

SENATE BILL No. 336

April 18, 1989, Introduced by Senators CROPSEY, MILLER, DILLINGHAM, FESSLER, WELBORN, DINGELL, GEAKE, BINSFELD, POSTHUMUS, FAUST, ARTHURHULTZ, SCHWARZ, GEO. HART, IRWIN, J. HART, DI NELLO, EHLERS, SHINKLE, GAST, DE GROW, N. SMITH, O'BRIEN, CRUCE, POLLACK and ENGLER and referred to the Committee on Local Government and Veterans.

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 ANY OF
5 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 liquor and the number of licenses to be issued

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

6 (b) ~~For the~~ THE punishment, by a proper penalty, of a
7 person who violates ~~a law or~~ AN ordinance of the village. ~~A~~
8 EXCEPT AS PROVIDED IN ACT NO. 343 OF THE PUBLIC ACTS OF 1984,
9 BEING SECTIONS 752.361 TO 752.374 OF THE MICHIGAN COMPILED LAWS,
10 THE penalty FOR AN ORDINANCE VIOLATION shall not ~~be more than~~
11 EXCEED a fine of \$500.00, or 90 days' imprisonment, ~~in the~~
12 ~~county jail, village prison, or a workhouse in this state autho-~~
13 ~~rized by ordinance to receive a prisoner from the village, or~~
14 ~~both. a fine and imprisonment.~~

15 (c) ~~For the~~ THE establishment of a department considered
16 necessary for the general welfare of the village, and for the
17 separate incorporation of the village. This subdivision shall
18 not be construed to extend to a public school.

19 (d) ~~For the~~ THE use and enjoyment of the surface of a
20 street of the village, and of the space above and beneath the
21 street.

22 (e) ~~For the~~ THE assessment and reassessment of the cost,
23 or a portion of the cost, of a public improvement to a special
24 district. The payment of a future ~~due~~ installment of a special
25 assessment against a parcel of land may be made at any time in
26 full, with interest accrued to the due date of the next
27 installment.

1 (f) ~~For the~~ THE purchase of private property for a public
2 use or purpose within the scope of ~~its~~ THE powers OF THE
3 VILLAGE.

4 (g) ~~For the~~ THE sale and delivery of water outside of
5 ~~its~~ THE corporate limits OF THE VILLAGE, in an amount ~~as may~~
6 ~~be~~ determined by the legislative body of the village.

7 (h) ~~For the~~ THE acquisition ~~—~~ by purchase ~~—~~ OF land
8 outside ~~its~~ THE corporate limits OF THE VILLAGE, IF THE ACQUI-
9 SITION IS necessary for the disposal of sewage and garbage, or
10 for a purpose authorized by the state constitution of 1963, or
11 ~~the general~~ FOR A PURPOSE AUTHORIZED BY ANY OTHER law of this
12 state.

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

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

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

23 (l) ~~For the~~ THE enforcement of ~~each~~ A local, police,
24 sanitary, or other regulation ~~as is~~ not in conflict with ~~the~~
25 ~~general~~ ANY OTHER law of this state.

26 (m) ~~For the exercise of each municipal power in the~~ THE
27 management and control of ~~municipal~~ VILLAGE property, and ~~in~~

1 the administration of the ~~municipal~~ VILLAGE government, whether
2 the power is expressly enumerated in this act or not; for an act
3 to advance the interest of the village, and the good government
4 and prosperity of the ~~municipality~~ VILLAGE and its inhabitants;
5 ~~and for~~ the making laws which are necessary and proper for car-
6 rying into execution ~~each of~~ the ~~foregoing~~ powers CONFERRED
7 BY THIS ACT, and other powers vested by the state constitution of
8 1963 in villages, except if forbidden, or if the subject is cov-
9 ered exclusively by the general law of this state.

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