



# SENATE BILL No. 414

February 18, 1993, Introduced by Senators GEAKE, EHLERS,  
MC MANUS, DI NELLO and POLLACK and referred to the  
Committee on Local Government and Urban Development.

A bill to amend section 4i of Act No. 279 of the Public Acts  
of 1909, entitled as amended

"An act to provide for the incorporation of cities and for revis-  
ing 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 evi-  
dences of indebtedness; to validate actions taken, bonds issued,  
and obligations heretofore incurred; and to repeal certain acts  
and parts of acts on specific dates,"

as amended by Act No. 175 of the Public Acts of 1991, being  
section 117.4i of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 4i of Act No. 279 of the Public Acts of  
2 1909, as amended by Act No. 175 of the Public Acts of 1991, being  
3 section 117.4i of the Michigan Compiled Laws, is amended to read  
4 as follows:

5 Sec. 4i. Each city may in its charter provide FOR ALL OF  
6 THE FOLLOWING:

1 (a) ~~For laying~~ LAYING and collecting rents, tolls, and  
2 excises.

3 (b) ~~For regulating~~ REGULATING and restricting the loca-  
4 tions of oil and gasoline stations.

5 (c) ~~For the~~ THE establishment of districts or zones within  
6 which the use of land and structures, the height, area, size, and  
7 location of buildings, the required open spaces for light and  
8 ventilation of buildings, and the density of population, may be  
9 regulated by ordinance. The zoning ordinances in 1 or more dis-  
10 tricts may differ from the zoning ordinances in other districts.  
11 If a city is incorporated, or if territory is annexed to a city  
12 incorporated under this act, the zoning ordinances of the terri-  
13 tory within the newly incorporated city or of the annexed terri-  
14 tory shall remain in effect for 2 years after the incorporation  
15 or annexation unless the legislative body of the city lawfully  
16 adopts other zoning ordinances.

17 (d) ~~For the~~ THE regulation of trades, occupations, and  
18 amusements within city boundaries, if the regulations are not  
19 inconsistent with state or federal law, and for the prohibition  
20 of trades, occupations, and amusements that are detrimental to  
21 the health, morals, or welfare of the inhabitants of ~~that~~ THE  
22 city.

23 (e) ~~For the~~ THE regulation or prohibition of public nudity  
24 within THE city. ~~boundaries.~~ As used in this subdivision,  
25 "public nudity" means knowingly or intentionally displaying in a  
26 public place, or for payment or promise of payment by any person  
27 including, but not limited to, payment or promise of payment of

1 an admission fee, any individual's genitals or anus with less  
2 than a fully opaque covering.

3 (f) ~~For licensing~~ LICENSING, regulating, restricting, and  
4 limiting the number and locations of billboards within the city.

5 (g) ~~For the~~ THE initiative and referendum on all matters  
6 within the scope of the powers of that city, and for the recall  
7 of city officials.

8 (h) ~~For a~~ A system of civil service for city employees,  
9 including employees of that city's board of health, and employees  
10 of any jail operated or maintained by the city. Charter provi-  
11 sions heretofore or hereafter adopted providing for a system of  
12 civil service for employees of a local health board are valid and  
13 effective.

14 (i) ~~For a~~ A system of compensation for city employees and  
15 the dependents of city employees in the case of disability,  
16 injury, or death of city employees.

17 (j) ~~For the~~ THE enforcement of police, sanitary, and other  
18 ordinances that are not in conflict with the general laws.

19 (k) ~~For the~~ THE punishment of persons who violate city  
20 ordinances. ~~However, the~~ THE penalty for a violation of a city  
21 ordinance shall not exceed a fine of \$500.00 ~~—~~ or imprisonment  
22 for 90 days, or both. IF THE USE OF A MOTORIZED VEHICLE ON A  
23 RECREATIONAL TRAIL RESERVED FOR NONMOTORIZED TRAVEL IS AN ELEMENT  
24 OF THE VIOLATION OF THE ORDINANCE, ALL OF THE FOLLOWING APPLY:

25 (i) IN ADDITION TO THE OTHER SANCTIONS PROVIDED FOR IN THIS  
26 SUBDIVISION, A COURT OF COMPETENT JURISDICTION MAY ORDER A PERSON  
27 TO RESTORE, AS NEARLY AS POSSIBLE, ANY LAND, WATER, STREAM BANK,

1 STREAMBED, OR OTHER NATURAL OR GEOGRAPHIC FORMATION DAMAGED BY  
2 THE VIOLATION OF THE ORDINANCE TO THE CONDITION IT WAS IN BEFORE  
3 THE VIOLATION OCCURRED.

4 (ii) A PEACE OFFICER MAY IMPOUND THE MOTORIZED VEHICLE.

5 (iii) A COURT OF COMPETENT JURISDICTION MAY ORDER THE MOTOR-  
6 IZED VEHICLE AND ANY PERSONAL PROPERTY ON THE MOTORIZED VEHICLE  
7 SEIZED AS A RESULT OF THE VIOLATION RETURNED TO THE OWNER OR, IN  
8 ADDITION TO THE OTHER SANCTIONS PROVIDED FOR IN THIS SUBDIVISION  
9 AND UPON RECOMMENDATION OF THE PROSECUTING ATTORNEY FOR THE CITY,  
10 FORFEITED TO THE CITY.