



# HOUSE BILL No. 6177

November 12, 1996, Introduced by Rep. Profit and referred to the Committee on Judiciary and Civil Rights.

A bill to amend section 24 of Act No. 278 of the Public Acts of 1909, entitled as amended "The home rule village act," as amended by Act No. 15 of the Public Acts of 1994, being section 78.24 of the Michigan Compiled Laws.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 Section 1. Section 24 of Act No. 278 of the Public Acts of  
2 1909, as amended by Act No. 15 of the Public Acts of 1994, being  
3 section 78.24 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5 Sec. 24. A village may PROVIDE in its charter ~~provide~~ for  
6 1 or more of the following:

7 (a) The regulation of a trade, occupation, or amusement  
8 within the village's boundaries, including the sale of  
9 intoxicating liquor and the number of licenses to be issued for

1 the sale of intoxicating liquor. A charter shall not permit the  
2 sale of liquor in a county in which the sale is prohibited by  
3 operation of the general local option law of this state, but may  
4 suppress saloons for the sale of intoxicating liquor.

5 (b) The punishment of a person who violates an ordinance of  
6 the village other than an ordinance described in section 25a(1),  
7 (2), or (3). ~~A~~ THE penalty FOR A VIOLATION OF SUCH AN  
8 ORDINANCE shall not exceed a fine of \$500.00 or imprisonment for  
9 ~~90~~ 93 days, or both.

10 (c) The establishment of a department considered necessary  
11 for the general welfare of the village and for the separate  
12 incorporation of the village. This subdivision does not apply to  
13 a public school.

14 (d) The use and enjoyment of the surface of a street of the  
15 village ~~and~~ and ~~of~~ the space above and beneath the street.

16 (e) The assessment and reassessment of the cost, or a por-  
17 tion of the cost, of a public improvement to a special district.  
18 The payment of a future installment of a special assessment  
19 against a parcel of land may be made at any time in full, with  
20 interest accrued to the due date of the next installment.

21 (f) The purchase of private property for a public use or  
22 purpose within the scope of the powers of the village.

23 (g) The sale and delivery of water outside ~~of~~ the corpo-  
24 rate limits of the village in an amount determined by the legis-  
25 lative body of the village.

26 (h) The purchase of land outside the corporate limits of the  
27 village if necessary for the disposal of sewage and garbage or

1 for a purpose authorized by the state constitution of 1963 or the  
2 ~~general~~ law of this state.

3 (i) The use, upon the payment of reasonable compensation by  
4 persons other than the owner, of property located in a street,  
5 alley, or public place if the property is used in the operation  
6 of a public utility.

7 (j) A plan of streets and alleys within the village's  
8 limits.

9 (k) The use, control, and regulation of a stream, water, or  
10 watercourse within the village's boundaries, but not so as to  
11 conflict with a law, or action under a law, by which a navigable  
12 stream is bridged or dammed.

13 (l) The enforcement of each police, sanitary, or other ordi-  
14 nance that is not in conflict with the ~~general~~ law of this  
15 state.

16 (m) The exercise of each municipal power in the management  
17 and control of village property and the administration of the  
18 village government, whether the power is expressly enumerated in  
19 this act or not; an act to advance the interest of the village,  
20 and the good government and prosperity of the village and its  
21 inhabitants; and the making of ordinances that are necessary and  
22 proper for carrying into execution the powers conferred by this  
23 act, and other powers vested by the state constitution of 1963 in  
24 villages, except if forbidden by or if the subject is covered  
25 exclusively by the ~~general~~ law of this state.

26 (n) The sale and delivery of heat, power, and light outside  
27 the village's corporate limits in an amount determined by the

1 legislative body of the village, except that a sale at other than  
2 wholesale shall be limited to the area of a city, village, or  
3 township that is contiguous to the village as of June 23, 1974,  
4 and to the area of any other city, village, or township being  
5 served as of June 23, 1974. However, a village shall not sell  
6 heat, power, or light to a customer outside the village's corpo-  
7 rate limits already receiving the service from another utility  
8 unless the serving utility consents in writing. For purposes of  
9 this subdivision, "wholesale" means the sale or exchange of heat,  
10 power, or light between public utility systems, whether munici-  
11 pally, cooperatively, or privately owned.