

**STATE OF MICHIGAN, COUNTY OF OAKLAND
VILLAGE OF LAKE ORION**

ORDINANCE NO _____

An Ordinance to amend the Village Code of Ordinances, Chapter 30, Sections 30.01 – 30.06.

THE VILLAGE OF LAKE ORION ORDAINS:

The Village Code of Ordinances is amended as follows:

30.01 ESTABLISHMENT.

In recognition of the fact that it is in the best interest of the public to prevent further property value deterioration in the downtown business district of Lake Orion, to eliminate the causes of such deterioration and to promote economic growth in the downtown business district consistent with Land Use Plan guidelines, a Downtown Development Authority is hereby established pursuant to Public Act **57 of 2018, as amended** ~~197 of 1975, as amended, being M.C.L.A. §§ 125.1651 through 125.1657 and 125.1659 through 125.1680~~, to be known as the Downtown Development Authority of the Village of Lake Orion.

30.02 ORGANIZATION.

The Authority shall be under the supervision and control of a Board consisting of the Village ~~Manager~~ **President** and eight members appointed by the Village ~~Manager Council President~~ subject to the approval of Village Council. At least five of the members shall be persons having an interest in property located in the downtown district. Of the members first appointed, two shall be appointed for one year, two for two years, two for three years, and two for four years. Thereafter, a member shall serve for a term of four years. An appointment to fill a vacancy shall be made by the Village ~~Manager Council President~~ for the unexpired term only. 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.

30.03 DUTIES.

The Downtown Development Authority as herein created shall be charged with the following duties:

- (A) Prepare an analysis of economic changes taking place in the downtown district.
- (B) Study and analyze the impact of a maturing community upon the downtown district.
- (C) Plan and propose the construction, the renovation, repair, remodeling, rehabilitation, restoration, preservation, or reconstruction of a public facility, an existing building, or a multiple-family dwelling unit which may be necessary or appropriate to the execution of a plan which, in the opinion of the Board, aids in the economic growth of the downtown district.
- (D) Develop long-range plans, in cooperation with the Village Planning Commission, designed to prevent the deterioration of property values in the downtown district, and take such steps as may be necessary to persuade property owners to implement the plans to the fullest extent possible.
- (E) Implement any plan of development in the downtown district necessary to achieve the purposes of this subchapter, in accordance with the powers of the authority as granted by this subchapter.
- (F) Make and enter into contracts necessary or incidental to the exercise of its powers and the performance of its duties.
- (G) Acquire by purchase or otherwise, on terms and conditions and in a manner the Authority deems proper, or own, convey, or otherwise dispose of, or lease as lessor lessee, land and other property, real or personal, or rights or interests therein, which the Authority determines is reasonably necessary to achieve the purposes of this chapter, and to grant or acquire licenses, easements, and options with respect thereto.
- (H) Improve land and construct, reconstruct, rehabilitate, restore and preserve, equip, improve, maintain, repair, and operate any building, including multiple-family dwellings, and any necessary or desirable appurtenances thereto, within the downtown district for the use, in whole or in part, of any public or private person or corporation, or a combination thereof.
- (I) Fix, charge, and collect fees, rents, and charges for the use of any buildings or property under its control or any part thereof, payment of revenue bonds issued by the Authority.
- (J) Lease any building or property under its control, or any part thereof.
- (K) Accept grants and donations of property, labor, or other things of value from a public or private source.
- (L) Acquire and construct public facilities.

30.04 FINANCING.

The activities of the Authority shall be financed from one or more of the following sources:

- (A) Donations to the Authority for the performance of its functions.

(B) Proceeds of a tax imposed pursuant to Section ~~212 12~~ of Public Act **57 of 2018, as amended**. However, the Board shall not request that the Village Council authorize such a tax without first holding a Public Hearing, following the sending of a notice to every property owner in the district.

(C) Monies borrowed and to be repaid as authorized by Sections ~~213-213b 13~~ of Public Act **57 of 2018, as amended** ~~197 of 1975, being M.C.L.A. § 125.1663.~~

(D) Revenues from any property, building, or facility owned, leased, licensed or operated by the Authority or under its control, subject to the limitations imposed upon the Authority by trusts or other agreements.

