

CHARTER TOWNSHIP OF COMSTOCK

KALAMAZOO COUNTY, MICHIGAN

ORDINANCE NO. 500

DOWNTOWN DEVELOPMENT AUTHORITY ORDINANCE

ADOPTED: _____, 2019

EFFECTIVE: _____, 2019

An ordinance to establish a Downtown Development Authority in Comstock Charter Township.

THE CHARTER TOWNSHIP OF COMSTOCK

KALAMAZOO COUNTY, MICHIGAN

ORDAINS:

SECTION 1

TITLE

This Ordinance shall be known and cited as the Comstock Charter Township Downtown Development Ordinance.

SECTION 2
DEFINITIONS

The terms used in this Ordinance shall have the same meaning as given to them in Act 57 or hereinafter in this section provided, unless the context clearly indicates to the contrary. As used in this Ordinance:

Act 57 means Act No. 57 of the Public Acts of Michigan of 2018, as now in effect or hereinafter amended.

Authority means the Comstock Charter Township Downtown Development Authority created by this Ordinance.

Board or Board of Directors means the Board of Directors of the Authority, the governing body of the Authority.

Chief Executive Officer means the Supervisor of the Township.

Downtown District means the Downtown District designated by this Ordinance as now existing or hereafter amended.

Township means the Comstock Charter Township, Kalamazoo County, Michigan.
Township Board means the Township Board of Comstock Charter Township.

SECTION 3
DETERMINATION OF NECESSITY

The Township Board hereby determines that it is necessary for the best interests of the public and the Township to halt property value deterioration and increase property tax valuation where possible in the downtown business district of the Township, to eliminate the causes of deterioration and to promote economic growth by establishing a downtown development authority pursuant to Act 57.

SECTION 4
CREATION OF THE AUTHORITY

There is hereby created pursuant to Act 57 a Downtown Development Authority for the Township. The Authority shall be a public body corporate and shall be known as and exercise its powers under the title of "Comstock Charter Township Downtown Development Authority". The Authority may adopt a seal, may sue and be sued in any court of this State and shall possess all of the powers necessary to carry out the purpose of its incorporation as provided by this Ordinance and Act 57. The enumeration of a power in this Ordinance or in Act 57 shall not be construed as a limitation upon the general powers of the Authority.

SECTION 5
DESCRIPTION OF THE DOWNTOWN DISTRICT

The Downtown District in which the Authority shall exercise its powers as provided by Act 57 shall consist of the described territory in the Township, subject to this Ordinance and Act 57, as set forth in Exhibit A, attached hereto and made a part hereof.

SECTION 6
BOARD OF DIRECTORS

The Authority shall be under the supervision and control of the Board of Directors consisting of the Chief Executive Officer of the Township and not less than eight or more than twelve members as determined by the Township Board. The members shall be appointed by the Chief Executive Officer of the Township, subject to the approval by the Township Board. Not less than a majority of the members shall be persons having interest in property located in the Downtown District. Not less than one of the members shall be a resident of the Downtown District, if the Downtown District has 100 or more persons residing within it. Of the members first appointed, an equal number, as near as is practical, shall be appointed for one year, two years, three years and four years. Members shall hold office until the members' successor is appointed. Thereafter, each member shall serve for a term of four years. An appointment to fill a vacancy shall be made by the Chief Executive Officer of the Township for the unexpired term only. Members of the Board shall serve without compensation, but shall be reimbursed for actual and necessary expenses.

SECTION 7
POWERS OF THE AUTHORITY

The Authority shall have all powers enumerated or implied by law in Act 57.

SECTION 8
FISCAL YEAR; ADOPTION OF BUDGET

- A. The fiscal year of the Authority shall begin on January 1 of each year and end on December 31 of the same year, or such other fiscal year as may hereafter be adopted by the Township.
- B. The Board shall annually prepare a budget and shall submit it to the Township Board on the same date that the proposed budget for the Township is required by law to be submitted to the Township Board. The Board shall not finally adopt a budget for any fiscal year until the budget has been approved by the Township Board. The Board may, however, temporarily adopt a budget in connection with the operation of any improvements which have been financed by revenue bonds where required to do so by the Ordinance authorizing the revenue bonds.
- C. The Authority shall be audited annually by the same independent auditors auditing the Township. Copies of the audit report shall be filed with the Township Board.

SECTION 9
DISSOLUTION

Upon completion of its purpose, the Authority may be dissolved by an ordinance duly adopted by the Township Board. The property and assets of the Authority, after dissolution and satisfaction of its obligations, shall revert to the Township.

