



# SENATE BILL No. 735

August 31, 1993, Introduced by Senator CONROY and referred to the Committee on Judiciary.

A bill to amend section 1a of chapter I, sections 1, 2, 6, 7, 9, 10, and 13 of chapter VI, sections 1, 2, 3, 40, 46, and 62 of chapter VII, and section 12 of chapter X 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,"

section 1 of chapter VII as amended by Act No. 176 of the Public Acts of 1991 and section 46 of chapter VII as amended by Act No. 173 of the Public Acts of 1985, being sections 61.1a, 66.1, 66.2, 66.6, 66.7, 66.9, 66.10, 66.13, 67.1, 67.2, 67.3, 67.40, 67.46, 67.62, and 70.12 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 1a of chapter I, sections 1, 2, 6, 7, 9,  
2 10, and 13 of chapter VI, sections 1, 2, 3, 40, 46, and 62 of  
3 chapter VII, and section 12 of chapter X of Act No. 3 of the  
4 Public Acts of 1895, section 1 of chapter VII as amended by Act  
5 No. 176 of the Public Acts of 1991 and section 46 of chapter VII  
6 as amended by Act No. 173 of the Public Acts of 1985, being sec-  
7 tions 61.1a, 66.1, 66.2, 66.6, 66.7, 66.9, 66.10, 66.13, 67.1,  
8 67.2, 67.3, 67.40, 67.46, 67.62, and 70.12 of the Michigan  
9 Compiled Laws, are amended to read as follows:

10                               CHAPTER I

11       Sec. 1a. As used in this act, ~~the phrase "having a~~  
12 ~~population," or any phrase or combination of words of like~~  
13 ~~import, shall be construed to mean "now or hereafter having a~~  
14 ~~population of."~~ The words "last," "latest," "preceding" or "last  
15 preceding" used in connection with a "federal" or "United States"  
16 or other census, or any words, phrases or combinations of words  
17 of like import, shall be construed to also include any such  
18 census taken after the enactment of the statute. "CIVIL  
19 INFRACTION", "CIVIL INFRACTION ACTION", AND "MUNICIPAL CIVIL  
20 INFRACTION" MEAN THOSE TERMS AS DEFINED IN SECTION 113 OF THE  
21 REVISED JUDICATURE ACT OF 1961, ACT NO. 236 OF THE PUBLIC ACTS OF  
22 1961, BEING SECTION 600.113 OF THE MICHIGAN COMPILED LAWS.

23                               CHAPTER VI

24       Sec. 1. The style of ~~all ordinances~~ AN ORDINANCE shall  
25 be: "The village of ..... ordains." ~~All~~  
26 ~~ordinances~~ AN ORDINANCE, except as ~~herein~~ otherwise provided

1 ~~shall require,~~ IN THIS ACT, REQUIRES for ~~their~~ ITS passage  
2 ~~the~~ concurrence of a majority of the council. ~~No~~ AN ordi-  
3 nance imposing a ~~penalty~~ SANCTION shall NOT take effect in less  
4 than 20 days after its passage.

5 Sec. 2. (1) Except as otherwise ~~specifically~~ provided in  
6 this act, the council of a village authorized to pass an ordi-  
7 nance ~~may~~ prescribe a ~~penalty~~ SANCTION for a violation of  
8 the ordinance. If a ~~penalty~~ SANCTION is prescribed, it shall  
9 be prescribed in the ordinance. ~~The~~

10 (2) IF A VIOLATION OF THE ORDINANCE IS A CIVIL INFRACTION,  
11 THE ORDINANCE MAY PROVIDE A CIVIL FINE FOR ITS VIOLATION.

12 (3) A VIOLATION OF THE ORDINANCE IS A MUNICIPAL CIVIL  
13 INFRACTION ONLY IF THE ORDINANCE EXPLICITLY STATES THAT A VIOLA-  
14 TION IS A MUNICIPAL CIVIL INFRACTION. AN ORDINANCE SHALL NOT  
15 MAKE AN ACT OR OMISSION A MUNICIPAL CIVIL INFRACTION IF THAT ACT  
16 OR OMISSION CONSTITUTES A CRIME UNDER ANY OF THE FOLLOWING:

17 (A) ARTICLE 7 OR SECTION 17766A OF THE PUBLIC HEALTH CODE,  
18 ACT NO. 368 OF THE PUBLIC ACTS OF 1978, BEING SECTIONS 333.7101  
19 TO 333.7545 AND 333.17766A OF THE MICHIGAN COMPILED LAWS.

