

SUBSTITUTE FOR  
HOUSE BILL NO. 4967

A bill to amend 1909 PA 278, entitled  
"The home rule village act,"  
by amending section 24 (MCL 78.24), as amended by 1994 PA 15.

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

1       Sec. 24. A village may PROVIDE in its charter ~~provide~~ for  
2 1 or more of the following:

3       (a) The regulation of a trade, occupation, or amusement  
4 within the village's boundaries, including the sale of intoxicat-  
5 ing liquor and the number of licenses to be issued for the sale  
6 of intoxicating liquor. A charter shall not permit the sale of  
7 liquor in a county in which the sale is prohibited by operation  
8 of the general local option law of this state, but may suppress  
9 saloons for the sale of intoxicating liquor.

10       (b) The punishment of a person who violates an ordinance of  
11 the village other than an ordinance described in section 25a(1),

**HB4967, As Passed House, April 21, 1998**

House Bill No. 4967

2

1 (2), or (3). ~~A~~ THE penalty FOR A VIOLATION OF SUCH AN  
2 ORDINANCE shall not exceed a fine of \$500.00 or imprisonment for  
3 90 days, or both. HOWEVER, UNLESS OTHERWISE PROVIDED BY LAW, THE  
4 ORDINANCE MAY PROVIDE THAT A VIOLATION OF THE ORDINANCE IS PUN-  
5 ISHABLE BY IMPRISONMENT FOR NOT MORE THAN 93 DAYS OR A FINE OF  
6 NOT MORE THAN \$500.00, OR BOTH, IF THE VIOLATION SUBSTANTIALLY  
7 CORRESPONDS TO A VIOLATION OF STATE LAW THAT IS A MISDEMEANOR FOR  
8 WHICH THE MAXIMUM PERIOD OF IMPRISONMENT IS 93 DAYS.

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

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

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

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

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

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

**HB4967, As Passed House, April 21, 1998**

House Bill No. 4967

3

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

**HB4967, As Passed House, April 21, 1998**

Sub. H.B. 4967 (H-1) as amended April 21, 1998

4

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.

[Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 89th Legislature are enacted into law:

- (a) House Bill No. 4964.
- (b) House Bill No. 4965.
- (c) House Bill No. 4966.
- (d) House Bill No. 4968.
- (e) House Bill No. 5531.]