## Resolution to Restore and Reassert Home Rule Authority for Counties and Townships in Michigan

WHEREAS, Article I, Section 1 of the Michigan Constitution of 1963 declares:

"All political power is inherent in the people. Government is instituted for their equal benefit, security and protection."

WHEREAS, the Constitution for the united States, in the Tenth Amendment, affirms that:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

WHEREAS, the principle of Home Rule is grounded in the doctrine of local self-government, recognizing that those who live closest to the problems are best suited to solve them;

WHEREAS, the Michigan Home Rule City Act (1909 PA 279) and the Home Rule Village Act (1909 PA 278) afford cities and villages the right to self-govern through charters adopted by their citizens, but no such comprehensive provision exists for counties or townships, leaving many subject to the restrictive interpretation of Dillon's Rule;

WHEREAS, the Michigan Constitution, Article VII, Section 1 recognizes counties and townships as "legal subdivisions of the state", but does not prohibit them from seeking or asserting broader charter-based autonomy consistent with constitutional principles;

WHEREAS, the current application of Dillon's Rule over counties and townships has enabled increased state control, bureaucratic overreach, and the erosion of local authority, undermining the ability of local governments to act in the best interests of their communities without prior legislative permission;

WHEREAS, a growing number of citizens, assemblies, and elected officials across Michigan seek to reclaim lawful, constitutional, and autonomous local governance, rooted in natural rights, common law, and the original intent of the framers;

WHEREAS, the absence of Home Rule authority for counties and townships has left these essential units of local governance vulnerable to mandates, administrative dictates, and funding restrictions imposed by centralized state agencies—resulting in the suppression of local innovation, delayed responsiveness to community needs, and the alienation of the people from the decision-making process in their own jurisdictions;

## THEREFORE, BE IT RESOLVED, by the people of Bay County, Michigan in lawful assembly or public forum:

- 1. We affirm that political power derives from the people, not from state agencies or corporate government bodies, and that this power includes the right of local self-governance under constitutional authority.
- 2. We declare the intent of the people of this county/township to restore and reassert Home Rule authority, enabling the drafting, adoption, and enforcement of a Local Charter, consistent with constitutional limitations, in order to:
  - Safeguard unalienable rights;
  - Protect property, liberty, and due process;
  - o Preserve local values, culture, and resources;
  - Reestablish lawful oversight of government by the people.
- 3. We call upon the Michigan Legislature to amend the General Law Township Act and other relevant statutes to explicitly authorize Home Rule Township and County Charters, or in the alternative, to cease obstructing lawful efforts by counties and townships to assert such authority under their own constitutional prerogative.
- 4. **We call for the formation of a Local Charter Commission** to begin drafting a foundational Charter for Bay County, rooted in:
  - The **Declaration of Rights** under the Michigan Constitution;
  - The Constitution for the United States of America (1787);
  - Natural Law and the Laws of Nature and of Nature's God;
  - Due process, local enforcement accountability, and electoral transparency.
- 5. **We reject the illegitimate use of Dillon's Rule** where it contravenes the consent of the governed and the constitutional right to local self-government.
- 6. **We assert the sovereign and lawful authority of the people** of this county to enact this resolution and to implement it in accordance with the principles of peaceful, lawful, and constitutional governance.
- 7. We urge all counties and townships throughout the State of Michigan to join in solidarity by asserting their constitutional right to local self-governance, forming assemblies, charter commissions, and lawful bodies to reclaim the decentralized authority intended by our founding documents—thereby creating a unified yet locally empowered network of communities governed by the consent of the people, not by centralized administrative control.

Enacted this day, Monday, May 26, 2025, by the free people of Bay County, Michigan, in lawful assembly, with all rights reserved and authority retained.

Signed,

Bay County General Jural Assembly, Township Charter Committee, Citizens for Home Rule

**Trevor A. Winchell, Coordinator**Bay County General Jural Assembly

## M Optional Legal Reference Addendum

- Hunter v. City of Pittsburgh, 207 U.S. 161 (1907) reaffirmed state supremacy over municipalities, but modern interpretations have eroded its strictness.
- **People v. Hurlbut, 24 Mich. 44 (1871)** Michigan Supreme Court Justice **Thomas M. Cooley** emphasized the importance of **local self-government as a matter of right**, not privilege.
- Const 1963, Art VII, § 34 "The provisions of this constitution and law concerning counties, townships, cities and villages shall be liberally construed in their favor."