20 (B) THE MICHIGAN PENAL CODE, ACT NO. 328 OF THE PUBLIC ACTS  
21 OF 1931, BEING SECTIONS 750.1 TO 750.568 OF THE MICHIGAN COMPILED  
22 LAWS.

23 (C) ACT NO. 158 OF THE PUBLIC ACTS OF 1966, BEING  
24 SECTIONS 752.11 TO 752.12 OF THE MICHIGAN COMPILED LAWS.

25 (D) SECTION 1 OF ACT NO. 70 OF THE PUBLIC ACTS OF 1877,  
26 BEING SECTION 752.21 OF THE MICHIGAN COMPILED LAWS.

1 (E) ACT NO. 119 OF THE PUBLIC ACTS OF 1967, BEING  
2 SECTIONS 752.271 TO 752.274 OF THE MICHIGAN COMPILED LAWS.

3 (F) SECTION 25 OF CHAPTER 158 OF THE REVISED STATUTES OF  
4 1846, BEING SECTION 752.525 OF THE MICHIGAN COMPILED LAWS.

5 (G) SECTION 2 OF ACT NO. 26 OF THE PUBLIC ACTS OF 1970,  
6 BEING SECTION 752.582 OF THE MICHIGAN COMPILED LAWS.

7 (H) SECTION 5 OF ACT NO. 105 OF THE PUBLIC ACTS OF 1951,  
8 BEING SECTION 752.825 OF THE MICHIGAN COMPILED LAWS.

9 (I) ACT NO. 10 OF THE PUBLIC ACTS OF 1952, BEING  
10 SECTIONS 752.841 TO 752.845 OF THE MICHIGAN COMPILED LAWS.

11 (J) SECTION 1 OF ACT NO. 45 OF THE PUBLIC ACTS OF 1952,  
12 BEING SECTION 752.861 OF THE MICHIGAN COMPILED LAWS.

13 (K) SECTION 1 OF ACT NO. 81 OF THE PUBLIC ACTS OF 1954,  
14 BEING SECTION 752.881 OF THE MICHIGAN COMPILED LAWS.

15 (L) SECTION 3A OF ACT NO. 106 OF THE PUBLIC ACTS OF 1963,  
16 BEING SECTION 752.903A OF THE MICHIGAN COMPILED LAWS.

17 (4) IF A VIOLATION OF THE ORDINANCE IS NOT A CIVIL INFRAC-  
18 TION, THE ordinance may provide that a person who violates the  
19 ordinance ~~may~~ IS SUBJECT TO EITHER, OR BOTH, OF THE FOLLOWING:

20 (a) ~~Be punished~~ PUNISHMENT by imprisonment for not more  
21 than 90 days or BY a fine of not more than \$500.00, or both.

22 (b) ~~Be ordered to pay~~ PAYMENT OF court costs.

23 Sec. 6. (1) ~~Prosecutions~~ AN ACTION for violation of ~~the~~  
24 ~~village ordinances~~ AN ORDINANCE shall be commenced not more than  
25 2 years after the ~~commission of the offense, and~~ VIOLATION  
26 OCCURS. THIS SUBSECTION DOES NOT APPLY TO A VIOLATION OF AN  
27 ORDINANCE THAT CONSTITUTES A CIVIL INFRACTION.

1 (2) AN ACTION FOR THE VIOLATION OF AN ORDINANCE shall be  
2 brought in the district court or municipal court in the judicial  
3 district in which the village is located UNLESS THE DEFENDANT  
4 ALLEGED TO HAVE VIOLATED THE ORDINANCE ENTERS A PLEA OF GUILTY,  
5 ADMITS RESPONSIBILITY, OR ADMITS RESPONSIBILITY WITH EXPLANATION  
6 BEFORE A MAGISTRATE, TRAFFIC BUREAU, OR MUNICIPAL ORDINANCE VIO-  
7 LATION BUREAU AS OTHERWISE PROVIDED BY LAW. That court may hear,  
8 try, and determine ~~all~~ causes and actions arising under ~~these~~  
9 ~~ordinances~~ AN ORDINANCE of the village, and ~~inflict punishment~~  
10 ~~for violations of these ordinances~~ IMPOSE SANCTIONS FOR A VIOLA-  
11 TION OF AN ORDINANCE as provided in the ~~ordinances~~ ORDINANCE.