(E) Proceeds of a tax increment financing plan, established under Sections ~~214 14~~ through ~~216 16~~ of Public Act **57 of 2018, as amended** ~~197 of 1975, being M.C.L.A. §§ 125.1664 through 125.1666.~~

(F) Monies obtained from other sources approved by the Village Council.

(G) Monies received by the Authority and not covered under division (A) shall be immediately deposited to the credit of the Authority, subject to disbursement pursuant to Public Act **57 of 2018, as amended** ~~197 of 1975~~. Except as provided in Public Act **57 of 2018, as amended** ~~197 of 1975~~, the village shall not obligate itself, nor shall it ever be obligated to pay any sums from public monies, other than monies received by the village pursuant to this section, for or on account of the activities of the Authority.

30.05 DEVELOPMENT PLANS.

When the Board decides to finance a project in the downtown district by the use of revenue bonds as authorized in Section ~~213-213b 13~~ or tax increment financing as authorized in Sections ~~214 14~~ through ~~216 16~~ of Public Act **57 of 2018, as amended** ~~197 of 1975, as amended, being M.C.L.A. §§ 125.1664 through 125.1666~~, it shall prepare a development plan. The development plan shall contain:

(A) The designation of boundaries of the development area in relation to highways, streets, streams, or otherwise.

(B) The location and extent of existing streets and other public facilities within the development area and shall designate the location, character, and extent of the categories of public and private land uses then existing and proposed for the development area, including residential, recreational, commercial, industrial, educational, and other uses and shall include a legal description of the development area.

(C) A description of existing improvements in the development area to be demolished, repaired, or altered, a description of any repairs and alterations, and an estimate of the time required for completion.

(D) The location of existing improvements in the development area.

(E) A statement of the construction or stages of construction planned, and the estimated time of completion of each stage.

(F) Description of any parts of the development area to be left as open space and the use contemplated for the space.

- (G) A description of any portions of the development area that the Authority desires to sell, donate, exchange, or lease to or from the municipality and the proposed terms.
- (H) A description of any desired zoning changes and changes in streets, street levels, intersections, and utilities.
- (I) An estimate of the cost of the development, a statement of the proposed method of financing the development and the ability of the Authority to arrange the financing.
- (J) Designation of the person or persons, natural or corporate, to whom all or a portion of the development is to be leased, sold, or conveyed in any manner and for whose benefit the project is being undertaken if that information is available to the Authority.
- (K) The procedures for bidding for the leasing, purchasing, or conveying in any manner of all or a portion of the development upon its completion, if there is no express or implied agreement between the Authority and persons, natural or corporate, that all or a portion of the development will be leased, sold or conveyed in any manner to those persons.
- (L) A plan for compliance with Public Act 227 of 1972, being M.C.L.A. §§ 213.321 through 213.332.
- (M) Other material that the Authority, local public agency, or governing body deems pertinent.

30.06 GOVERNING PROCEDURES.

The Downtown Development Authority of the Village of Lake Orion shall have all the power and duties prescribed by Public Act **57 of 2018, as amended** ~~197 of 1975, as amended, being M.C.L.A. §§ 125.1651 through 125.1657 and 125.1659 through 125.1660~~. Any questions of interpretation of the powers and duties and responsibilities of the Authority shall be resolved by reference to Public Act **57 of 2018, as amended** ~~197 of 1975, as amended~~. The Authority shall provide the Village Council and Planning Commission with all reports and studies regulating the information and implementation of project development plans. The Authority shall submit the proposed development plan to the Village Planning Commission for review and recommendation to the Village Council prior to the hearing specified in Section 218 ~~18~~ of Public Act **57 of 2018, as amended** ~~197 of 1975, being M.C.L.A. § 125.1660~~.

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Amended only as specified above and in the Chapter specified, the Code of Lake Orion shall remain in full force and effect.

The above is a true copy of the language as approved by the majority of the Village Council at a public meeting held on _____, 2026. A synopsis of this ordinance passed by the Council shall be published at least once in some legal newspaper of general circulation in the village within fifteen (15) days after its adoption by the Council. This ordinance shall

become effective immediately upon the publication of said synopsis after having been passed. If any provision of this Ordinance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision.

VILLAGE OF LAKE ORION

By: _____
Teresa Rutt, PRESIDENT

By: _____
_____, CLERK/TREASURER

Date: