

# Oath of Office

The oath must be taken before performing the duties of the office. The oath of office must be taken whenever one of the officials listed below is originally elected or appointed, and every time the official is reelected or reappointed. This is true for both elected officials and those appointed to fill a vacancy.

At the beginning of a four-year township term of office at noon on November 20, all elected township officials, whether reelected or newly elected, must take the oath of office prior to January 1 to qualify for office, or a vacancy is created in the position. (*Constable vacancies are not required to be filled.*) MTA recommends taking the oath of office prior to noon on November 20, so officials can immediately assume the duties of their offices at the start of the term.

The signed oath document must be filed with the township clerk. If an official other than the clerk administers the oath, the original oath affidavit or a copy of the affidavit must be provided to the township clerk for official township records. See the next page for a page of sample oath affidavits that can be copied.

## **Who has authority to administer oaths to township officials?**

Township Clerk / Deputy Clerk .....	(MCL 168.363)
County Clerk / Deputy Clerk .....	(MCLs 45.323, 551.103)
Notary Public .....	(MCLs 55.285, 168.504)
Judge / Justice (of any court of record) .....	(MCLs 15.37, 600.1440, 600.1455, 600.8317)
State Senator .....	(MCL 4.121)
State Representative .....	(MCL 4.121)

## **Who is required to take the oath of office?**

Supervisor (MCLs 168.363, 168.358)	Constable (MCLs 168.363, 168.358)
Clerk (MCLs 168.363, 168.358)	Library Board (MCLs 168.363, 168.358)
Treasurer (MCLs 168.363, 168.358)	Park Commission (MCLs 168.363, 168.358)
Trustee (MCLs 168.363, 168.358)	Election Inspector (MCL 168.680)
Deputy Supervisor (MCL 41.61)	Commissioner of Noxious Weeds (MCL 247.61)
Deputy Clerk (MCL 41.69)	Downtown Development Authority (MCL 125.1654)
Deputy Treasurer (MCL 41.77)	Assessor (IRS/MTA Legal Counsel)
Board of Review ( <i>must take oath within 10 days of appointment</i> )	(MCL 211.28)

*(Not an exhaustive list; other officials or bodies may be required to take the oath.)*

## **MTA recommends giving the oath to the following:**

Planning Commission	Economic Development Commission
Zoning Board of Appeals	Ordinance Enforcement Officer
Fire Administrative Board	Fire and/or Police Chief
Compensation Commission	Superintendent or Manager
Historical Commission	Building, Electrical and/or Plumbing Inspectors
Recreation Commission	<i>Others, as township board policy indicates</i>
Fence Viewer	

## **Why give the oath of office if it is not required?**

Taking the oath tends to lend credibility to the position to which a person has just been appointed or assigned. It also provides an opportunity to create a “paper trail” for the township board to the date of appointment and, therefore, to the expiration date of that person’s appointment so the board knows when to make future appointments.

STATE OF MICHIGAN, } SS.  
County of \_\_\_\_\_

I do solemnly swear (*or affirm*) that I will support the Constitution of the United States, and the Constitution of this State, and that I will faithfully perform the duties of the office of \_\_\_\_\_ in and for the Township of \_\_\_\_\_, County of \_\_\_\_\_ and the State of Michigan, according to the best of my ability, so help me God.

\_\_\_\_\_  
Signature

Subscribed and sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ County, Michigan

STATE OF MICHIGAN, } SS.  
County of \_\_\_\_\_

I do solemnly swear (*or affirm*) that I will support the Constitution of the United States, and the Constitution of this State, and that I will faithfully perform the duties of the office of \_\_\_\_\_ in and for the Township of \_\_\_\_\_, County of \_\_\_\_\_ and the State of Michigan, according to the best of my ability, so help me God.

\_\_\_\_\_  
Signature

Subscribed and sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ County, Michigan