

**THE HOME RULE CITY ACT (EXCERPT)**  
**Act 279 of 1909**

**117.4h Public ways; permissible charter provisions.**

Sec. 4-h. Each city may in its charter provide:

- (1) For the use, regulation, improvement and control of the surface of its streets, alleys and public ways, and of the space above and beneath them;
- (2) For the use, by others than the owner, of property located in streets, alleys and public places, in the operation of a public utility, upon the payment of a reasonable compensation to the owners thereof;
- (3) For a plan of streets and alleys within and for a distance of not more than 3 miles beyond its limits;
- (4) For the use, control and regulation of streams, waters and water courses within its boundaries, but not so as to conflict with the law or action thereunder where a navigable stream is bridged or dammed; or with riparian or littoral rights without their corporate limits;
- (5) For securing by condemnation, by agreement or purchase, or by any other means, an easement in property abutting or adjacent to any navigable stream, for the purpose of securing the privilege and right to construct, own and maintain along or adjacent to any navigable stream an elevated structure of 1 or more levels for use as vehicular or pedestrian passageway, or for any other municipal purpose;
- (6) For the acquiring, establishment, operation, extension and maintenance of facilities for the storage and parking of vehicles within its corporate limits, including the fixing and collection of charges for services and use thereof on a public utility basis, and for such purpose to acquire by gift, purchase, condemnation or otherwise the land necessary therefor;
- (7) For the acquiring, constructing, establishment, operation, extension and maintenance of facilities for the docking of pleasure water crafts and/or hydroplanes within its corporate limits, including the fixing and collection of charges for use thereof, and for such purpose or purposes to acquire by gift, purchase, condemnation or otherwise, the land necessary therefor.

**History:** Add. 1929, Act 126, Eff. Aug. 28, 1929;—CL 1929, 2238;—Am. 1931, Act 295, Imd. Eff. June 8, 1931;—CL 1948, 117.4h