

THE GENERAL LAW VILLAGE ACT (EXCERPT)
Act 3 of 1895

67.1 General powers of council.

Sec. 1.

A village subject to this act has, in addition to other powers that are conferred, the general power and authority granted in this chapter. The council of a village subject to this act may enact ordinances relating to the powers described in this section as it considers proper, including, but not limited to, ordinances relating to 1 or more of the following:

- (a) To restrain and prevent vice and immorality.
- (b) To punish vagrants, disorderly persons, and prostitutes.
- (c) To abate nuisances and preserve the public health.
- (d) To prohibit and suppress disorderly houses and gaming houses.
- (e) To regulate, license, or suppress billiard tables and ball alleys, public dance halls, and soft drink emporiums.
- (f) To suppress gaming.
- (g) To regulate and license public shows and exhibitions.
- (h) To license auctioneers, license and regulate hawkers and peddlers, to regulate or prohibit sales of property at auction except sales made pursuant to an order of a court or public law, to require transient traders and dealers to obtain a license before engaging in business, and to regulate by ordinance the terms and conditions of issuing those licenses.
- (i) To license and regulate hacks and other public vehicles.
- (j) To provide for and regulate the inspection of provisions.
- (k) To regulate or prohibit bathing in the rivers, ponds, streams, and waters of the village.
- (l) To regulate or prohibit the selling, storing, or transportation of combustible or explosive substances or materials within the village, and to regulate and restrain the making of fires in the streets or other open spaces in the village.
- (m) To provide for the organization and regulation of a fire department, to provide for the prevention and extinguishment of fires, and to establish and maintain definite fire limits.
- (n) To license and regulate solicitors for passengers or baggage for any hotel, tavern, public house, boat, or railroad, and draymen, carmen, truckmen, porters, runners, drivers of cabs, hackney coaches, omnibuses, carriages, sleighs, express vehicles, and other vehicles used and employed for hire, and to fix and regulate the amount and rate of compensation of those individuals.
- (o) To require horses, mules, or other animals attached to any vehicle or standing in any street, lane, or alley in the village to be securely fastened, hitched, watched, or held.
- (p) To prevent and punish horse racing and immoderate driving in any street, park, or alley and to authorize the stopping and detaining of any person who is immoderately driving or riding in any street, park, or alley in the village.
- (q) To prevent the running at large of dogs, to require dogs to be muzzled, and to authorize the destruction of dogs found at large in violation of an ordinance of the village.
- (r) To establish lines and grades upon which buildings may be erected, and beyond which buildings shall not extend.
- (s) To prevent the erection and provide for the removal of buildings considered unsafe.
- (t) To regulate the placement and provide for the preservation of horse posts or hitching posts.
- (u) To declare and define the powers and duties of the officers of the village whose powers and duties are not specifically prescribed in this act.
- (v) To require the treasurer or marshal of the village, and other officers of the village as the council considers proper to give bonds for the discharge of their official duties.
- (w) To see that the officers of the village perform their duties faithfully and that proper measures are taken to punish neglect of duty by any officer of the village.
- (x) To provide for the care, custody, and preservation of the public property of the village.
- (y) To investigate any matter that may come under the jurisdiction of the village and that is pursuant to the authority vested in the council or in any officer under this act. The council by majority consent of the council members serving may serve upon a person a subpoena that has been authorized by a court of proper jurisdiction in the county in which the village is located compelling the person to appear before the council or any committee of the council to be examined under oath or to produce a document or object for inspection or copying. If a person objects to or otherwise fails to comply with the written notice served upon him or her, the council may file in that court an action to enforce the subpoena. The court may issue an order requiring the person to appear to be examined or to produce a document or object for inspection or copying. Failure to obey the order of the court is

punishable by the court as a contempt.

(z) To adopt other ordinances and make other regulations for the safety and good government of the village and the general welfare of its inhabitants that are not inconsistent with the general laws of this state.

(aa) To regulate or prohibit public nudity within village boundaries. As used in this subdivision, "public nudity" means knowingly or intentionally displaying in a public place, or for payment or promise of payment by any person including, but not limited to, payment or promise of payment of an admission fee, any individual's genitals or anus with less than a fully opaque covering, or a female individual's breast with less than a fully opaque covering of the nipple and areola. Public nudity does not include any of the following:

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

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

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

History: 1895, Act 3, Imd. Eff. Feb. 19, 1895 ;-- CL 1897, 2769 ;-- Am. 1915, Act 57, Eff. Aug. 24, 1915 ;-- CL 1915, 2640 ;-- Am. 1921, Act 21, Eff. Aug. 18, 1921 ;-- CL 1929, 1549 ;-- CL 1948, 67.1 ;-- Am. 1988, Act 118, Imd. Eff. May 2, 1988 ;-- Am. 1991, Act 176, Eff. Mar. 30, 1992 ;-- Am. 1994, Act 16, Eff. May 1, 1994 ;-- Am. 1994, Act 314, Imd. Eff. July 21, 1994