

TOWNSHIP OF BIRCH RUN
ORDINANCE NO. 89-2

AN ORDINANCE TO CREATE AND ESTABLISH A DOWNTOWN DEVELOPMENT AUTHORITY; TO PRESCRIBE ITS POWERS AND DUTIES; TO ENCOURAGE HISTORIC PRESERVATION; TO AUTHORIZE THE ACQUISITION AND DISPOSAL OF INTERESTS IN REAL AND PERSONAL PROPERTY; TO AUTHORIZE THE CREATION AND IMPLEMENTATION OF DEVELOPMENT PLANS IN THE DISTRICTS; TO PROMOTE THE ECONOMIC GROWTH OF THE DISTRICTS; TO CREATE A BOARD; TO PROSCRIBE THE POWERS AND DUTIES OF SUCH BOARD; TO AUTHORIZE THE LEVY AND COLLECTION OF TAXES; TO AUTHORIZE THE ISSUANCE OF BONDS AND OTHER EVIDENCES OF INDEBTEDNESS; TO AUTHORIZE THE USE OF TAX INCREMENT FINANCING.

THE TOWNSHIP OF BIRCH RUN ORDAINS:

Section 1. Short Title

This Ordinance shall be known as "Downtown Development Authority."

Section 2. Establishment of Downtown Development Authority

Pursuant to the provisions of Act 197 of the Public Acts of 1975, as amended, the Township of Birch Run does hereby establish a Downtown Development Authority, which shall be and is hereby established and regulated and controlled pursuant to the provisions of said Act 197, as amended. The Downtown Development Authority shall analyze the impact of economic changes and growth in the Birch Run Township's Downtown District and develop plans in coordination with the Township's Planning Commission to promote orderly economic growth in the Downtown Development District. With the advice and consent of the Birch Run Township Board, the Downtown Development Authority shall implement a development plan in the Downtown District as necessary to achieve the purposes of the Downtown Development Act and in accordance with the powers granted by said Act.

Section 3. Boundaries of District

The boundaries of the Downtown Development District, within which the Downtown Development Authority shall exercise its powers, and within which the provisions of this ordinance shall apply, shall be as is shown in "Exhibit A," attached hereto and as described therein.

Section 4. Board Membership

The affairs of the Downtown Development Authority shall be governed by the Birch Run Township Planning Commission, the members of which shall constitute the "Governing Board" of the Downtown Development Authority. By amendment to this ordinance, the Birch Run Township Board shall have the right and authority to create an alternate governing board composed of members as set forth in MCLA 125.1654.

Section 5. Meetings

(a) Within thirty (30) days after the appointment of the Board of Development Authority, the Authority shall call a meeting.

The meeting shall open with a call for an election of Board officers which shall consist of the following officers:

Chairman
Vice Chairman
Treasurer
Secretary

(b) The Board shall prepare by-laws to govern the procedure of meetings and powers of its officers which shall be submitted to the Birch Run Township Board for its approval prior to their adoption by the Board.

Section 6. Source of Revenue, Permitted Expenditures

The activities of the Downtown Development Authority shall be financed from one or more of the funding sources set out in Section 11 of Act 197 of Public Acts of 1975, as amended (MSA 5.3010(11), as amended), and shall expend no monies without prior approval of the Birch Run Township Board.

Section 7. Authority Subject to Downtown Development Authority

The Downtown Development Authority is to be controlled and regulated strictly by the Downtown Development Authority Act, being Act 197 of Public Acts of 1975, as amended.

Section 8. Publication

This ordinance shall be published, as required by law, and a copy of the same shall be filed with the Secretary of State of the State of Michigan, such publication to be in a newspaper of general circulation in the Township of Birch Run.

Section 9. Conflicting Ordinances, Resolutions or Orders

All ordinances, resolutions or orders, or any part thereof, in conflict with the provisions of this ordinance, are, to the extent of any such conflict, repealed.

Section 10. Severability

If any paragraph, sentence, clause or phrase or part of this ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portion of this ordinance, and the provisions in this ordinance are declared to be severable.

Section 11. Effective Date

It is hereby declared that the enactment of this ordinance is required to protect the health, welfare, safety and property interests of the public, and shall take effect immediately upon publication, and as provided by the provisions of Act 197 of the Public Acts of 1975, as amended.

Section 12. Where Ordinance can be Inspected or Obtained

A copy of this ordinance may be inspected, and/or obtained, from the office of the Birch Run Township Clerk, 8411 Main Street, Birch Run, Michigan.

This Ordinance is declared to have been adopted by the Birch Run Township Board, County of Saginaw, State of Michigan, at a regular meeting held on the 11 day of April, 1989, and ordered to be given publication in the manner prescribed by law.

WE, JAMES TOTTEN, Supervisor of the Township of Birch Run, and MARCIA STRONG, Clerk of the Township of Birch Run, do hereby certify that the foregoing is a true copy of the ordinance adopted by the Township Board, at said meeting held on the 11 day of April, 1989.