12 Sec. 7. ~~When~~ IF a penalty ~~shall be~~ IS incurred for the  
13 violation of an ordinance, and a provision is not made for the  
14 imprisonment of the offender upon conviction of the violation,  
15 ~~a~~ THE penalty may be recovered in a civil action. ~~When~~ IF a  
16 corporation ~~shall incur~~ INCURS a penalty for the violation of  
17 an ordinance, the corporation shall be sued in a civil action.  
18 ~~Prosecutions for violations of the ordinances of the village, in~~  
19 ~~all cases except against corporations,~~ EXCEPT IN THE CASE OF A  
20 CIVIL INFRACTION ACTION OR AN ACTION AGAINST A CORPORATION, AN  
21 ACTION FOR A VIOLATION OF AN ORDINANCE OF THE VILLAGE may be com-  
22 menced by warrant for the arrest of the offender. The warrant  
23 shall be in the name of the people of this state, ~~and~~ shall set  
24 forth the substance of the offense complained of, AND SHALL be  
25 substantially in the form, and be issued upon complaint made, as  
26 provided by law in misdemeanor cases. The proceedings relating  
27 to the arrest and custody of the accused during the pendency of

1 the action, the pleadings, and ~~all~~ THE proceedings upon the  
 2 trial of the cause, ~~and~~ in procuring the attendance and testi-  
 3 mony of witnesses, and in the rendition of judgments and the exe-  
 4 cution of judgments, except as otherwise provided by this act,  
 5 ~~shall be~~ ARE governed by and SHALL conform as nearly as may be  
 6 ~~to~~ to the provisions of law regulating proceedings in misde-  
 7 meanor cases.

8       Sec. 9. (1) An action ~~proceeding, or prosecution~~ for  
 9 the violation of an ordinance ~~need not state or set forth the~~  
 10 ordinance, or the provisions of the ordinance ~~in a complaint,~~  
 11 warrant, process, or pleading, ~~but shall be considered suf-~~  
 12 ~~ficiently set forth or stated by reciting its~~ RECITE THE  
 13 ORDINANCE'S title and the date of its passage, adoption, or  
 14 approval.

15       (2) It ~~shall be~~ IS a sufficient statement of the cause of  
 16 action in a complaint or warrant ~~to set forth substantially,~~  
 17 and with reasonable certainty, as to time and place, the act ~~or~~  
 18 ~~offense~~ complained of, and to allege the act ~~or offense~~ to be  
 19 in violation of an ordinance of the village, referring to the  
 20 ordinance by its title ~~and the date of its passage, adoption,~~  
 21 or approval. ~~In all prosecutions for violations of the ordi-~~  
 22 ~~nances of the village, either~~ EITHER party may require a trial  
 23 by jury IN AN ACTION FOR VIOLATION OF THE ORDINANCE.

24       (3) The jury, except when other provision is made, shall  
 25 consist of 6 persons. In actions commenced by warrant, the jury  
 26 shall be selected and summoned as in misdemeanor cases before the  
 27 court in which the prosecution for the village ordinance

1 violation is brought. In a civil action to recover penalties for  
2 ~~the~~ A village ordinance violation, the jury shall be selected  
3 and summoned as in any other civil action before the court in  
4 which the action is brought. An inhabitant of the village  
5 ~~shall~~ IS not ~~be~~ incompetent to serve as a juror in a cause in  
6 which the village is a party or interested, on account merely of  
7 the interest ~~as~~ THAT the inhabitant may have, in common with  
8 the inhabitants of the village, in the results of the action.

9 (4) THIS SECTION DOES NOT APPLY TO AN ORDINANCE VIOLATION  
10 THAT CONSTITUTES A CIVIL INFRACTION.

11 Sec. 10. A person convicted of a violation of an ordinance  
12 of the village in an action commenced by warrant as set forth in  
13 section 7 ~~—~~ may appeal the judgment to the circuit court for  
14 the county in which the village is located, by appeal, and the  
15 time for the appeal, the proceedings for the appeal, ~~and~~ the  
16 bond or security to be given on the appeal, and the proceedings  
17 and disposition of the cause in the circuit court ~~—~~ shall be  
18 the same as in misdemeanor cases on appeal from the court that  
19 tried the village ordinance violation. In actions to which the  
20 village ~~may be~~ IS a party, brought to recover a ~~penalty~~ FINE  
21 for a violation OF A VILLAGE ORDINANCE, either party may appeal  
22 from the judgment to the circuit court, and similar proceedings  
23 shall be had on that appeal ~~—~~ and similar bond or security  
24 shall be given as in cases of appeal in civil actions before the  
25 court ~~which~~ THAT tried the village ordinance violation, except  
26 that the village shall not be required to give a bond or security  
27 on ~~those appeals~~ THAT APPEAL.

