

# HOUSE BILL No. 5086

September 26, 1989, Introduced by Rep. Honigman and referred to the Committee on Taxation.

A bill to amend section 1 of Act No. 197 of the Public Acts of 1975, entitled as amended

"An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; 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 prescribe its powers and duties; 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; and to prescribe the powers and duties of certain state officials,"

as amended by Act No. 221 of the Public Acts of 1985, being section 125.1651 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 1 of Act No. 197 of the Public Acts of  
2 1975, as amended by Act No. 221 of the Public Acts of 1985, being

1 section 125.1651 of the Michigan Compiled Laws, is amended to  
2 read as follows:

3 Sec. 1. As used in this act:

4 (a) "Authority" means a downtown development authority cre-  
5 ated pursuant to this act.

6 (b) "Board" means the governing body of an authority.

7 (c) "Business district" means an area in the downtown of a  
8 municipality zoned and used principally for business.

9 (d) "Chief executive officer" means the mayor or city man-  
10 ager of a city, the president of a village, or the supervisor of  
11 a township.

12 (e) "Development area" means that area to which a develop-  
13 ment plan is applicable.

14 (f) "Development plan" means that information and those  
15 requirements for a development set forth in section 17.

16 (g) "Development program" means the implementation of the  
17 development plan.

18 (h) "Downtown district" means an area in a business district  
19 ~~which~~ THAT is specifically designated by ordinance of the gov-  
20 erning body of the municipality pursuant to this act.

21 (i) "Governing body of a municipality" means the elected  
22 body of a municipality having legislative powers.

23 (j) "Municipality" means a city, village, or township.

24 (k) "Operations" means office maintenance, including sala-  
25 ries and expenses of employees, office supplies, consultation  
26 fees, design costs, and other expenses incurred in the daily  
27 management of the authority and planning of its activities.

1 (4) "PARK" MEANS AN AREA OF LAND OR WATER, OR A COMBINATION  
2 OF BOTH, DEDICATED TO 1 OR MORE OF THE FOLLOWING USES:

3 (i) RECREATIONAL PURPOSES, INCLUDING BUT NOT LIMITED TO  
4 LANDSCAPED TRACTS; PICNIC GROUNDS; PLAYGROUNDS; ATHLETIC FIELDS;  
5 CAMPS; CAMPGROUNDS; ZOOLOGICAL AND BOTANICAL GARDENS; SWIMMING,  
6 BOATING, HUNTING, FISHING, AND BIRDING AREAS; AND FOOT, BICYCLE,  
7 AND BRIDLE PATHS.

8 (ii) OPEN OR SCENIC SPACE.

9 (iii) ENVIRONMENTAL, CONSERVATION, NATURE, OR WILDLIFE  
10 AREAS.

11 (M) ~~(4)~~ "Public facility" means a street; ~~—~~ plaza; ~~—~~  
12 pedestrian mall; ~~— and any improvements~~ IMPROVEMENT to a  
13 street, plaza, or pedestrian mall, including street furniture and  
14 beautification; ~~—~~ park; ~~—~~ parking facility; ~~—~~ recreational  
15 facility; ~~—~~ right of way; ~~—~~ structure; ~~—~~ waterway; ~~—~~  
16 bridge; ~~—~~ lake; ~~—~~ pond; ~~—~~ canal; ~~—~~ utility line or pipe;  
17 ~~—~~ building; ~~— and~~ OR AN access ~~routes to any of the~~  
18 ~~foregoing~~ ROUTE TO A PUBLIC FACILITY SPECIFIED IN THIS  
19 SUBDIVISION, designed FOR and dedicated to use by the public gen-  
20 erally, or used by a public agency. Public facility includes an  
21 improvement to a "facility used by the public" or a "public  
22 facility" as those terms are defined in section 1 of Act No. 1 of  
23 the Public Acts of 1966, being section 125.1351 of the Michigan  
24 Compiled Laws, which improvement is made to comply with the bar-  
25 rier free design requirements of the state construction code  
26 promulgated under the state construction code act of 1972, Act

1 No. 230 of the Public Acts of 1972, being sections 125.1501 to  
2 125.1531 of the Michigan Compiled Laws.