

Act No. 118
Public Acts of 1988
Approved by the Governor
May 1, 1988
Filed with the Secretary of State
May 2, 1988

**STATE OF MICHIGAN
84TH LEGISLATURE
REGULAR SESSION OF 1988**

Introduced by Reps. Muxlow, Middaugh, Hayes, Willis Bullard, Honigman, Bandstra, Bender, Fitzgerald, Power, Strand, Griffin, Allen, Docherty, Miller, Stacey, Gagliardi, Spaniola and Hickner

ENROLLED HOUSE BILL No. 5018

AN ACT to amend section 1 of chapter VII of Act No. 3 of the Public Acts of 1895, entitled as amended "An act to provide for the incorporation of villages; to define their powers and duties; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness by villages; to define the powers and duties of the municipal finance commission or its successor agency and of the department of treasury with regard thereto; to define the application of this act and provide for its amendment by villages subject thereto; and to validate prior amendments and certain prior actions taken and bonds issued by villages," being section 67.1 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 1 of chapter VII of Act No. 3 of the Public Acts of 1895, being section 67.1 of the Michigan Compiled Laws, is amended to read as follows:

CHAPTER VII

Sec. 1. Every village subject to the provisions of this act shall have, in addition to other powers that are conferred, the general power and authority granted in this chapter and the council may pass ordinances in relation to those powers as it considers proper, as follows:

- (a) To restrain and prevent vice and immorality.
- (b) To punish vagrants, disorderly persons, and common prostitutes.
- (c) To abate nuisances and preserve the public health.
- (d) To prohibit and suppress disorderly and gaming houses.
- (e) To regulate, license, or suppress billiard tables and ball alleys, public dance halls, and soft drink emporiums.
- (f) To suppress gaming.
- (g) To regulate and license public shows and exhibitions.

(h) To license auctioneers, license and regulate hawkers and peddlers, regulate or prohibit sales of property at auction except sales made pursuant to an order of a court or public law, require transient traders and dealers to obtain a license before engaging in business, and regulate, by ordinance, the terms and conditions of issuing those licenses.

(i) To license and regulate hacks and other public vehicles.

(j) To provide for and regulate the inspection of provisions.

(k) To regulate or prohibit bathing in the rivers, ponds, streams, and waters of the village.

(l) To regulate or prohibit the selling, storing, or transportation of combustible or explosive substances or materials within the village and to regulate and restrain the making of fires in the streets or other open spaces in the village.

(m) To provide for the organization and regulation of a fire department and for the prevention and extinguishment of fires and to establish and maintain definite fire limits.

(n) To license and regulate solicitors for passengers or baggage for any hotel, tavern, public house, boat, or railroad and draymen, carmen, truckmen, porters, runners, drivers of cabs, hackney coaches, omnibuses, carriages, sleighs, express vehicles, and vehicles of every other description used and employed for hire and to fix and regulate the amount and rate of their compensation.

(o) To require horses, mules, or other animals attached to any vehicle or standing in any of the streets, lanes, or alleys in the village to be securely fastened, hitched, watched, or held.

(p) To prevent and punish horse racing and immoderate driving in any street, park, or alley and to authorize the stopping and detaining of any person who shall be guilty of immoderate driving or riding in any street, park, or alley in the village.

(q) To prevent the running at large of dogs, to require them to be muzzled, and to authorize their destruction if found at large in violation of an ordinance of the village.

(r) To establish lines and grades upon which buildings may be erected, and beyond which such buildings shall not extend.

(s) To prevent the erection and provide for the removal of all buildings considered unsafe.

(t) To regulate the placing and provide for the preservation of horse or hitching posts.

(u) To declare and define the powers and duties of the officers of the village whose powers and duties are not specifically prescribed in this act.

(v) To require the treasurer, marshal, and other officers of the village as the council considers proper to give bonds for the discharge of their official duties.

(w) To see that the officers of the village perform their duties faithfully and that proper measures are taken to punish neglect of duty on the part of an officer.

(x) To provide for the care, custody, and preservation of the public property of the village.

(y) To investigate any matter that may come under the jurisdiction of the village and is pursuant to the authority vested in the council or in any officer under this act. The council by majority consent of the council members serving is empowered to serve upon a person a subpoena that has been authorized by a court of proper jurisdiction in the county in which the village is situated compelling the person to appear before the council or any committee of the council to be examined under oath or to produce a document or object for inspection or copying. If a person objects to or otherwise fails to comply with the written notice served upon him or her, the council may file in that court an action to enforce the subpoena. The court may issue an order requiring the person to appear to be examined or to produce a document or object for inspection or copying. Failure to obey the order of the court is punishable by the court as a contempt.

(z) To adopt other ordinances and make other regulations for the safety and good government of the village and the general welfare of its inhabitants that are not inconsistent with the general laws of this state.

Section 2. This amendatory act shall take effect May 1, 1988.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved.....

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Governor.