing of the annexation petition

**ANNEXATION RESOLUTION
BY CITY COUNCIL**

Include copies of documents necessary to show petitioner was authorized to file, such as:

- board resolutions
- meeting minutes
- correspondence
- transmittal letters

Document the following:

- officer or other agent was authorized to initiate petition on behalf of city
- governing body of the city was fully informed
- governing body approved filing of the annexation petition

**ANNEXATION RESOLUTION
INITIATED BY
CITY PLANNING COMMISSION OR A BOARD OR COMMISSION
OTHER THAN THE CITY COUNCIL**

Include copies of documents necessary to show petitioner was authorized to file, such as:

- board resolutions
- meeting minutes
- correspondence
- transmittal letters

Document the following:

- officer or agent was authorized to initiate a petition on behalf of board or city commission
- governing body of the board or commission was fully informed
- governing body approved filing of the annexation petition
- city council was fully informed
- city council approved the annexation resolution

CONSOLIDATION PETITIONS

(State Boundary Commission Act – 1968 PA 191)

PETITION SIGNERS:

- Each signer must be a registered elector in one of the affected municipalities
- Signatures may be collected in 1 or more of the affected municipalities
- Signatures must equal at least 5% of the total population of the affected municipalities.

MUNICIPALITIES THAT MAY CONSOLIDATE:

- Combinations of cities, villages and townships
- At least one of the municipalities in any consolidation must be an incorporated city
- No township may be consolidated with other municipalities unless every village incorporated within its territorial boundaries is included in the consolidation

LEGAL SUFFICIENCY REVIEW & PROCESS:

Consolidation petitions are processed the same as a petition proposing to incorporate a new city.

TWO YEAR MORATORIUM:

The Commission must reject a consolidation petition if consolidation of the identical municipalities has been voted on within the 2 years immediately preceding the filing of the later petition, unless the prior petition included 1 or more municipalities that are not included in the later petition.

NOTE:

If recorded documents are **referenced** in documents that are part of any petition or resolution, **but not included** in the petition, commission staff may request copies prior to the commission meeting on legal sufficiency in order to determine the accuracy of the petition, map/drawing, or legal description.

Upon filing, petitions shall stand or fall on their own content (except as noted above).

No modifications, corrections, deletions, or additions are permitted after filing.