

# SENATE BILL No. 85

February 1, 1989, Introduced by Senator FESSLER and referred to the  
Committee on Local Government and Veterans.

A bill to amend sections 45 and 46 of chapter VII of Act  
No. 3 of the Public Acts of 1895, entitled as amended

"An act to provide for the incorporation of villages; to define  
their powers and duties; to provide for the levy and collection  
of taxes, borrowing of money, and issuance of bonds and other  
evidences of indebtedness by villages; to define the powers and  
duties of the municipal finance commission or its successor  
agency and of the department of treasury with regard thereto; to  
define the application of this act and provide for its amendment  
by villages subject thereto; and to validate prior amendments and  
certain prior actions taken and bonds issued by villages,"

section 46 as amended by Act No. 173 of the Public Acts of 1985,  
being sections 67.45 and 67.46 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Sections 45 and 46 of chapter VII of Act No. 3  
2 of the Public Acts of 1895, section 46 as amended by Act No. 173  
3 of the Public Acts of 1985, being sections 67.45 and 67.46 of the  
4 Michigan Compiled Laws, are amended to read as follows:

1

## CHAPTER VII

2       Sec. 45. The council shall make all necessary rules for the  
3 government of the police, and prescribe the powers and duties of  
4 ~~police~~ POLICE OFFICERS and watchmen. ~~, and they~~ THE  
5 COUNCIL may invest ~~them with such~~ THE POLICE OFFICERS AND  
6 WATCHMEN WITH THE authority ~~as~~ THAT may be necessary for the  
7 preservation of quiet and good order in the village. HOWEVER,  
8 THE COUNCIL SHALL NOT REQUIRE THAT A POLICE OFFICER EMPLOYED BY  
9 THE VILLAGE OR AN APPLICANT FOR EMPLOYMENT AS A POLICE OFFICER  
10 RESIDE WITHIN THE CORPORATE LIMITS OF THE VILLAGE.

11       Sec. 46. The village marshal is the chief of police, and  
12 subject to the president, shall have the direction of the police  
13 of the village. THE VILLAGE MARSHAL SHALL NOT REQUIRE THAT A  
14 POLICE OFFICER EMPLOYED BY THE VILLAGE OR AN APPLICANT FOR  
15 EMPLOYMENT AS A POLICE OFFICER RESIDE WITHIN THE CORPORATE LIMITS  
16 OF THE VILLAGE. For the preservation of the peace, the police  
17 officers shall have all the powers given by law to constables.  
18 The police shall suppress all riots, disturbances, and breaches  
19 of the peace; arrest all persons fleeing from justice, apprehend  
20 upon view any person found in the act of committing any offense  
21 against the laws of the state or violating the ordinances of the  
22 village in any manner involving a breach of the peace, and take  
23 the offender before the proper magistrate or officer ~~, and~~ to be  
24 punished; make complaints before the proper magistrate of any  
25 person known or believed by the police to be guilty of crime or  
26 any violation of the ordinances of the council; ~~and~~ serve all  
27 processes that may be delivered to the police for that purpose;

1 and generally perform all duties required by the council for the  
2 good government of the village. This section is subject to an  
3 ordinance adopted under section 8 of chapter V.