

VILLAGE OF BANCROFT
Ordinance No. 291-18
(Enacted January 10, 2018)

**ORDINANCE TO APPOINT THE VILLAGE OF BANCROFT
PLANNING COMMISSION AS
THE DOWNTOWN DEVELOPMENT AUTHORITY**

The Village of Bancroft Ordains:

SECTION 1. The Village of Bancroft Planning Commission (hereinafter referred to as the “Planning Commission”) was previously constituted pursuant to the *Michigan Zoning Enabling Act*, Public Act 110 of 2006, as amended, MCL 125.3101 *et seq.* and the *Planning Enabling Act*, Public Act 33 of 2008, as amended, MCL 125.3801 *et seq.*

SECTION 2. The Planning Commission shall also serve as the Board of the Village of Bancroft Downtown Development Authority (hereinafter referred to as “BDDA”), pursuant to MCL 125.1654 (8). The term of each BDDA member shall be the same as their term on office in the Planning Commission. A Commission member may be removed under the procedure proscribed for removing a BDDA board member.

SECTION 3. The Chairperson and all officers of the Planning Commission shall hold the same titles on the BDDA. The Planning Commission shall hold at least one regular meeting in each quarter of the year or special meeting as needed. It shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which record shall be a public record. All meetings shall be noticed and recorded in accordance with the *Open Meetings Act*, Public Act No. 267 of 1976, as amended.

SECTION 4. The BDDA, within the scope of its budget as set by the Village Council and subject to Council approval, may appoint employees and enter into contracts for DDA services as it may require, except as provided below. Expenditures shall be within the amounts appropriated by the Village Council and shall be subject to purchasing controls as may be established for departments of the Village.

4.1 The Village Attorney shall be the Attorney for the BDDA; and

4.2 The Village Engineer shall be the Engineer for the BDDA.

SECTION 5. Members of the BDDA shall serve without compensation pursuant to MCL 125.1654(1), but may be reimbursed for actual and necessary expenses in an amount and manner as proscribed by the Village Council.

SECTION 6. Powers and Duties of the BDDA:

6.1 The BDDA shall have such powers and duties as are granted to the Village BDDA by the statutes of the State of Michigan and any Ordinance of the Village

including, but not limited to, those powers and duties provided in the Downtown Development Authority Act, Act 197 of 1975, being MCL 125.1651 *et seq.*

SECTION 7. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Village of Bancroft declares that it would have passed this Ordinance and each section, subsection, clause, or phrase hereof, irrespective of the fact that any one or more section, subsections, sentences, clauses, or phrases be declared unconstitutional.

SECTION 8. That this Ordinance and the related rules, regulations, provisions, requirements, orders and matters established shall take effect immediately upon publication, except any penalty provisions which shall take effect 20 days after publication, pursuant to MCL 66.1; MSA 5.1271.

SECTION 9. Repealer - All prior Ordinances, or parts of Ordinances, in conflict with this Ordinance are repealed only to the extent necessary to give all provisions of this Ordinance full effect.

SECTION 10. Notice - Within 14 days of the adoption of this Ordinance, the Village Clerk shall transmit a copy of this Ordinance to the Michigan Secretary of State's Office of the Great Seal.

Adopted at a regular meeting of the Village Council held on the 10th day of January 2018.

Moved by: Kevin Bible


Seconded by: Michael St. Louis

Yeas: R. Miller, A. Miller, K. Bible, M. St. Louis, R. Beebe

Nays: T. Terpening

Absent: Brian Barnum

VILLAGE OF BANCROFT


By: Randy Beebe
Its: Village President

CLERK'S CERTIFICATION

I certify that the above is a true and complete copy of Ordinance No. 291-18, adopted by the Village Council at a meeting held on the 10th day of January, 2018, and published in the Argus-Press Newspaper on the 19 day of January, 2018.


Karen Cole, Village Clerk