

SENATE BILL No. 733

February 19, 1992, Introduced by Senators HONIGMAN and EHLERS and referred to the Committee on Local Government and Urban Development.

A bill to amend the title and section 1 of Act No. 116 of the Public Acts of 1923, entitled as amended "Township and village public improvement and public service act," section 1 as amended by Act No. 82 of the Public Acts of 1989, being section 41.411 of the Michigan Compiled Laws; and to add section 5a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and section 1 of Act No. 116 of the
2 Public Acts of 1923, section 1 as amended by Act No. 82 of the
3 Public Acts of 1989, being section 41.411 of the Michigan
4 Compiled Laws, are amended and section 5a is added to read as
5 follows:

TITLE

1

2 An act to authorize certain township or village public
3 improvements and services; TO PROVIDE METHODS OF FINANCING THE
4 IMPROVEMENTS AND SERVICES; and to repeal certain acts and parts
5 of acts.

6 Sec. 1. (1) In township lands, the township board or
7 ~~common council or board of trustees~~ THE LEGISLATIVE BODY of an
8 incorporated village may ~~do 1 or more of the following: (a)~~
9 ~~Make~~ MAKE public improvements and provide public service by
10 ~~constructing~~ DOING 1 OR MORE OF THE FOLLOWING:

11 (A) CONSTRUCTING bridges over natural or artificial
12 waterways. ~~grading~~

13 (B) GRADING, paving, curbing, stoning, graveling, macadamiz-
14 ing, or cinderizing streets. ~~treating~~

15 (C) TREATING the streets with chloride or other suitable
16 dust laying process or material. ~~laying~~

17 (D) LAYING storm sewers to care for surface water in the
18 streets. ~~destroying~~

19 (E) DESTROYING weeds. ~~providing~~

20 (F) PROVIDING street markers and lighting. ~~contracting~~

21 (G) CONTRACTING for public transportation facilities.

22 ~~providing~~

23 (H) ACQUIRING OR CONSTRUCTING, MAINTAINING, AND OPERATING
24 PARKING FACILITIES.

25 (I) PROVIDING police protection or contracting for police
26 protection. ~~establishing~~

1 (J) ESTABLISHING and maintaining garbage and mixed refuse
2 systems or plants for the collection and disposal of garbage and
3 mixed refuse or contracting for such collection and disposal for
4 not to exceed 30 years. ~~→ constructing~~

5 (K) CONSTRUCTING or acquiring and maintaining sanitary
6 sewers and sewage disposal plants or equipment. ~~→ constructing~~

7 (L) CONSTRUCTING filtration plants. ~~→ constructing~~

8 (M) CONSTRUCTING sidewalks. ~~→ purchasing~~

9 (N) PURCHASING or constructing waterworks. ~~→ purchasing~~

10 (O) PURCHASING fire apparatus and equipment.

11 ~~→ constructing~~

12 (P) CONSTRUCTING and maintaining housing facilities for fire
13 apparatus and equipment. ~~→ making~~

14 (Q) MAKING extensions of water mains to provide water for
15 fire protection and domestic uses. ~~→ trimming~~

16 (R) TRIMMING and spraying trees and shrubbery.

17 ~~→ providing~~

18 (S) PROVIDING and maintaining soil and beach erosion control
19 measures including, but not limited to, the construction of
20 breakwaters, retaining walls, and sea walls, in or for township
21 lands or waters adjacent or contiguous to township lands.

22 ~~→ establishing~~

23 (T) ESTABLISHING and conducting chemical beach treatment
24 service necessary for the control of aquatic nuisances such as
25 swimmers' itch or contracting with others to provide the
26 ~~services~~ SERVICE.

1 (U) ACQUIRING, MAINTAINING, AND OPERATING PARKS.

2 (2) ~~(b) Levy~~ A TOWNSHIP BOARD OR THE LEGISLATIVE BODY OF
3 AN INCORPORATED VILLAGE MAY LEVY and collect special assessments
4 to pay the cost of an improvement or service MADE OR PROVIDED
5 UNDER SUBSECTION (1) and issue bonds in anticipation of the col-
6 lection of the special assessments, upon THE filing OF the peti-
7 tion and subject to the terms and conditions provided in sections
8 2 to 5.

9 (3) ~~(2)~~ In an incorporated village, the ~~common council or~~
10 ~~board of trustees~~ LEGISLATIVE BODY is vested with and shall per-
11 form the powers and duties vested by this section and sections 2
12 to 5 in the township board in areas outside of the incorporated
13 village.

14 (4) ~~(3)~~ The township board or ~~common council or board of~~
15 ~~trustees~~ THE LEGISLATIVE BODY of an incorporated village may
16 purchase, accept by gift or devise, or condemn private property.
17 If the property is to be acquired by condemnation, the provisions
18 of Act No. 149 of the Public Acts of 1911, as amended, being sec-
19 tions 213.21 to 213.25 of the Michigan Compiled Laws, ~~AND the~~
20 uniform condemnation procedures act, Act No. 87 of the Public
21 Acts of 1980, being sections 213.51 to 213.77 of the Michigan
22 Compiled Laws, ~~or other appropriate provisions of law may be~~
23 ~~adopted and used for the purpose of instituting and prosecuting~~
24 APPLY TO the condemnation. ~~proceedings.~~

25 (5) ~~(4)~~ This act shall be known and may be cited as the
26 "township and village public improvement and public service
27 act".

1 SEC. 5A. AS USED IN THIS ACT, "PARK" MEANS AN AREA OF LAND
2 OR WATER, OR BOTH, DEDICATED TO 1 OR MORE OF THE FOLLOWING USES:

3 (A) RECREATIONAL PURPOSES, INCLUDING BUT NOT LIMITED TO
4 LANDSCAPED TRACTS; PICNIC GROUNDS; PLAYGROUNDS; ATHLETIC FIELDS;
5 CAMPS; CAMPGROUNDS; ZOOLOGICAL AND BOTANICAL GARDENS; SWIMMING,
6 BOATING, HUNTING, FISHING, AND BIRDING AREAS; AND FOOT, BICYCLE,
7 AND BRIDLE PATHS.

8 (B) OPEN OR SCENIC SPACE.

9 (C) ENVIRONMENTAL, CONSERVATION, NATURE, OR WILDLIFE AREAS.