SECTION 10
SECTION HEADINGS; SEVERABILITY; REPEALER

Section headings in this Ordinance are furnished for convenience only and shall not be considered to be part of this Ordinance. All other Ordinances, resolutions and orders or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed, and each section of the Ordinance and each subdivision of any section thereof is hereby declared to be independent, and the finding or holding of any section or subdivision thereof to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision.

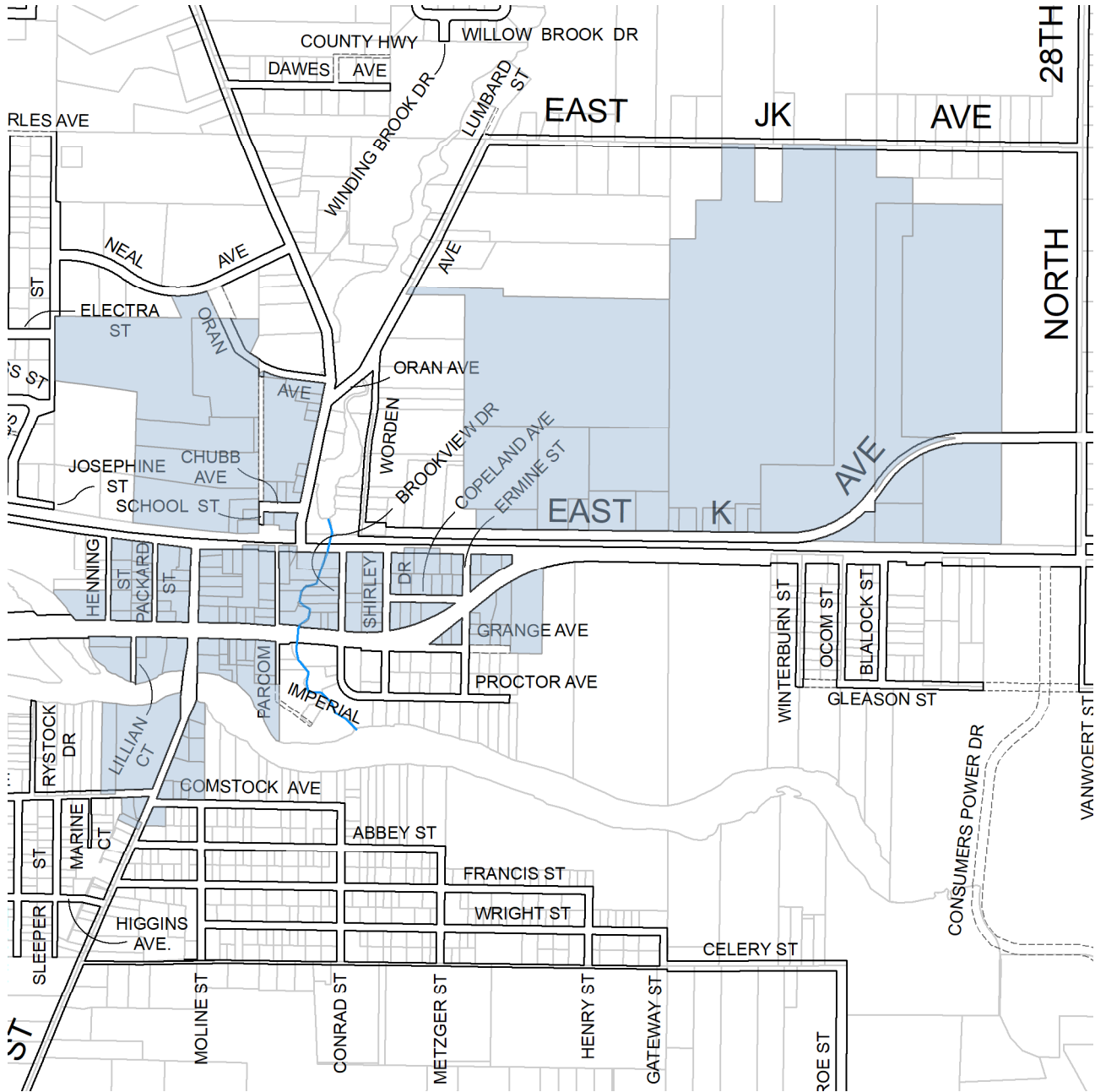
SECTION 11
PUBLICATION, RECORDING AND EFFECTIVE DATE

This Ordinance is hereby determined by the Township Board to be immediately necessary for the interests of the Township and shall be in full force and effect upon publication after adoption.

Michelle Mohny, Clerk
Comstock Charter Township

Exhibit A

Downtown Development Authority Comstock Charter Township



Legend

Downtown Development Authority Parcels

