14.000   **DOWNTOWN DEVELOPMENT AUTHORITY**
VILLAGE OF MANCELONA, MICHIGAN
ord. no. 74 eff. July 27, 1994

Ordinance creating a Downtown Development Authority for the Village of Mancelona, designating boundaries of the downtown district, and providing for other matters related thereto.

THE VILLAGE OF MANCELONA ORDAINS:

14.001 Section 1. **TITLE**

This Ordinance shall be known as the "Downtown Development Authority Ordinance" of the Village of Mancelona.
(ord. no. 74 eff. July 27, 1994)

14.002 Section 2. **DETERMINATION OF NECESSITY; PURPOSE.**

The Village Council hereby determines that it is necessary for the best interests of the public to create a public body corporate which shall operate to halt property value deterioration, eliminate the causes of that deterioration, increase property tax valuation where possible in the business district of the Village, and promote economic growth, pursuant to Act 197 of the Public Acts of Michigan, 1975, as amended.
(ord. no. 77 eff. July 27, 1994)

14.003 Section 3. **DEFINITIONS.**

The terms used in this Ordinance shall have the same meaning as given to them in Act 197 or as hereinafter in this section provided unless the context clearly indicates to the contrary as used in this Ordinance:

"Authority" means the Downtown Development Authority of the Village of Mancelona created by this Ordinance.

"Act 197" means Act No. 197 of the Public Acts of Michigan of 1975, as amended.

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

"Chief Executive Officer" means the President of the Village.

"Village" means the Village of Mancelona, Michigan.

"Council" or **"Village Council"** means the Village Council of the Village.

"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.
(ord. no. 74 eff. Sept. 27, 1994)

14.004 Section 4. **CREATION OF AUTHORITY.**

There is hereby created pursuant to Act 197 a downtown development authority for the Village. The Authority shall be a public body corporate and shall be known and exercise its powers under title of the "Village of Mancelona 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 purposes of its incorporation as provided in this Ordinance and Act 197. The enumeration of a power in this Ordinance or in Act 197 shall not be construed as a limitation upon the general powers of the Authority.
(ord. no. 74 eff. July 27, 1994)

14.005 Section 5. **TERMINATION.**

The Authority may be dissolved by the Village Council at any time by adoption of a repealing ordinance provided provision is made for satisfaction of the Authority's obligations. The property and assets of the Authority, after dissolution and satisfaction of its obligations, shall revert to the Village.
(ord. no. 74 eff. July 27, 1994)

14.006 Section 6. **DESCRIPTION OF DOWNTOWN DISTRICT.**

The Downtown District shall consist of the territory in the Village described in Exhibit "A" which is made a part of this Ordinance and subject also to any changes which may be made in the future pursuant to the Ordinance and Act 197.
(ord. no. 74 eff. July 27, 1994)

14.007 Section 7. **BOARDS OF DIRECTORS.**

The Authority shall be under the supervision and control of the Board. The Board shall consist of the Chief Executive Officer and not less than eight (8) nor more than twelve (12) members appointed by the Chief Executive Officer, subject to approval of the Council. Not less than a majority of the members shall have an interest in property located in the Downtown District. Members shall be appointed to serve for a term of four (4) years except that of the first members appointed, an equal number, as near as practicable, shall be appointed for terms of one (1) year, two (2) years, three (3) years, and four (4) years. A member shall hold office until the member's successor is appointed and qualified. Before assuming the duties of office, a member shall qualify by taking and subscribing to the constitutional oath of office. If a vacancy occurs, then a new member may be appointed for the unexpired term. Members of the Board shall serve without compensation, but shall be reimbursed for actual and necessary expenses. The

chairperson of the board shall be elected by the Board. The Board shall adopt its own rules of procedure.
 (ord. no. 74 eff. July 27, 1994)

14.008 Section 8. **POWERS AND LIMITATIONS OF AUTHORITY.**

The Authority shall have all the powers provided by law subject to the following limitations:

A.   The Authority may not impose a tax without approval of the Council, and

B.   The Authority may not obligate the Village in any manner without approval of the Council.
        (ord. no. 74 eff. July 27, 1994)

14.009 Section 9. **FISCAL YEAR.**

The fiscal year of the Authority shall be the same fiscal year as in effect for the Village of Mancelona. The Authority shall submit financial reports to the Council whenever requested by the Council. The Authority shall be audited annually by the same independent auditors auditing the Village.
(ord. no. 74 eff. July 27, 1994)

14.010 Section 10. **SEVERABILITY; REPEALER.**

If any portion of this Ordinance shall be held to be unlawful, the remaining portions shall remain in full force and effect. All ordinances in conflict with this Ordinance are repealed.
(ord. no. 74 eff. July 27, 1994)

14.011 Section 11. **PUBLICATION AND FILING.**

This Ordinance shall be published once after its adoption in full in the Antrim County News which is a newspaper of general circulation in the Village.   The Village Clerk shall file a certified copy of this Ordinance with the Michigan Secretary of State.
(ord. no. 74 eff. July 27, 1994)

14.012 Section 12. **EFFECTIVE DATE.**

This Ordinance shall become effective fifteen (15) days after its enactment.

Enacted and ordained by the Village Council of the Village of Mancelona at a meeting held on July 12, 1994.