

Melrose Township
ORDINANCE NO. 2-04

**An Ordinance to Create a Downtown Development Authority
And to Designate Boundaries of the
Downtown Development District**

THE TOWNSHIP OF MELROSE ORDAINS:

Section 1 – DETERMINATION OF NECESSITY. The Melrose Township Board of Trustees hereby determines that it is necessary for the best interests of the public to create a Downtown Development Authority pursuant to Act 197 of the Public Act of Michigan, 1975, as amended. This Authority shall operate to halt property value deterioration and increase property tax valuation where possible in the business district of the Township, to eliminate the causes of such deterioration, and to promote economic growth.

Section 2 – DEFINITIONS. The terms used in this ordinance shall have the same meaning as given to them in Act 197 or as hereinafter provided. As used in this ordinance:

“**Authority**” means the Downtown Development Authority of Melrose Township, created by this ordinance

“**Act 197**” means Act No. 197 of the Public Acts of Michigan of 1975, as amended

“**Board of Directors**” means the Board of Directors of the Authority, the governing body of the Authority

“**Township**” means Melrose Township, Charlevoix County, Michigan

“**Township Board**” means the Board of Trustees of Melrose Township

“**Downtown District**” means the downtown district designated by this ordinance, as now existing or hereafter amended, and within which the authority shall exercise its powers

Section 3 – CREATION OF DOWNTOWN DEVELOPMENT AUTHORITY.

There is hereby created, pursuant to Act 197, 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 “Downtown Development Authority of Melrose Township”. 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 purposes of its incorporation as provided by this ordinance and Act 197. The enumeration of powers in this ordinance or in Act 197 shall not be construed as a limitation upon the general powers of the Authority.

Section 4 – TERMINATION. Upon completion of its purposes, the Authority may be dissolved by the Township Board. The property and assets of the Authority, after dissolution and satisfaction of its obligations, shall revert to the Township.

Section 5 – DESCRIPTION OF DOWNTOWN DISTRICT. The Downtown District shall consist of the territory in the Township described as follows, subject to changes as may hereinafter be made pursuant to this ordinance and Act 197:

Property on both sides of M-75 from the Bear River to US 131, both sides of US 131 from M-75 to Clarion Street, both sides of State Street from US 131 south to and including the Township owned transfer station property, both side of Windsor and West Streets from M-75 to and including the Walloon Lake Inn, the former railroad property from the village to east of US 131, and two parcels on the southeast side of the intersection of M-75 and US 131. Specifically, the following parcels, described by their property Identification numbers, are in the Downtown District:

Tax ID numbers:

- 15-010-009-004-00
- 15-010-009-012-00
- 15-010-009-013-00
- 15-010-009-014-00
- 15-010-009-015-00
- 15-010-009-018-00
- 15-010-009-021-10
- 15-010-009-021-15
- 15-010-009-022-10
- 15-010-009-022-15
- 15-010-009-023-10
- 15-010-009-023-15
- 15-010-009-024-00
- 15-010-009-025-00
- 15-010-009-027-00

DDA Ordinance, Melrose Township

15-010-009-041-00
15-010-009-042-00
15-010-009-044-00
15-010-009-047-10
15-010-009-047-15
15-010-009-047-20
15-010-009-048-00
15-010-009-052-00
15-010-009-053-00
15-010-009-055-00
15-010-009-058-25
15-010-009-060-00
15-010-009-061-10
15-010-009-064-00
15-010-009-067-00
15-010-009-068-00
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15-010-009-102-10
15-010-009-103-00
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15-010-700-014-00
15-010-700-014-25
15-010-700-014-51
15-010-700-014-52
15-010-700-014-53
15-010-700-014-54
15-010-700-014-55
15-010-700-014-56
15-010-700-014-60
15-010-700-031-10
15-010-700-033-00
15-010-700-034-00
15-010-700-035-00
15-010-700-036-00
15-010-720-001-00
15-010-016-006-00

Section 6 – BOARD OF DIRECTORS. The Authority shall be under the supervision and control of the Board of Directors. The Board of Directors shall consist of 9 members, including the Township Supervisor, who shall be appointed in accordance with the Act. Members of the Board of Directors shall serve without compensation, but shall be reimbursed for actual and necessary expenses. The Chairperson of the Board of Directors shall be elected by the Board of Directors. The Board of Directors shall adopt Bylaws governing its procedures subject to the approval of the Township Board.

Section 7 – POWERS OF THE AUTHORITY. Except as specifically otherwise provided in this ordinance, the Authority shall have all powers provided by law subject to the limitations imposed by and herein.

Section 8 – FISCAL YEAR; BUDGET.

- a. The fiscal year of the authority shall begin on April 1st of each year and end on March 31st of the following year, or such other fiscal year as may hereafter be adopted by the Township Board.
- b. The Board of Directors shall annually prepare a budget and shall submit it to the Township Board for approval. The Board of Directors shall not finally adopt a budget for any fiscal year until the budget has been approved by the Township Board. The Board of Directors may, however, temporarily adopt a budget in accordance with the operation

DDA Ordinance, Melrose Township

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 submit financial reports to the Township Board at the same time and on the same basis as departments of the Township are required to submit reports. The Authority shall be audited by the same independent auditors auditing the Township, on the same frequency as the Township, and copies of the audit report shall be filed with the Township Board.

Section 9 – SEVERABILITY. The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, or provision is hereafter declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect the remainder of this ordinance which shall continue in full force and effect.

Section 10 – EFFECTIVE DATE. This ordinance shall take effect fifteen (15) days after publication in a newspaper of general circulation within the Township.



Ordinance No. 2 of 2004 was adopted on the 10th day of August, 2004, by the Melrose Township Board of Trustees as follows:

Motion by: Sue Gilmette

Seconded by: Barb Kaiser

Yeas: Reeves; Gilmette; Kaiser; Longcore; Webster

Nays: None

Absent: None

Annette Longcore, Clerk

Michael Webster, Supervisor

8-10-04
Date

8-10-04
Date

DDA Ordinance, Melrose Township

Adopted: 8-10-04

Publication Date: 8-20-04

Effective Date: 9-4-04

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