25 CHAPTER VII

26 Sec. 1. A village subject to this act has, ~~in addition to~~

27 ~~other powers that are conferred, the general power and authority~~

1 ~~granted in this chapter. The~~ AND THE council ~~of a village~~  
 2 ~~subject to this act~~ may enact ordinances relating to, the  
 3 FOLLOWING powers: ~~described in this section as it considers~~  
 4 ~~proper, including, but not limited to, ordinances relating to 1~~  
 5 ~~or more of the following:~~

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

7 (b) To ~~punish vagrants, disorderly persons, and~~  
 8 ~~prostitutes~~ IMPOSE SANCTIONS ON INDIVIDUALS ENGAGED IN VAGRANCY,  
 9 DISORDERLY CONDUCT, OR PROSTITUTION.

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

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

13 (e) To regulate, license, or suppress ~~billiard tables and~~  
 14 ~~ball alleys, public dance halls, and soft drink emporiums~~ PLACES  
 15 OF ENTERTAINMENT.

16 (f) To suppress gaming.

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

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

24 (i) To license and regulate ~~hacks and other~~ public  
 25 vehicles.

26 (j) To provide for and regulate the inspection of  
 27 provisions.

1 (k) To regulate or prohibit bathing in the ~~rivers, ponds,~~  
2 ~~streams, and waters~~ BODIES OF WATER of the village.

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

8 (m) To provide for the organization and regulation of a fire  
9 department, to provide for the prevention and extinguishment of  
10 fires, and to establish and maintain definite fire limits.

11 (n) To license and regulate solicitors for passengers or  
12 baggage for any hotel, tavern, public house, boat, or railroad;  
13 ~~—, and draymen, carmen, truckmen,~~ TO LICENSE AND REGULATE  
14 porters, runners, AND drivers of ~~cabs, hackney coaches, omni-~~  
15 ~~buses, carriages, sleighs, express vehicles, and other~~ vehicles  
16 used and employed for hire, and to fix and regulate the amount  
17 and rate of compensation of those individuals.

18 (o) To require horses, mules, or other animals attached to  
19 ~~any vehicle~~ VEHICLES or standing in any street, lane, or alley  
20 in the village to be securely fastened, hitched, watched, or  
21 held.

22 (p) To prevent and ~~punish~~ IMPOSE SANCTIONS FOR horse  
23 racing and immoderate driving in ~~any~~ A street, park, or alley  
24 and to authorize the stopping and detaining of ~~any~~ A person who  
25 is immoderately driving or riding in ~~any~~ A street, park, or  
26 alley in the village.

1 (q) To prevent the running at large of dogs, to require dogs  
2 to be muzzled, and to authorize the destruction of dogs found at  
3 large in violation of an ordinance of the village.

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

6 (s) To prevent the erection and provide for the removal of  
7 buildings considered unsafe.

8 (t) To regulate the placement and provide for the preserva-  
9 tion of ~~horse posts or~~ hitching posts.

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

13 (v) To require the treasurer or marshal of the village, and  
14 other officers of the village as the council considers proper, to  
15 give bonds for the discharge of their official duties.

16 (w) To see that the officers of the village perform their  
17 duties faithfully and that proper measures are taken to ~~punish~~  
18 IMPOSE SANCTIONS FOR neglect of duty by ~~any~~ AN officer of the  
19 village.

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

22 (y) To investigate any matter that may come under the juris-  
23 diction of the village and that is pursuant to the authority  
24 vested in the council or in ~~any~~ AN officer under this act. The  
25 council by majority ~~consent~~ VOTE of the council members serving  
26 may serve upon a person a subpoena that has been authorized by a  
27 court of proper jurisdiction in the county in which the village

1 is located compelling the person to appear before the council or  
 2 any committee of the council to be examined under oath or to  
 3 produce a document or object for inspection or copying. If a  
 4 person objects to or otherwise fails to comply with the written  
 5 notice served upon him or her, the council may file in that court  
 6 an action to enforce the subpoena. The court may issue an order  
 7 requiring the person to appear to be examined or to produce a  
 8 document or object for inspection or copying. Failure to obey  
 9 the order of the court is punishable by the court as a contempt.

10 (z) To adopt other ordinances and make other regulations for  
 11 the safety and good government of the village and the general  
 12 welfare of its inhabitants that are not inconsistent with the  
 13 general laws of this state.

