

**SUBSTITUTE FOR
SENATE BILL NO. 304**

A bill to amend 1899 LA 437, entitled
"An act to vacate the Township of Holmes and Village of Mackinac in
Mackinac County, State of Michigan, and to Incorporate the City of
Mackinac Island in said Mackinac County,"
by amending section 1 of chapter IX and section 1 of chapter XVI;
and to provide for a referendum.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER IX

GENERAL POWERS OF CITY CORPORATION

Section 1. Said City of Mackinac Island shall, in addition to
such other powers as are herein conferred, have the general powers
and authority in this chapter mentioned; and the council may pass
such ordinances in relation thereto and for the exercise of the

1 same, as they may deem proper, namely:

2 First, to restrain and prevent vice and immorality, gambling,
3 noise and disturbance, indecent or disorderly conduct or
4 assemblages, and to punish for the same; to prevent and quell
5 riots; to preserve peace and good order, and to protect the
6 property of the corporation, and of its inhabitants, and of any
7 association, public or private corporation or congregation therein,
8 and to punish for injuries thereto, or for unlawful interference
9 therewith;

10 Second, to apprehend and punish vagrants, truants, mendicants,
11 street beggars, drunkards and persons found drunk in any of the
12 public streets or places in the city, disorderly persons, and
13 persons conducting themselves in a disorderly manner in any of the
14 public streets or places in the city, and common prostitutes;

15 Third, to prevent injury or annoyance from anything dangerous,
16 offensive, or unhealthy; to prohibit and remove anything tending to
17 cause or promote disease; to prevent and abate nuisances, and to
18 punish those occasioning them, or neglecting or refusing to abate,
19 discontinue, or remove the same;

20 Fourth, to prohibit and suppress all disorderly houses and
21 places, houses of ill-fame, assignation houses, gambling houses,
22 and all places where persons resort for gaming or to play at games
23 of chance, and to punish the keepers thereof;

24 Fifth, to regulate or license the use of billiard tables, nine
25 or ten-pin alleys or tables, and ball alleys;

26 Sixth, to prohibit and suppress every species of gaming, and
27 to authorize the seizure and destruction of all instruments and
28 devices used for the purpose of gaming;

29 Seventh, to prohibit and prevent the selling or giving of any

1 spirituous, fermented or intoxicating liquors to any drunkard or
2 intemperate person, minor or apprentice, and to punish any person
3 so doing;

4 Eighth, to regulate, restrain or prohibit all sports,
5 exhibitions of natural or artificial curiosities, caravans,
6 circuses, menageries, theatrical exhibitions, shows, and all
7 exhibitions of whatever name or nature, for which money or other
8 reward is in any manner demanded or received; lectures on historic,
9 literary, or scientific subjects excepted;

10 Ninth, to prevent and punish violations of the Sabbath day,
11 and the disturbances of any religious meeting, congregation or
12 society, or other public meeting assembled for any lawful purpose;
13 and to require all places of business to be closed on the Sabbath
14 day;

15 Tenth, to license auctioneers, auctions and sales at auction;
16 to regulate or prohibit the sale of live or domestic animals at
17 auction in the streets or alleys, or upon any public grounds within
18 the city; to regulate or prohibit the sale of goods, wares,
19 property, or anything at auction, or by any manner of public
20 biddings or offers by the buyers or sellers after the manner of
21 auction sales, and to license the same, and to regulate the fees to
22 be paid by and to auctioneers; but no license shall be required in
23 case of sales required by law to be made at auction or public
24 vendue;

25 Eleventh, to license hawkers, peddlers, and pawnbrokers, and
26 hawking and peddling, and to regulate, license or prohibit the sale
27 or peddling of goods, wares, merchandise, refreshments, or any kind
28 of property or thing by persons going about from place to place in
29 the city for that purpose, or from any stand, cart, vehicle, or

1 other device in or upon the streets, highways, alleys, sidewalks,
2 or in or upon the wharves, docks, or from boats, open places or
3 spaces, public grounds or buildings in the city;

4 Twelfth, to license and regulate wharf boats, and to regulate
5 the use of tugs and other boats used in and about the harbor, and
6 within the jurisdiction of the city;

7 Thirteenth, to establish or authorize, license and regulate
8 ~~ferries~~**all aspects of ferry service** to and from the city, or any
9 place therein, or from one part of the city to another, and to
10 regulate and prescribe from time to time ~~the~~**all** charges and prices
11 for **or in connection with** the transportation of persons and
12 property, ~~thereon~~**by ferry, including, but not limited to, baggage**
13 **fees, early or priority boarding fees, fees and charges for parking**
14 **of vehicles by persons accessing the ferry service, whether within**
15 **the city or on the mainland, and all other fees and charges in**
16 **connection with the ferry service;**

