

CHAPTER 2. - MUNICIPAL POWERSSection 2.1. - General powers.**Section 2.1. - General powers.**

The City and its officers shall have the power to manage and control its finances, rights, interests, buildings, and property, to enter into contracts, to do any act to advance the interest, good government, and prosperity of the City and its inhabitants, to protect the public peace, health, safety, and general welfare, and to prevent and restrain crime and vice. In the exercise of such powers, the City may enact ordinances, rules, and regulations and take such other action as may be required, not inconsistent with law. The power of the City shall include but shall not be limited to the following:

- (a) To declare as a hazard or nuisance any act or condition upon public or private property, or both, including, but not limited to, the accumulation of rubbish and the growing of noxious weeds, which is, or may be dangerous to the health, safety, or welfare of the inhabitants of the City; to provide for the abatement thereof, and to provide that cost of such abatement shall be charged as a special assessment against the real property on which the hazard or nuisance is located.
- (b) To provide for the public welfare by:
 - (1) Regulating trades, occupations, and amusements within the City, and prohibiting trades, occupations, and amusements which are detrimental to the safety, health or welfare of its inhabitants;
 - (2) Regulating the preparation, storage, transportation, and sale of foods, drugs, and beverages for human consumption;
 - (3) Collecting and disposing of garbage and rubbish and liquid waste disposal;
 - (4) Licensing and regulating the number of vehicles, which carry persons or property for hire, fixing the rates of fare and charges, and determining the locations of stands for such vehicles;
 - (5) Licensing and regulating billboards and advertising signs and locations thereof;
 - (6) Regulating the construction, erection, alteration, equipment, repair, moving, removal, and demolition of buildings and structures and their appurtenances and service equipment;
 - (7) Regulating the location, height and type of fences abutting public or between private properties;
 - (8) Establishing zones within the City and regulating therein the use and occupancy of lands or structures; the height, area, size and location of buildings, the required open spaces for light and ventilation of buildings, and the density of population;
 - (9) Regulating, limiting, and prohibiting the construction and use of buildings and lands in order to promote the public safety and to prevent fires;
 - (10) Regulating and controlling the use of streams, waters, and water courses within the City in any manner consistent with provisions of law;
- (c) Power to establish and reasonably control streets, alleys, bridges, and public places, and the space above and beneath them, and the use thereof by:
 - (1) Creating and vacating the same and acquiring and disposing of land, or any interest in land, required therefor, including any surplus land which may be incidental to or necessary for the purchase of land required;
 - (2) Providing a plan of streets and alleys within and for a distance beyond the limits of the City as permitted by law;
 - (3) Requiring the owners of real property to build and maintain public sidewalks according to plan in the area of streets immediately adjacent to such property, and, upon failure of any owner to do so, construct and maintain such sidewalks and assess the cost thereof against such property as a special assessment;
 - (4) Compelling all persons to keep sidewalks which are in the area of streets immediately adjacent to the premises owned, controlled, or occupied by them, free from snow, ice, dirt, wood, shrubbery, or any other object which obstructs such sidewalks, or which makes the same hazardous or offensive to the public health or safety, and, upon failure of such persons to do so, to cut and remove such weeds or to remove such objects, and to assess the cost thereof against such property as a special assessment.
 - (5) Compelling all persons to care for the untraveled portions of the streets lying between the traveled portion and the property line which abut upon premises owned, controlled or occupied by them, and to keep the same free from weeds and from objects which are offensive or hazardous to public health and safety, and, upon failure to do so, cutting and removing such objects and assessing the cost thereof against such adjoining property as a special assessment;
 - (6) Providing for the grade of streets and requiring public utility users of streets and other public places to conform thereto with respect to their tracks, lines or facilities located on, above, or under the streets or alleys, requiring railroads to keep their tracks and the street surface between the tracks, and for the legally required distance on each side of them in reasonable repair at all times, but in any case, at least one and one-half feet on each side of the tracks;
 - (7) Regulating the speed of vehicles, trains, and locomotives upon or across the streets within the provisions and limitations of law, and the stopping and parking of the same upon the streets and at street crossings;
 - (8) Providing for and regulating the lighting of streets and alleys, whether such lights be located on public or private property;
 - (9) Preventing and abating the encumbering of streets and alleys or any part thereof;
 - (10) Regulating the location of buildings and structures and of trees, shrubbery, or signs at or near street corners and street intersections with alleys and driveways, so as to provide for the public safety and welfare in the use of streets and alleys;
 - (11) Providing for and regulating the numbering of buildings upon property abutting the streets and alleys and compelling the owners and occupants thereof to affix numbers thereto;
 - (12) Providing for the use by other than the owner, of property located on, above, or under the streets, alleys, and public places, in the operation of a utility, upon the payment of reasonable compensation therefor to the owner thereof;
 - (13) Providing for the planting and general care and protection of trees and shrubbery within the streets and public places of the City and preventing the cutting of limbs and branches for the placing and maintenance of utility wires without the consent of the designated officer or agency of the City;
 - (14) Providing for the control over all trees, shrubs and plants in the public streets, highways, parks, or other public places in the City, all dead and diseased trees on private property and the trees on private property over-hanging the street, sidewalk, or public places, including the removal thereof and assessing the cost thereof against the abutting property as a special assessment;
 - (15) Regulating the use, occupancy, sanitation and the parking of house trailers or mobile homes within the City, and the right of the City to so regulate them shall not be abrogated thereof because of any detachment from wheels or because of placing them on, or attaching them to the ground by means of any temporary or permanent foundation or in any manner whatsoever.
- (d) To undertake any public work or make any public improvement or any repair or replacement thereof, either directly or by contract with public bodies or private persons; and to participate in any public work or public improvement under any lawful plan by which the whole or partial support of such work or improvement is provided by another governmental unit or agency.
- (e) To construct, provide, maintain, extend, operate, and improve:
 - (1) Within the City, a City Hall, City office buildings, police and fire stations, civic auditoriums, public libraries, and polling places; and,
 - (2) Either within or without the corporate limits of the City or of the County; Public Parks, recreation grounds, zoological gardens, museums, airports and landing fields and facilities for the landing of helicopters and air vehicles having like characteristics, cemeteries, levees, embankments, and structures for flood control and other purposes related to the public health, safety, welfare; electric light and power plants and systems, public heating systems and plants, gas plants and systems, water works and water treatment plants and systems, storm sewers, garbage and rubbish collection and disposal facilities, market buildings and market places, facilities for the storage and parking of vehicles, hospitals, and any other structure or facility which is devoted to or intended for public purposes within the scope of the powers of the City;
- (f) To acquire by purchase, gift, condemnation, lease or otherwise, real and personal property, and interests in property, either within or without the corporate limits of the City or of the County, for any public purpose or use within the scope of its powers, including, but not by way of limitations, the uses and purposes set forth in this section.
- (g) To join any municipal corporation or with any other unit or agency of government, whether local, state or federal, or with any number or combination thereof, by contract or otherwise, as may be permitted by law, in the ownership, operation, or performance, jointly or by one or more on behalf of all, of any property, facility or service which each would have the power to own, operate or perform separately.

State law reference— Permissible charter powers, MCL 117.4a et seq.