

Act No. 176
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 Reps. Middleton, Byrum, Bartnik, Profit, Dobronski, Trim, Horton, Dolan, Shugars,
Dalman and London

ENROLLED HOUSE BILL No. 4896

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," as amended by Act No. 118 of the Public Acts of 1988, 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, as amended by Act No. 118 of the Public Acts of 1988, being section 67.1 of the Michigan Compiled Laws, is amended to read as follows:

CHAPTER VII

Sec. 1. A village subject to this act has, in addition to other powers that are conferred, the general power and authority granted in this chapter. The council of a village subject to this act may enact ordinances relating to the powers described in this section as it considers proper, including, but not limited to, ordinances relating to 1 or more of the following:

- (a) To restrain and prevent vice and immorality.
- (b) To punish vagrants, disorderly persons, and prostitutes.

- (c) To abate nuisances and preserve the public health.
- (d) To prohibit and suppress disorderly houses 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, to regulate or prohibit sales of property at auction except sales made pursuant to an order of a court or public law, to require transient traders and dealers to obtain a license before engaging in business, and to 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, to provide 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 other vehicles used and employed for hire, and to fix and regulate the amount and rate of compensation of those individuals.
- (o) To require horses, mules, or other animals attached to any vehicle or standing in any street, lane, or alley 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 is immoderately driving or riding in any street, park, or alley in the village.
- (q) To prevent the running at large of dogs, to require dogs to be muzzled, and to authorize the destruction of dogs 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 buildings shall not extend.
- (s) To prevent the erection and provide for the removal of buildings considered unsafe.
- (t) To regulate the placement and provide for the preservation of horse posts 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 or marshal of the village, 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 by any officer of the village.
- (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 that 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 may serve upon a person a subpoena that has been authorized by a court of proper jurisdiction in the county in which the village is located 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.
- (aa) To regulate or prohibit public nudity within village 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.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved.....

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Governor.