17 Fourteenth, to regulate and license all taverns and houses of
18 public entertainment; all saloons, restaurants, and eating houses,
19 and to regulate and prescribe the location of saloons; but this
20 shall not be construed as authorizing the licensing of the sale of
21 intoxicating liquors;

22 Fifteenth, to license and regulate all vehicles of every kind,
23 used for the transportation of persons or property for hire, in the
24 city, and regulate or fix their stands on the streets and public
25 places, and at wharves, boat landings, railroad station grounds and
26 other places;

27 Sixteenth, to regulate and license all toll bridges within the
28 city, and to prescribe the rates and charges for passage over the
29 same;

1 **Seventeenth, ~~Seventeen,~~** to provide for and regulate the
2 inspection of meats, poultry, fish, butter, cheese, lard,
3 vegetables, flour, meat, and other provisions;

4 Eighteenth, to regulate the inspection, weighing and measuring
5 of brick, lumber, fire-wood, coal, hay, and any article of
6 merchandise;

7 Nineteenth, to provide for the inspection and sealing of
8 weights and measures, and to enforce the keeping and use of proper
9 weights and measures by vendors;

10 Twentieth, to regulate the construction, repair and use of
11 vaults, cisterns, areas, hydrants, pumps, sewers and gutters;

12 Twenty-first, to prohibit and prevent, in the streets, or
13 elsewhere in the city, indecent exposure of the person, the show,
14 sale, or exhibition for sale, of indecent or obscene pictures,
15 drawings, engravings, paintings, and books or pamphlets, and all
16 indecent or obscene exhibitions and shows of every kind;

17 Twenty-second, to regulate or prohibit bathing in the rivers,
18 ponds, streams and waters of the city;

19 Twenty-third, to provide for clearing the rivers, ponds,
20 canals and streams of the city and the races connected therewith of
21 all driftwood and noxious matter; to prohibit and prevent the
22 depositing therein of any filth or other matter tending to render
23 the waters thereof impure, unwholesome and offensive;

24 Twenty-fourth, to compel the owner or occupant of any grocery,
25 tallow chandler shop, soap or candy factory, butcher shop or stall,
26 slaughterhouse, stable, barn, privy, sewer, or other offensive,
27 nauseous or unwholesome place or house, to cleanse, remove or abate
28 the same whenever the council shall deem it necessary for the
29 health, comfort, or convenience of the inhabitants of the city;

1 Twenty-fifth, to regulate the keeping, selling, and using of
2 dynamite, gunpowder, firecrackers and fireworks, and other
3 explosive or combustible materials, and the exhibition of
4 fireworks, and the discharge of firearms, and to restrain the
5 making or lighting of fires in the streets and other open spaces in
6 the city;

7 Twenty-sixth, to direct and regulate the construction of
8 cellars, slips, barns, private drains, sinks, and privies;

9 Twenty-seventh, to prohibit, prevent and suppress mock
10 auctions, and every kind of fraudulent game, device, or practice,
11 and to punish all persons managing, using, practicing, or
12 attempting to manage, use or practice the same, and all persons
13 aiding in the management or practice thereof;

14 Twenty-eighth, to prohibit, prevent and suppress all lotteries
15 for the drawing or disposing of money or any other property
16 whatsoever, and to punish all persons maintaining, directing, or
17 managing the same, or aiding in the maintenance, directing, or
18 managing the same;

19 Twenty-ninth, to license and regulate solicitors for
20 passengers or for baggage to and from any hotel, tavern, public
21 house, boat or street railway station; and to provide the places
22 where they may be admitted to solicit or receive patronage; also
23 draymen, carmen, truckmen, porters, runners, drivers of cabs,
24 hackney coaches, omnibuses, carriages, sleighs, express vehicles,
25 and vehicles of every other description used and employed for hire,
26 and to fix and regulate the amounts and rates of their
27 compensation;

28 Thirtieth, to provide for the protection and care of paupers,
29 and to prohibit and prevent all persons from bringing to the city,

1 from any other place, any pauper, or other person likely to become
2 a charge upon the city, and to punish therefor;

3 Thirty-first, to provide for taking a census of the
4 inhabitants of the city, whenever the council shall see fit, and to
5 direct and regulate the same;

