

SENATE BILL No. 736

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

A bill to amend sections 1a and 4e 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 sections 117.1a and 117.4e of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 1a and 4e of Act No. 279 of the Public
2 Acts of 1909, being sections 117.1a and 117.4e of the Michigan
3 Compiled Laws, are amended to read as follows:

4 Sec. 1a. As used in this act, ~~the phrase "having a~~
5 ~~population," or any phrase or combination of words of like~~
6 ~~import, shall be construed to mean "now or hereafter having a~~
7 ~~population of." The words "last," "latest," "preceding" or "last~~

~~1 preceding" used in connection with a "federal" or "United States"~~
~~2 or other census, or any words, phrases or combinations of words~~
~~3 of like import, shall be construed to also include any such~~
~~4 census taken after the enactment of the statute.~~ "PARK" MEANS AN
 5 AREA OF LAND OR WATER, OR BOTH, DEDICATED TO 1 OR MORE OF THE
 6 FOLLOWING USES:

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

12 (B) OPEN TERRITORY OR SCENIC SPACES.

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

14 Sec. 4e. Each city may in its charter provide FOR 1 OR
 15 MORE OF THE FOLLOWING:

16 (A) ~~-(1) For the~~ THE acquisition by purchase, gift, condem-
 17 nation, lease, construction, or otherwise, either within or with-
 18 out its corporate limits and either within or without the corpo-
 19 rate limits of the county in which it is located, of ~~the~~
 20 ~~following~~ improvements ~~including the~~ AND LANDS necessary
 21 ~~lands therefor, viz.: City~~ FOR THE IMPROVEMENTS, AND THE PAY-
 22 MENT OF THE COSTS AND EXPENSES OF THE IMPROVEMENTS. THE IMPROVE-
 23 MENTS MAY INCLUDE CITY hall, police stations, fire stations, bou-
 24 levards, streets, alleys, public parks, ~~recreation grounds,~~
 25 ~~municipal camps,~~ public grounds, ~~zoological gardens,~~ museums,
 26 libraries, airports, cemeteries, public wharves and landings upon
 27 navigable waters, levees and embankments, ~~watch houses, city~~

1 ~~prisons and work houses, penal farms,~~ CITY JAILS, institutions,
2 hospitals, quarantine grounds, electric light and power plants
3 and systems, gas plants and systems, waterworks plants and sys-
4 tems, sewage disposal plants and systems, market houses and
5 market places, office buildings for city officers and employees,
6 public works, and public buildings of all kinds. ~~and for the~~
7 ~~costs and expenses thereof,~~

8 (B) ~~(2) For the~~ THE acquisition by purchase, gift, condem-
9 nation, lease or otherwise of private property, either within or
10 without its corporate limits and either within or without the
11 corporate limits of the county in which it is located, for any
12 public use or purpose within the scope of its powers, whether
13 herein specifically mentioned or not. If condemnation proceed-
14 ings are resorted to for the acquisition of private property out-
15 side the corporate limits of ~~such~~ THE city, ~~such~~ THE condem-
16 nation proceedings may be brought under ~~the provisions of~~ Act
17 No. 149 of the Public Acts of 1911, as amended, ~~or as may be~~
18 ~~amended, entitled "An act to provide for the condemnation by~~
19 ~~state agencies and public corporations of private property for~~
20 ~~the use or benefit of the public and to define the terms 'public~~
21 ~~corporations', 'state agencies' and 'private property' as used~~
22 ~~herein," being sections 353 to 373 inclusive of the Compiled Laws~~
23 ~~of 1915, or such other appropriate provisions therefor as exist~~
24 ~~or shall be made by law,~~ BEING SECTIONS 213.21 TO 213.25 OF THE
25 MICHIGAN COMPILED LAWS, AND THE UNIFORM CONDEMNATION PROCEDURES
26 ACT, ACT NO. 87 OF THE PUBLIC ACTS OF 1980, BEING SECTIONS 213.51
27 TO 213.77 OF THE MICHIGAN COMPILED LAWS.

1 (C) ~~(3) For the~~ THE maintenance, development, operation,
2 ~~of its property and upon the discontinuance thereof to lease,~~
3 ~~sell or dispose of the same~~ LEASE, SALE, OR DISPOSAL OF ITS
4 PROPERTY subject to any LEGAL restrictions. ~~placed thereupon by~~
5 ~~law: Provided, That~~ HOWEVER, on the sale of ~~any~~ A capital
6 asset of a municipally owned utility, the money received shall be
7 used in procuring a similar capital asset, or placed in the sink-
8 ing fund to retire bonds issued for ~~said~~ THE utility.