



HOUSE BILL No. 4342

February 24, 1993, Introduced by Rep. Middaugh and referred to the Committee on State Affairs.

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. 176 of the Public Acts of 1991, 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. 176 of the Public Acts
3 of 1991, being section 67.1 of the Michigan Compiled Laws, is
4 amended to read as follows:

CHAPTER VII

1

2 Sec. 1. Every village subject to the provisions of this act
3 shall have, in addition to other powers that are conferred, the
4 general power and authority granted in this chapter and the coun-
5 cil may pass ordinances in relation to those powers as it consid-
6 ers proper, as follows:

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

8 (b) To punish vagrants, disorderly persons, and common
9 prostitutes.

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

11 (d) To prohibit and suppress disorderly and gaming houses.

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

14 (f) To suppress gaming.

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

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

22 (i) To license and regulate hacks and other public
23 vehicles.

24 (j) To provide for and regulate the inspection of
25 provisions.

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

1 (l) To regulate or prohibit the selling, storing, or
2 transportation of combustible or explosive substances or materi-
3 als within the village and to regulate and restrain the making of
4 fires in the streets or other open spaces in the village.

5 (m) To provide for the organization and regulation of a fire
6 department and for the prevention and extinguishment of fires and
7 to establish and maintain definite fire limits.

8 (n) To license and regulate solicitors for passengers or
9 baggage for any hotel, tavern, public house, boat, or railroad
10 and draymen, carmen, truckmen, porters, runners, drivers of cabs,
11 hackney coaches, omnibuses, carriages, sleighs, express vehicles,
12 and vehicles of every other description used and employed for
13 hire and to fix and regulate the amount and rate of their
14 compensation.

15 (o) To require horses, mules, or other animals attached to
16 any vehicle or standing in any of the streets, lanes, or alleys
17 in the village to be securely fastened, hitched, watched, or
18 held.

19 (p) To prevent and punish horse racing and immoderate driv-
20 ing in any street, park, or alley and to authorize the stopping
21 and detaining of any person who shall be guilty of immoderate
22 driving or riding in any street, park, or alley in the village.

23 (q) To prevent the running at large of dogs, to require them
24 to be muzzled, and to authorize their destruction if found at
25 large in violation of an ordinance of the village.

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

1 (s) To prevent the erection and provide for the removal of
2 all buildings considered unsafe.

3 (t) To regulate the placing and provide for the preservation
4 of horse or hitching posts.

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

8 (v) To require the treasurer, marshal, and other officers of
9 the village as the council considers proper to give bonds for the
10 discharge of their official duties.

11 (w) To see that the officers of the village perform their
12 duties faithfully and that proper measures are taken to punish
13 neglect of duty on the part of an officer.

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

16 (y) To investigate any matter that may come under the juris-
17 diction of the village and is pursuant to the authority vested in
18 the council or in any officer under this act. The council by
19 majority consent of the council members serving ~~is empowered to~~
20 MAY serve upon a person a subpoena that has been authorized by a
21 court of proper jurisdiction in the county in which the village
22 is situated compelling the person to appear before the council or
23 any committee of the council to be examined under oath or to
24 produce a document or object for inspection or copying. If a
25 person objects to or otherwise fails to comply with the written
26 notice served upon him or her, the council may file in that court
27 an action to enforce the subpoena. The court may issue an order

1 requiring the person to appear to be examined or to produce a
2 document or object for inspection or copying. Failure to obey
3 the order of the court is punishable by the court as a contempt.
4 (z) To adopt other ordinances and make other regulations for
5 the safety and good government of the village and the general
6 welfare of its inhabitants that are not inconsistent with the
7 general laws of this state.

8 Section 2. This amendatory act shall not take effect unless
9 all of the following bills of the 87th Legislature are enacted
10 into law:

11 (a) Senate Bill No. ____ or House Bill No. 4341 (request
12 no. 02622'93).

13 (b) Senate Bill No. ____ or House Bill No. 4343 (request
14 no. 02622'93a)

15 (c) Senate Bill No. ____ or House Bill No. 4368 (request
16 no. 02622'93c).