

## City of Williamston – Tree Authority

### CHAPTER 2. MUNICIPAL POWERS AND LIABILITIES

#### Sec. 2.1. General Powers.

(a) Unless otherwise provided or limited in this charter, the city shall possess and be vested with all the powers, privileges, and immunities, expressed or implied, which cities are permitted by law to exercise or to include in their charters. The enumeration of particular powers, privileges, or immunities in this section or elsewhere in this charter shall not be held to be exclusive.

(b) The city shall have power to manage and control its finances, rights, interests, building, and property, to enter into contracts, to do any act to advance the interests, and to protect the public peace, morals, health, safety, and general welfare. 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:

(1) To declare as a hazard or nuisance any act or condition, upon public or private property, or both, which is or may be dangerous to the health, safety, morals, or welfare of the inhabitants of the city, including, but not limited to, the accumulation of rubbish and the growing of noxious weeds; to provide for the abatement thereof; and to provide that the costs of such abatement shall be charged as a special assessment against the real property on which the hazard or nuisance is located.

(2) To provide for the public welfare by:

(a) Regulating trades, occupations, and amusements within the city, and prohibiting trades, occupations, and amusements which are detrimental to the safety, health, morals, or welfare of its inhabitants;

(b) Regulating the preparation, storage, transportation, and sale of foods, drugs, and beverages for human consumption;

(c) Collecting and disposing of garbage and rubbish;

(d) Licensing and regulating the number of vehicles which carry persons or property for hire, fixing the rates of fare and charges, and determining the location of stands for such vehicles;

(e) Licensing and regulating billboards and advertising signs and the locations thereof;

(f) Regulating the construction, erection, alteration, equipment, repair, moving, removal, and demolition of buildings and structures and their appurtenances and service equipment;

(g) Establishing zones within the city and regulating therein the use and occupancy of lands and structures; the heights, area, size, and location of buildings; the required open spaces for light and ventilation of buildings, and the density of population;

(h) Regulating, limiting, and prohibiting the construction and use of buildings and lands in order to promote the public safety and to prevent fires;

(i) Regulating and controlling the use of streams, waters, and watercourses within the city.

- (3) To establish and reasonably control streets, alleys, bridges, and public places, and the space above and beneath them, and the use thereof by:
- (a) Creating and vacating the same and acquiring and disposing of land, or any interest in land, required therefor;
  - (b) Providing a plan of streets and alleys within the city and for a distance of not more than three miles beyond its limits;
  - (c) Compelling all persons to care for the untraveled portions of streets lying between the curbs and sidewalks, 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 the failure to do so, to cut and remove such objects and assess the cost thereof against such property as a special assessment;
  - (d) 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, weeds, shrubbery, or any other object which obstructs such sidewalks, or which makes the same offensive or hazardous to the public health or safety, and upon failure to do so, to cut and remove such weeds and remove such objects and to assess the cost thereof against such property as a special assessment;
  - (e) Providing for the grade of streets and requiring public utility users of the streets to conform thereto with respect to their tracks or facilities located on, above, or under the streets; requiring railroads, to keep their tracks and the street surface between and for a distance of one and one half feet on each side of them, in reasonable repair at all times;
  - (f) 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;
  - (g) Providing for and regulating the lighting of streets and alleys;
  - (h) Preventing and abating the encumbering of streets and alleys or any part thereof;
  - (i) Regulating the location of buildings and structures and of trees and shrubbery at or near street corners and street intersections with alleys to provide for the public safety and welfare in the use of streets and alleys;
  - (j) 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;
  - (k) Providing for the use, by other than the owners, of property located, on, above, or under the streets, alleys, and public places, in the operation of a utility upon the payment of a reasonable compensation therefor to the owner thereof;
  - (l) Providing for the planting, removal, 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 Council.
- (4) To undertake any public work or make any public improvement or any repair or replacement thereof, either directly or by contract with 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 public improvement is provided by another governmental unit or agency;

(5) To construct, provide, maintain, extend operate, and improve:

(a) Within the city: a city hall; city office buildings; community buildings, police stations, fire stations; civic auditoriums; public libraries; and polling places; and,

(b) Either within or without the corporate limits of the city or of Ingham County; public parks; recreation grounds and stadiums; municipal camps; public grounds; zoological gardens; museums; airports and landing fields; facilities for the landing of helicopters; cemeteries; electric light and power plants and systems; gas plants and systems; public hearing plants and systems; waterworks and systems; sewage disposal plants and systems; storm sewers; garbage disposal facilities; refuse and rubbish disposal facilities; market houses and market places; public transportation facilities; 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;

(6) To acquire by purchase, gift, condemnation, construction, lease, or otherwise, real and personal property, and interests in property, either within or without the corporate limits of the city or of Ingham County, for any public use or purpose within the scope of its powers, including, but not by way of limitation, the uses and purposes set forth in this section;

(7) To join with any other municipal corporation or with any other unit or agency of government, 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, or any property, facility, or service which each would have the power to own, operate, or perform separately.

**State law references:** Mandatory that charter provide for the public peace and health and for the safety of persons and property, MCL 117.3(j); permissible that charter provide for the acquisition of property and certain facilities, MCL 117.4e.; permissible charter provisions relative to public ways, MCL 117.4h; charter may provided for The regulation of trades, occupations, and amusements within city boundaries, MCL 117.4i(d).