

# HOUSE BILL No. 4123

February 9, 1989, Introduced by Reps. Honigman, Willis Bullard, Munsell, Dunaskiss and Jondahl and referred to the Committee on Taxation.

A bill to amend section 24 of Act No. 278 of the Public Acts of 1909, entitled as amended

"An act to provide for the incorporation of villages and for revising and amending their charters; to provide for the levy and collection of taxes, borrowing of money, and issuance of bonds and other evidences of indebtedness; and to validate bonds issued and obligations previously incurred,"

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, being section 78.24 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4       Sec. 24. A village may in its charter provide FOR 1 OR MORE  
5 OF THE FOLLOWING:

6       (a) ~~For the~~ THE regulation of a trade, occupation, ~~and~~  
7 OR amusement within the village's boundaries, including the sale  
8 of ~~intoxicating~~ ALCOHOLIC liquor and the number of licenses to

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

6 (b) ~~For the~~ THE punishment ~~by a proper penalty~~ of a  
7 person who violates a law or ordinance of the village. A penalty  
8 shall not be more than a fine of \$500.00 or 90 days' imprison-  
9 ment, ~~in the county jail, village prison, or a workhouse in this~~  
10 ~~state authorized by ordinance to receive a prisoner from the~~  
11 ~~village, or both. a fine and imprisonment.~~

12 (c) ~~For the~~ THE establishment of a department considered  
13 necessary for the general welfare of the village and for the sep-  
14 arate incorporation of the village. This subdivision ~~shall~~  
15 DOES not ~~be construed to~~ extend to a public school.

16 (d) ~~For the~~ THE use and enjoyment of the surface of a  
17 street of the village and of the space above and beneath the  
18 street.

19 (e) ~~For the~~ THE assessment and reassessment of the cost,  
20 or a portion of the cost, of a public improvement to a special  
21 district. The payment of a future due installment of a special  
22 assessment against a parcel of land may be made at any time in  
23 full, with interest accrued to the due date of the next  
24 installment. IF THE COST OF ACQUISITION, IMPROVEMENT, MAINTENANCE,  
25 AND OPERATION OF A PUBLIC PARK OR THE COST OF ACQUISITION  
26 OR CONSTRUCTION, IMPROVEMENT, MAINTENANCE, AND OPERATION OF A  
27 PUBLIC PARKING FACILITY IS RECOVERED ENTIRELY BY SPECIAL

1 ASSESSMENTS, THE LEGISLATIVE BODY OF THE VILLAGE MAY LIMIT ACCESS  
2 TO THE PUBLIC PARK OR PARKING FACILITY TO THE OWNERS AND OCCU-  
3 PANTS OF PROPERTY IN THE SPECIAL ASSESSMENT DISTRICT AND THEIR  
4 GUESTS AND PATRONS.

5 (f) ~~For the~~ THE purchase of private property for a public  
6 use or purpose within the scope of ~~its~~ THE VILLAGE'S powers.

7 (g) ~~For the~~ THE sale and delivery of water outside of  
8 ~~its~~ THE VILLAGE'S corporate limits in an amount ~~as may be~~  
9 determined by the legislative body of the village.

10 (h) ~~For the~~ THE acquisition, by purchase, OF land outside  
11 ~~its~~ THE VILLAGE'S corporate limits necessary for the disposal  
12 of sewage ~~and~~ OR garbage ~~,~~ or for a purpose authorized by the  
13 state constitution of 1963 or the general law of this state.

14 (i) ~~For the~~ THE use, upon the payment of reasonable com-  
15 pensation by others than the owner, of property located in a  
16 street, alley, or public place and used in the operation of a  
17 public utility.

18 (j) ~~For a~~ A plan of streets and alleys within the  
19 village's limits.

20 (k) ~~For the~~ THE use, control, and regulation of a stream,  
21 water, or ~~water course~~ WATERCOURSE within the village's bounda-  
22 ries, but not so as to conflict with a law or action under a law  
23 by which a navigable stream is bridged or dammed.

24 (l) ~~For the~~ THE enforcement of ~~each~~ local, police, sani-  
25 tary, or other ~~regulation as is~~ REGULATIONS not in conflict  
26 with the general law of this state.

1       (m) ~~For the~~ THE exercise of each municipal power in the  
2 management and control of municipal property and in the  
3 administration of the municipal government, whether the power is  
4 expressly enumerated in this act or not; ~~for~~ an act to advance  
5 the interest of the village ~~—~~ and the good government and pros-  
6 perity of the municipality and its inhabitants; and ~~for~~ the  
7 making OF laws ~~which~~ THAT are necessary and proper for carrying  
8 into execution each of the ~~foregoing~~ powers ~~and other powers~~  
9 vested by THIS ACT OR the state constitution of 1963 in villages,  
10 except if forbidden, or if the subject is covered exclusively by  
11 the general law of this state.

12       (n) ~~For the~~ THE sale and delivery of heat, power, and  
13 light outside the village's corporate limits at wholesale or  
14 other than wholesale in an amount ~~as may be~~ determined by the  
15 legislative body of the village, except that a sale at other than  
16 wholesale shall be limited to the area of a city, village, or  
17 township ~~which~~ THAT is contiguous to the village as of June 23,  
18 1974, and to the area of any other city, village, or township  
19 being served as of June 23, 1974. However, a village shall not  
20 render heat, power, or light to a customer outside the village's  
21 corporate limits already receiving the service from another util-  
22 ity unless the serving utility consents in writing. For purposes  
23 of this subdivision, ~~"wholesale" means the sale or exchange~~  
24 AND DELIVERY of heat, power, or light AT "WHOLESALE" MEANS SALE  
25 AND DELIVERY between public utility systems, whether municipally,  
26 cooperatively, or privately owned.