James Totten
 JAMES TOTTEN
 Supervisor Birch Run Township

Marcia Strong
 MARCIA STRONG
 Clerk Birch Run Township

	AYE	NAY	NOT VOTING
James Totten, Supervisor	<u>X</u>	<u> </u>	<u> </u>
Marcia Strong, Clerk	<u>X</u>	<u> </u>	<u> </u>
Edgar Scharrer, Treasurer	<u>X</u>	<u> </u>	<u> </u>
Thomas Totten, Trustee	<u>X</u>	<u> </u>	<u> </u>
Maria Foerster, Trustee	<u> </u>	<u> </u>	<u>(ABSENT)</u>

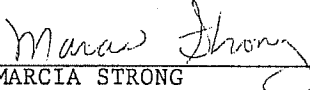
I, MARCIA STRONG, Birch Run Township Clerk, do hereby certify that the foregoing is a true and certified copy of the ordinance duly enacted by the Township of Birch Run.

Marcia Strong
 MARCIA STRONG
 Clerk Birch Run Township

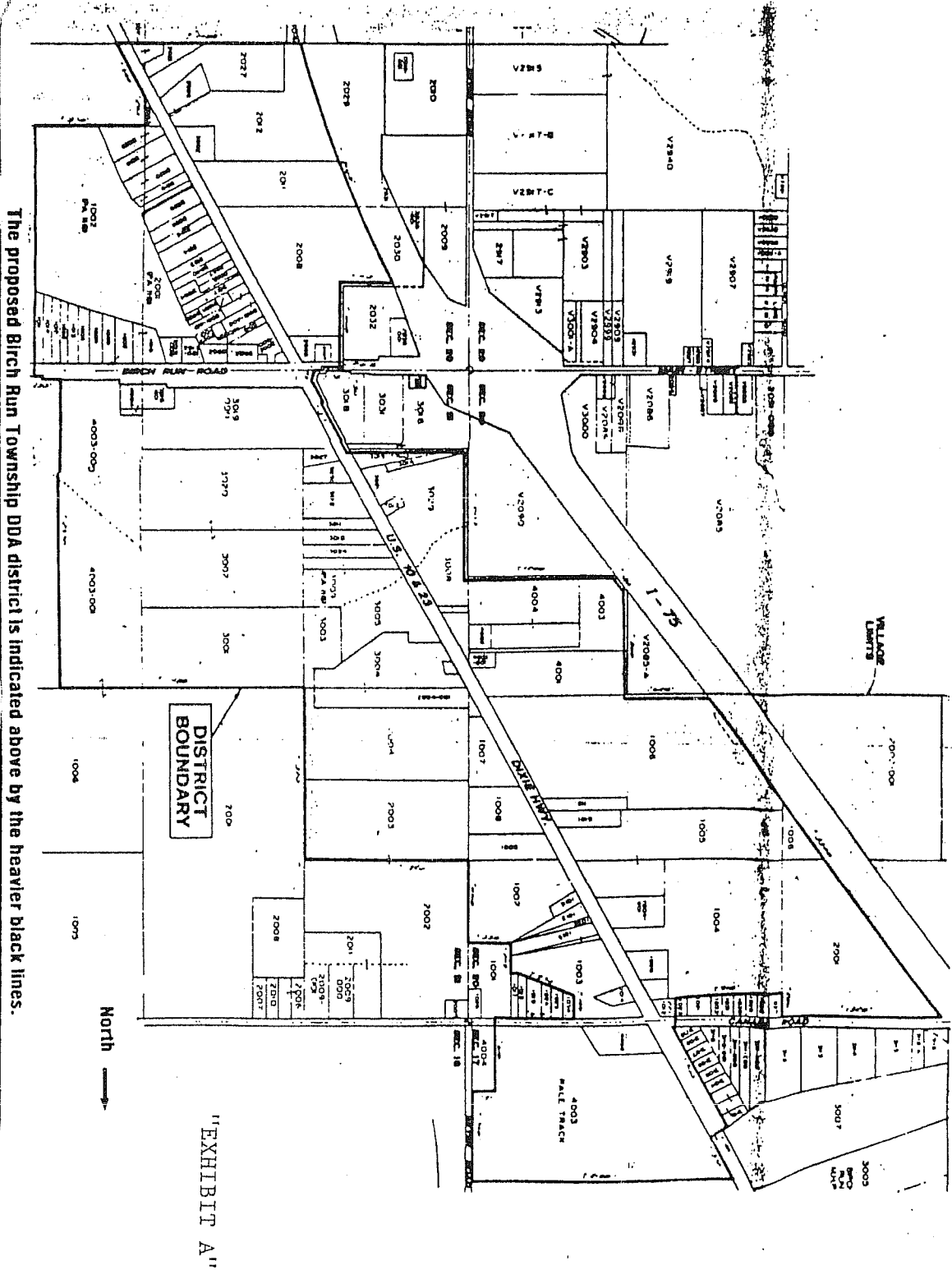
This Ordinance was given publication on the 18 day of April, 1989, in the Bridgeport Weekly News Birch Run

Marcia Strong
 MARCIA STRONG
 Clerk Birch Run Township

A copy of this ordinance was mailed to the office of the Secretary of State of the State of Michigan on April 14, 1989.



MARCIA STRONG
Clerk Birch Run Township



The proposed Birch Run Township DDA district is indicated above by the heavier black lines.

North

EXHIBIT A