

THE GENERAL LAW VILLAGE ACT (EXCERPT)
Act 3 of 1895

72.5 Lighting works; repairs, alterations, or extensions; raising and expenditure of funds; title retention contract providing for payment from available net revenues; construction.

Sec. 5. (1) After lighting works have been purchased or constructed in the village as provided in this chapter, the council may raise and expend money to repair, alter, or extend the lighting works without submitting the question to the electors of the village. However, the sum to be so raised, in any 1 year, shall be included in, and shall not increase the total amount that the council is authorized to raise under section 1 of chapter IX.

(2) Instead of raising the funds by tax, the council may, by a contract that does not impose a general obligation on the village, provide for repairs, alterations, or extensions of the lighting works. The contract shall provide for payment of the contract out of the net revenues which, after payment of obligations due, provision for payment of obligations to become due, and payment of legitimate and necessary operating and other expenses are available from the operation of the lighting works after completion of the repairs, alterations, or extensions. The contract shall provide for the retention of title to materials furnished in the seller until paid for in full. However, a contract made under this section does not deprive the people of the village of any right vested in them by the constitution or the laws of this state, grant a franchise or its operating equivalent, or convey title to property to any person not possessed of such title before the execution of the title retaining contract.

(3) Instead of raising funds to repair, alter, or extend the lighting works by tax as provided by section 1 of chapter IX, or using funds available from the operation of the lighting works, as provided in this section, the council may borrow money and issue bonds in the manner provided in section 3 of this chapter for the acquisition or construction of lighting works, except that approval of the proposal requires the affirmative vote of 3/5 of the electors voting on the question.

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895;—CL 1897, 2905;—CL 1915, 2779;—Am. 1919, Act 309, Eff. Aug. 14, 1919;—CL 1929, 1688;—CL 1948, 72.5;—Am. 1954, Act 119, Eff. Aug. 13, 1954;—Am. 1983, Act 44, Imd. Eff. May 12, 1983;—Am. 1998, Act 254, Imd. Eff. July 13, 1998;—Am. 2002, Act 276, Imd. Eff. May 9, 2002.

Compiler's note: For provisions of section 1 of chapter 9, referred to in the first sentence, see MCL 69.1.