

Act No. 175  
Public Acts of 1991  
Approved by the Governor  
December 23, 1991  
Filed with the Secretary of State  
December 23, 1991

**STATE OF MICHIGAN  
86TH LEGISLATURE  
REGULAR SESSION OF 1991**

Introduced by Rep. Profit

# **ENROLLED HOUSE BILL No. 4067**

AN ACT to amend section 4i of Act No. 279 of the Public Acts of 1909, entitled as amended "An act to provide for the incorporation of cities and for revising and amending their charters; to provide for certain powers and duties; to provide for the levy and collection of taxes by cities, borrowing of money, and issuance of bonds or other evidences of indebtedness; to validate actions taken, bonds issued, and obligations heretofore incurred; and to repeal certain acts and parts of acts on specific dates," being section 117.4i of the Michigan Compiled Laws; and to add section 5h.

*The People of the State of Michigan enact:*

Section 1. Section 4i of Act No. 279 of the Public Acts of 1909, being section 117.4i of the Michigan Compiled Laws, is amended and section 5h is added to read as follows:

Sec. 4i. Each city may in its charter provide:

- (a) For laying and collecting rents, tolls, and excises.
- (b) For regulating and restricting the locations of oil and gasoline stations.
- (c) For the establishment of districts or zones within which the use of land and structures, the height, area, size, and location of buildings, the required open spaces for light and ventilation of buildings, and the density of population, may be regulated by ordinance. The zoning ordinances in 1 or more districts may differ from the zoning ordinances in other districts. If a city is incorporated, or if territory is annexed to a city incorporated under this act, the zoning ordinances of the territory within the newly incorporated city or of the annexed territory shall remain in effect for 2 years after the incorporation or annexation unless the legislative body of the city lawfully adopts other zoning ordinances.
- (d) For the regulation of trades, occupations, and amusements within city boundaries, if the regulations are not inconsistent with state or federal law, and for the prohibition of trades, occupations, and amusements that are detrimental to the health, morals, or welfare of the inhabitants of that city.
- (e) For the regulation or prohibition of public nudity within city boundaries. As used in this subdivision, "public nudity" means knowingly or intentionally displaying in a public place, or for payment or promise of payment by any person including, but not limited to, payment or promise of payment of an admission fee, any individual's genitals or anus with less than a fully opaque covering.
- (f) For licensing, regulating, restricting, and limiting the number and locations of billboards within the city.
- (g) For the initiative and referendum on all matters within the scope of the powers of that city, and for the recall of city officials.

(h) For a system of civil service for city employees, including employees of that city's board of health, and employees of any jail operated or maintained by the city. Charter provisions heretofore or hereafter adopted providing for a system of civil service for employees of a local health board are valid and effective.

(i) For a system of compensation for city employees and the dependents of city employees in the case of disability, injury, or death of city employees.

(j) For the enforcement of police, sanitary, and other ordinances that are not in conflict with the general laws.

(k) For the punishment of persons who violate city ordinances. However, the penalty for a violation of a city ordinance shall not exceed a fine of \$500.00, or imprisonment for 90 days, or both.

Sec. 5h. (1) Whether or not so provided in its charter, a city may, by ordinance, regulate or prohibit public nudity within city boundaries.

(2) As used in this section, "public nudity" means knowingly or intentionally displaying in a public place, or for payment or promise of payment by any person including, but not limited to, payment or promise of payment of an admission fee, any individual's genitals or anus with less than a fully opaque covering.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved.....

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Governor.