



# HOUSE BILL No. 6180

November 12, 1996, Introduced by Rep. Profit and referred to the Committee on Judiciary and Civil Rights.

A bill to amend section 4i of Act No. 279 of the Public Acts of 1909, entitled as amended

"The home rule city act,"

as amended by Act No. 179 of the Public Acts of 1996, being section 117.4i of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 4i of Act No. 279 of the Public Acts of  
2 1909, as amended by Act No. 179 of the Public Acts of 1996, being  
3 section 117.4i of the Michigan Compiled Laws, is amended to read  
4 as follows:

5 Sec. 4i. Each city may PROVIDE in its charter ~~provide~~ FOR  
6 1 OR MORE OF THE FOLLOWING:

7 (a) ~~For laying~~ LAYING and collecting rents, tolls, and  
8 excises.

1 (b) ~~For regulating~~ REGULATING and restricting the  
2 locations of oil and gasoline stations.

3 (c) ~~For the~~ THE establishment of districts or zones within  
4 which the use of land and structures, the height, area, size, and  
5 location of buildings, the required open spaces for light and  
6 ventilation of buildings, and the density of population may be  
7 regulated by ordinance. The zoning ordinance provisions applica-  
8 ble to 1 or more districts may differ from those applicable to  
9 other districts. If a city is incorporated, or if territory is  
10 annexed to a city incorporated under this act, the zoning ordi-  
11 nance provisions applicable to the territory within the newly  
12 incorporated city or the annexed territory shall remain in effect  
13 for 2 years after the incorporation or annexation unless the leg-  
14 islative body of the city lawfully adopts other zoning ordinance  
15 provisions.

16 (d) ~~For the~~ THE regulation of trades, occupations, and  
17 amusements within city boundaries, if the regulations are not  
18 inconsistent with state or federal law, and ~~for~~ the prohibition  
19 of trades, occupations, and amusements that are detrimental to  
20 the health, morals, or welfare of the inhabitants of that city.

21 (e) ~~For the~~ THE regulation or prohibition of public nudity  
22 within city boundaries. As used in this subdivision, "public  
23 nudity" means knowingly or intentionally displaying in a public  
24 place, or for payment or promise of payment by any person includ-  
25 ing, but not limited to, payment or promise of payment of an  
26 admission fee, any individual's genitals or anus with less than a  
27 fully opaque covering ~~—~~ or a female individual's breast with

1 less than a fully opaque covering of the nipple and areola.

2 Public nudity does not include any of the following:

3 (i) A woman's breastfeeding of a baby whether or not the  
4 nipple or areola is exposed during or incidental to the feeding.

5 (ii) Material as defined in section 2 of Act No. 343 of the  
6 Public Acts of 1984, being section 752.362 of the Michigan  
7 Compiled Laws.

8 (iii) Sexually explicit visual material as defined in sec-  
9 tion 3 of Act No. 33 of the Public Acts of 1978, being section  
10 722.673 of the Michigan Compiled Laws.

11 (f) ~~For licensing~~ LICENSING, regulating, restricting, and  
12 limiting the number and locations of billboards within the city.

13 (g) ~~For the~~ THE initiative and referendum on all matters  
14 within the scope of the powers of that city ~~and for~~ the  
15 recall of city officials.

16 (h) ~~For a~~ A system of civil service for city employees,  
17 including employees of that city's board of health, and employees  
18 of any jail operated or maintained by the city. Charter provi-  
19 sions providing for a system of civil service for employees of a  
20 local health board are valid and effective.

21 (i) ~~For a~~ A system of compensation for city employees and  
22 the dependents of city employees in the case of disability,  
23 injury, or death of city employees.

24 (j) ~~For the~~ THE enforcement of police, sanitary, and other  
25 ordinances that are not in conflict with the general laws.

26 (k) ~~For the~~ THE punishment of persons who violate city  
27 ordinances other than ordinances described in section 41(1), (2),

1 or (3). ~~However, the~~ THE penalty for a violation of such a  
2 city ordinance shall not exceed a fine of \$500.00 ~~—~~ or impris-  
3 onment for ~~90~~ 93 days, or both.