



HOUSE BILL No. 4257

February 1, 1995, Introduced by Reps. Dobronski, DeHart, Anthony, Stallworth, Bennane, Scott, Gire, Goschka, Dolan, Brewer, DeMars and Pitoniak and referred to the Committee on Local Government.

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

"The home rule city act,"

as amended by Act No. 313 of the Public Acts of 1994, 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. 313 of the Public Acts of 1994, 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 MAY provide FOR ALL
6 OF THE FOLLOWING:

7 (a) ~~For laying~~ LAYING and collecting rents, tolls, and
8 excises.

1 (b) ~~For regulating~~ REGULATING and restricting the
2 locations of oil and gasoline stations.

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

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 city.

22 (e) ~~For the~~ THE regulation or prohibition of public nudity
23 within city boundaries. As used in this subdivision, "public
24 nudity" means knowingly or intentionally displaying in a public
25 place, or for payment or promise of payment by any person includ-
26 ing, but not limited to, payment or promise of payment of an
27 admission fee, any individual's genitals or anus with less than a

1 fully opaque covering, or a female individual's breast with less
2 than a fully opaque covering of the nipple and areola. Public
3 nudity does not include any of the following:

4 (i) A woman's breastfeeding of a baby whether or not the
5 nipple or areola is exposed during or incidental to the feeding.

6 (ii) Material as defined in section 2 of Act No. 343 of the
7 Public Acts of 1984, being section 752.362 of the Michigan
8 Compiled Laws.

9 (iii) Sexually explicit visual material as defined in sec-
10 tion 3 of Act No. 33 of the Public Acts of 1978, being section
11 722.673 of the Michigan Compiled Laws.

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

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

17 (h) ~~For a~~ A system of civil service for city employees,
18 including employees of that city's board of health, and employees
19 of any jail operated or maintained by the city. Charter provi-
20 sions ~~heretofore or hereafter adopted~~ providing for a system of
21 civil service for employees of a local health board are valid and
22 effective.

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

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

1 (k) ~~For the~~ THE punishment of persons who violate city
2 ordinances OTHER THAN ORDINANCES DESCRIBED IN SECTION 41(1), (2),
3 OR (3). However, the penalty for a violation of a city ordinance
4 shall not exceed a fine of ~~\$500.00~~ \$1,000.00, or imprisonment
5 for ~~90 days~~ 1 YEAR, or both.