6 Thirty-second, to provide for the issuing of licenses to the
7 owners and keepers of dogs, and to compel the owners and keepers
8 thereof to pay for and obtain such licenses; and to regulate and
9 prevent the running at large of dogs; to require them to be muzzled
10 and to authorize the killing of all dogs not licensed, or running
11 at large in violation of any ordinance of the city;

12 Thirty-third, to prohibit and punish the use of toy pistols,
13 sling shots and other dangerous toys or implements within the city;

14 Thirty-fourth, to require any horses, mules, or other animals
15 attached to any vehicle or standing in any of the streets, lanes,
16 or alleys in the city to be securely fastened, hitched, watched or
17 held; and to regulate the placing and provide for the preservation
18 of hitching posts;

19 Thirty-fifth, to provide for and regulate the numbering of
20 buildings upon the streets and alleys, and to compel the owners or
21 occupants to affix numbers on the same; and to designate and change
22 the names of public streets, alleys and parks;

23 Thirty-sixth, to provide for, establish, regulate and preserve
24 public fountains and reservoirs within the city, and such troughs
25 and basins for watering animals as they may deem proper;

26 Thirty-seventh, to prevent or provide for the construction and
27 operation of street railways and to regulate the same and to
28 determine and designate the route and grade of any street railway
29 to be laid or constructed in said city;

1 Thirty-eighth, to establish and maintain a public library, and
2 to provide a suitable building therefor, and to aid in maintaining
3 such other public libraries as may be established within the city
4 by private beneficence as the council may deem to be for the public
5 good;

6 Thirty-ninth, the council may also license transient traders,
7 which shall be held to include all persons who may engage in the
8 business of selling goods or merchandise after the commencement of
9 the fiscal year, and the license fee in such cases may be
10 apportioned with relation to the part of the fiscal year which has
11 expired, but such traders, if they continue in the same business,
12 shall not be required to take out a second license after the
13 commencement of the next fiscal year: Provided, such goods or
14 merchandise have been assessed for taxes for said fiscal year;

15 Fortieth, the council shall further have authority to enact
16 all ordinances, and to make all such regulations, consistent with
17 the laws and constitution of the state as they may deem necessary
18 for the safety, order and good government of the city, and the
19 general welfare of the inhabitants thereof; but no exclusive
20 rights, privileges or permits shall be granted by the council to
21 any person or persons, or to any corporation, for any purpose
22 whatever.

23 CHAPTER XVI

24 **FERRIES**

25 Section 1. The council of said city may ~~regulate and~~ license
26 **and regulate all aspects of** ferries from such city or any place of
27 landing therein, to the opposite shore, or from one part of the
28 city to another; and may require the payment of such reasonable sum
29 for such license as to the council shall seem proper and may impose

1 such reasonable terms and restrictions in relation to the keeping
 2 and management of ~~such ferries,~~ **a ferry transportation service,** and
 3 the time, manner, and rates of carriage and transportation of
 4 persons and property as may be proper, **including, but not limited**
 5 **to, baggage fees, early or priority boarding fees, fees and charges**
 6 **for parking of vehicles by persons accessing the ferry service,**
 7 **whether within the city or on the mainland, and all other fees and**
 8 **charges in connection with the ferry service,** and provide for the
 9 revocation of any such licenses and for the punishment, by proper
 10 fines and penalties, of the violation of any ordinance prohibiting
 11 unlicensed ferries, and regulating those established and licensed.
 12 **This section does not diminish any authority provided by other**
 13 **statutes to any city, village, or township.**

14 Enacting section 1. (1) This amendatory act does not take
 15 effect unless approved by a majority of the electors of the city of
 16 Mackinac Island voting on the question. The question of the
 17 approval of this amendatory act shall be submitted to the qualified
 18 electors of the city at the next regular election to be held not
 19 less than 60 days after the effective date of this amendatory act
 20 or at a special election called for that purpose. The question
 21 shall be submitted in substantially the following form:

22 Shall 1899 Local Act 437, entitled "An act to amend 1899 LA
 23 437, entitled 'An act to vacate the Township of Holmes and Village
 24 of Mackinac in Mackinac County, State of Michigan, and to
 25 Incorporate the City of Mackinac Island in said Mackinac County,'
 26 by amending section 1 of chapter IX and section 1 of chapter XVI;
 27 and to provide for a referendum," be adopted?

28 Yes ()

29 No ()

1 (2) If a majority of the electors voting on the question, as
2 determined by the canvass of votes cast, vote in favor of the
3 adoption of this amendatory act, it takes effect 10 days following
4 the certification of the election results.