14 (aa) To regulate or prohibit public nudity within village  
 15 boundaries. As used in this subdivision, "public nudity" means  
 16 knowingly or intentionally displaying in a public place, or for  
 17 payment or promise of payment by any person including, but not  
 18 limited to, payment or promise of payment of an admission fee,  
 19 any individual's genitals or anus with less than a fully opaque  
 20 covering.

21 Sec. 2. (1) The council may prescribe the terms and condi-  
 22 tions upon which ~~licenses may~~ A LICENSE SHALL be granted ~~—~~  
 23 and may ~~exact and~~ require payment of ~~such sum for any license~~  
 24 ~~as shall be~~ A reasonable and proper SUM FOR A LICENSE. The  
 25 person receiving the license shall, if required by the council or  
 26 AN ordinance of the village, before the issuing ~~thereof~~ OF THE  
 27 LICENSE, execute a bond to the ~~corporation in such~~ VILLAGE IN A

1 sum ~~as~~ PRESCRIBED BY the council, ~~may prescribe,~~ with 1 or  
 2 more sufficient sureties, conditioned for a faithful performance  
 3 of the laws relating to the ~~corporation~~ VILLAGE and the ordi-  
 4 nances of the council, and otherwise conditioned as the council  
 5 may prescribe. ~~Every~~ A license ~~shall be~~ IS revocable by the  
 6 council. ~~at pleasure ; and when any~~ IF A license ~~shall be~~ IS  
 7 revoked for ~~non-compliance~~ NONCOMPLIANCE with the terms and  
 8 conditions upon which it was granted, or on account of ~~any~~ A  
 9 violation of ~~any~~ AN ordinance or regulation passed or autho-  
 10 rized by the council, the person holding ~~such~~ THE license  
 11 shall, in addition to ~~all~~ ANY other ~~penalties~~ SANCTIONS  
 12 imposed, forfeit ~~all payment~~ PAYMENTS made for ~~such~~ THE  
 13 license. ~~And the~~ THE council may provide SANCTIONS for  
 14 ~~punishment, by fine or imprisonment, or both, of any~~ A person  
 15 who, without license, ~~shall exercise any occupation or trade, or~~  
 16 ~~do anything for or in respect to~~ DOES SOMETHING FOR which ~~any~~  
 17 A license ~~shall be~~ IS required by ~~any~~ AN ordinance ~~or~~  
 18 ~~regulation~~ of the council.

19 (2) The council of ~~any~~ A village may ~~make such provisions~~  
 20 ~~as they shall deem expedient~~ PROVIDE for the support and relief  
 21 of poor persons residing in the village ~~—~~ and, for that  
 22 purpose, may provide, by ordinance or resolution, for the  
 23 appointment of a director of the poor for the village ~~—~~ and may  
 24 prescribe ~~his~~ THE DIRECTOR'S duties and vest him OR HER with  
 25 ~~such~~ authority ~~as may be~~ proper for the ~~due~~ exercise of  
 26 ~~his~~ THOSE duties.

1       Sec. 3. The council may provide and maintain 1 or more  
2 pounds within the village; ~~and may~~ appoint, ~~pound masters,~~  
3 prescribe ~~their~~ THE powers and duties OF, and fix ~~their~~ THE  
4 compensation OF POUND MASTERS; ~~and may~~ authorize the  
5 impounding of ~~all beasts and fowls~~ ANIMALS found ~~in the~~  
6 ~~streets or otherwise~~ at large, contrary to ~~any~~ AN ordinance of  
7 the village. ~~and if~~ IF there ~~shall be~~ IS no pound or pound  
8 master, ~~they~~ THE COUNCIL may provide for the impounding of  
9 ~~such beasts and fowls~~ AN ANIMAL by the village marshal, in some  
10 suitable place, under his OR HER immediate care and inspection  
11 and may confer on him OR HER the powers and duties of pound  
12 master. The council may also prescribe the fees for impounding  
13 AN ANIMAL, and the amount or rate of expenses for keeping AN  
14 IMPOUNDED ANIMAL, and the charges to be paid by the owner or  
15 keeper of ~~the beasts or fowls~~ AN impounded ~~and~~ ANIMAL. THE  
16 COUNCIL may authorize the sale of ~~such beasts and fowls~~ AN  
17 IMPOUNDED ANIMAL for the payment of ~~such~~ THE fees, expenses,  
18 and charges, and for ~~penalties~~ SANCTIONS incurred, and may  
19 impose ~~penalties~~ SANCTIONS for rescuing ~~any beast or fowl~~ AN  
20 ANIMAL impounded.

