

# HOUSE BILL No. 4896

June 4, 1991, Introduced by Rebs. Middleton, Byrum, Bartnik, Profit, Dobronski, Trim, Horton, Dolan, Shugars, Dalman and London and referred to the Committee on Towns and Counties.

A bill 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:

1       Section 1. Section 1 of chapter VII of Act No. 3 of the  
2 Public Acts of 1895, as amended by Act No. 118 of the Public Acts  
3 of 1988, being section 67.1 of the Michigan Compiled Laws, is  
4 amended to read as follows:

## CHAPTER VII

1  
2       Sec. 1. ~~Every~~ A village subject to ~~the provisions of~~  
3 ~~this act shall have~~ THIS ACT HAS, in addition to other powers  
4 that are conferred, the general power and authority granted in  
5 this chapter. ~~and the~~ THE council OF A VILLAGE SUBJECT TO THIS  
6 ACT may ~~pass~~ ENACT ordinances ~~in relation to those~~ RELATING  
7 TO THE powers DESCRIBED IN THIS SECTION as it considers proper,  
8 ~~as follows~~ INCLUDING, BUT NOT LIMITED TO, ORDINANCES RELATING  
9 TO 1 OR MORE OF THE FOLLOWING:

10       (a) To restrain and prevent vice and immorality.

11       (b) To punish vagrants, disorderly persons, and ~~common~~  
12 prostitutes.

13       (c) To abate nuisances and preserve the public health.

14       (d) To prohibit and suppress disorderly HOUSES and gaming  
15 houses.

16       (e) To regulate, license, or suppress billiard tables and  
17 ball alleys, public dance halls, and soft drink emporiums.

18       (f) To suppress gaming.

19       (g) To regulate and license public shows and exhibitions.

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

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

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

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

5 (l) To regulate or prohibit the selling, storing, or trans-  
6 portation of combustible or explosive substances or materials  
7 within the village, and to regulate and restrain the making of  
8 fires in the streets or other open spaces in the village.

9 (m) To provide for the organization and regulation of a fire  
10 department, ~~and~~ TO PROVIDE for the prevention and extinguish-  
11 ment of fires, and to establish and maintain definite fire  
12 limits.

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

20 (o) To require horses, mules, or other animals attached to  
21 any vehicle or standing in any ~~of the streets, lanes, or alleys~~  
22 STREET, LANE, OR ALLEY in the village to be securely fastened,  
23 hitched, watched, or held.

24 (p) To prevent and punish horse racing and immoderate driv-  
25 ing in any street, park, or alley and to authorize the stopping  
26 and detaining of any person who ~~shall be guilty of immoderate~~

1 IS IMMODERATELY driving or riding in any street, park, or alley  
2 in the village.

3 (q) To prevent the running at large of dogs, to require  
4 ~~them~~ DOGS to be muzzled, and to authorize ~~their~~ THE destruc-  
5 tion ~~if~~ OF DOGS found at large in violation of an ordinance of  
6 the village.

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

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

11 (t) To regulate the ~~placing~~ PLACEMENT and provide for the  
12 preservation of horse POSTS or hitching posts.

13 (u) To declare and define the powers and duties of the offi-  
14 cers of the village whose powers and duties are not specifically  
15 prescribed in this act.

16 (v) To require the treasurer ~~—~~ OR marshal OF THE VILLAGE,  
17 and other officers of the village as the council considers proper  
18 to give bonds for the discharge of their official duties.

19 (w) To see that the officers of the village perform their  
20 duties faithfully and that proper measures are taken to punish  
21 neglect of duty ~~on the part of an~~ BY ANY officer OF THE  
22 VILLAGE.

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

25 (y) To investigate any matter that may come under the juris-  
26 diction of the village and THAT is pursuant to the authority  
27 vested in the council or in any officer under this act. The

1 council by majority consent of the council members serving ~~is~~  
2 ~~empowered to~~ MAY serve upon a person a subpoena that has been  
3 authorized by a court of proper jurisdiction in the county in  
4 which the village is ~~situated~~ LOCATED compelling the person to  
5 appear before the council or any committee of the council to be  
6 examined under oath or to produce a document or object for  
7 inspection or copying. If a person objects to or otherwise fails  
8 to comply with the written notice served upon him or her, the  
9 council may file in that court an action to enforce the  
10 subpoena. The court may issue an order requiring the person to  
11 appear to be examined or to produce a document or object for  
12 inspection or copying. Failure to obey the order of the court is  
13 punishable by the court as a contempt.

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

18 (AA) TO REGULATE OR PROHIBIT NUDE ENTERTAINMENT IN THE  
19 VILLAGE. AS USED IN THIS SUBSECTION, "NUDE ENTERTAINMENT" MEANS  
20 LIVE ENTERTAINMENT IN WHICH AN INDIVIDUAL KNOWINGLY EXPOSES HIS  
21 OR HER GENITALS OR ANUS TO 1 OR MORE INDIVIDUALS FOR PAYMENT OR  
22 THE PROMISE OF PAYMENT.