

# SENATE BILL No. 527

July 26, 1989, Introduced by Senator WELBORN 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 THE penalty FOR AN ORDINANCE VIOLATION shall not ~~be more than~~  
9 EXCEED a fine of \$500.00, or ~~90 days~~ imprisonment ~~in the~~  
10 ~~county jail, village prison, or a workhouse in this state autho-~~  
11 ~~rized by ordinance to receive a prisoner from the village~~ FOR  
12 180 DAYS, or both. ~~a fine and imprisonment.~~

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

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

20 (e) ~~For the~~ THE assessment and reassessment of the cost,  
21 or a portion of the cost, of a public improvement to a special  
22 district. The payment of a future ~~due~~ installment of a special  
23 assessment against a parcel of land may be made at any time in  
24 full, with interest accrued to the due date of the next  
25 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 local,~~ police, sani-  
24 tary, or other ~~regulation as~~ ORDINANCE THAT is not in conflict  
25 with ~~the 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  
3 act to advance the interest of the village, and the good govern-  
4 ment and prosperity of the ~~municipality~~ VILLAGE and its inhab-  
5 itants; ~~and for~~ the making OF laws ~~which~~ THAT are necessary  
6 and proper for carrying into execution ~~each of~~ the ~~foregoing~~  
7 powers CONFERRED BY THIS ACT, and other powers vested by the  
8 state constitution of 1963 in villages, except if forbidden, or  
9 if the subject is covered exclusively by the general law of this  
10 state.

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