21       Sec. 40. The council of ~~any~~ A village may regulate and  
22 license ferries from ~~such~~ THE village, or ~~any~~ A place ~~of~~  
23 ~~landing therein, to the opposite shore, or from one part of the~~  
24 ~~village to another~~ IN THE VILLAGE; ~~and may~~ require the payment  
25 of ~~such~~ A reasonable sum for ~~such~~ A FERRY license; ~~as the~~  
26 ~~council shall deem proper, and may~~ impose ~~such~~ reasonable  
27 terms and restrictions, in relation to the keeping and management

1 of ferries ~~—~~ and the time, manner, and rates of carriage and  
 2 transportation of persons and property ~~as may be proper, and~~  
 3 ~~may~~ BY FERRY; provide for the revocation of ~~any such~~ A FERRY  
 4 license ~~—~~ and for the ~~punishment, by proper fines and penal~~  
 5 ~~ties, for violations of any~~ IMPOSITION OF SANCTIONS FOR A VIOLA-  
 6 TION OF AN ordinance prohibiting unlicensed ferries ~~—~~ or regu-  
 7 lating ~~these~~ FERRIES established and licensed.

8       Sec. 46. The village marshal is the chief of police, and,  
 9 subject to the president, ~~shall have~~ HAS the direction of the  
 10 police of the village. For the preservation of the peace, the  
 11 police officers ~~shall~~ have all the powers given by law to  
 12 constables. The police shall suppress ~~all~~ riots, disturbances,  
 13 and breaches of the peace; arrest ~~all persons~~ ANY PERSON flee-  
 14 ing from justice; ~~—~~ apprehend upon view any person found ~~in~~  
 15 ~~the act of committing any offense against the laws of the state~~  
 16 ~~or violating the ordinances~~ VIOLATING A LAW OF THIS STATE OR AN  
 17 ORDINANCE of the village in ~~any~~ A manner involving a breach of  
 18 the peace ~~—~~ and, UNLESS THE VIOLATION CONSTITUTES A CIVIL  
 19 INFRACTION, take the offender before the proper magistrate or  
 20 officer, to be punished; make complaints before the proper magis-  
 21 trate of any person known or believed by the police to be guilty  
 22 of crime or ~~any~~ RESPONSIBLE FOR violation of ~~the ordinances~~  
 23 AN ORDINANCE of the council; ~~and~~ serve ~~all processes~~ PROCESS  
 24 that may be delivered to the police for that purpose; and gener-  
 25 ally perform all duties required by the council for the good gov-  
 26 ernment of the village. This section is subject to an ordinance  
 27 adopted under section 8 of chapter V.

1        Sec. 62. The council of ~~any~~ A village owning a ~~public~~  
2 burial ~~ground or cemetery~~ PLACE, whether within or without the  
3 village, may pass and enforce ~~all ordinances~~ AN ORDINANCE nec-  
4 essary to carry into effect the provisions ~~herein and~~ OF THIS  
5 ACT CONCERNING BURIAL PLACES, to control or regulate ~~such ceme-~~  
6 ~~tery or~~ THE burial place and the improvement ~~thereof~~ OF THE  
7 BURIAL PLACE, ~~and~~ to protect ~~the same~~ IT and ~~the~~ ITS appur-  
8 tenances ~~thereof~~ from injury, and to ~~punish violations of any~~  
9 ~~lawful orders and regulations~~ IMPOSE SANCTIONS FOR A VIOLATION  
10 OF A LAWFUL ORDER OR REGULATION made by the board of cemetery  
11 trustees.

## CHAPTER X

13        Sec. 12. The council of ~~any~~ A village located upon any of  
14 the navigable waters of the state may by ordinance prescribe  
15 ~~such~~ regulations, to be observed by owners, masters, and  
16 ~~employees of steamboats and water craft as may be~~ EMPLOYEES OF  
17 WATERCRAFT, necessary ~~for the prevention of~~ TO PREVENT fires in  
18 ~~the~~ A harbor and to prevent the communication of fire from  
19 ~~such boats and craft~~ WATERCRAFT, and may prescribe in such  
20 ~~ordinances~~ AN ORDINANCE the manner of collecting any  
21 ~~penalties~~ SANCTION imposed ~~thereby~~ BY THE ORDINANCE.

22       Section 2. This amendatory act shall not take effect unless  
23 Senate Bill No. 731

**24** of the 87th Legislature is enacted into law.