

**CHAPTER 298**  
Downtown Development Authority

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**CROSS REFERENCES**

Municipal bonds - see M.C.L.A. Secs. 117.4a, 117.4b, 117.4e, 117.4g, 117.5, 117.14a, 117.35a  
 Improvements in home rule cities - see M.C.L.A. Secs. 117.4d et seq.  
 Business area redevelopment projects - see M.C.L.A. Secs. 125.981 et seq.  
 Downtown Development Authority - see M.C.L.A. Secs. 125.1651 et seq.  
 Supervising Agency for Urban Redevelopment Corporation - see ADM. 240.01

**298.01 DEFINITIONS.**

The terms used in this chapter shall have the same meanings given to them in Act 197 of the Public Acts of 1975, as amended M.C.L.A. 125.1651 et seq.; M.S.A. 5.3010(1) et seq., unless the context clearly indicates the contrary. In addition, as used in this chapter:

- (a) "Act 197" means Act 197 of the Public Acts of 1975, as now in effect or hereafter amended (M.C.L.A. 125.1651 et seq.; M.S.A. 5.3010(1) et seq.).
- (b) "Authority" means the Downtown Development Authority.
- (c) "Board" or "Board of Trustees" means the Board of Trustees of the Authority, the governing body of the Authority.
- (d) "Chief Executive Officer" means the Mayor of the City.
- (e) "Downtown District" means the Downtown District designated by this chapter as now existing or hereafter amended.  
(Ord. 72. Passed 9-5-78.)

**298.02 DETERMINATION OF NECESSITY.**

The City Commission hereby determines that it is necessary for the best interests of the City to halt property value deterioration and to increase property tax valuation where possible in the business district of the City, to eliminate the causes of deterioration and to promote economic growth by establishing a Downtown Development Authority pursuant to Act 197 of the Public Acts of 1975, as amended.  
(Ord. 72. Passed 9-5-78.)

**298.03 ESTABLISHMENT; GENERAL POWERS.**

There is hereby established in and for the City, pursuant to Act 197 of the Public Acts of 1975, as amended, a Downtown Development Authority. The Authority shall be a public body corporate and shall be known and exercise its powers under the title of "Traverse City Downtown Development Authority." The Authority may adopt a seal, may sue and be sued in any court of the State and shall possess all of the powers necessary to carry out the purpose of its incorporation as provided in this chapter and in Act 197. The enumeration of a power in this chapter or in Act 197 shall not be construed as a limitation upon the general powers of the Authority. (Ord. 72. Passed 9-5-78.)

**298.04 DOWNTOWN DISTRICT BOUNDARIES.**

The Downtown District in which the Downtown Development Authority shall exercise its powers, as provided by Act 197 of the Public Acts of 1975, as amended, shall consist of the following described territory in the City, subject to such changes as may hereafter be made pursuant to this chapter and Act 197:

An area in the City within the boundaries described as follows: that property lying southerly of Grand Traverse Bay and lying northerly of a line described as follows:

Beginning at a point on the Bay Shore that coincides with the northerly extension of the centerline of Oak Street; thence southerly along such centerline extension to its intersection with the centerline of the C & O Railroad tracks; thence southeasterly approximately 500 feet along the C & O Railroad tracks to the centerline of 2nd Street; thence southerly from 2nd Street approximately 1,050 feet along the centerline of the C & O Railroad tracks to the centerline of the alley between Front and 5th Streets; thence commencing at the northwest corner of Lot 8 of the Hannah, Lay and Company First Addition as recorded by the County Register of Deeds, Liber 3 of Plats on Page 25; thence southeasterly along the northeast boundary of Lot 8 to the northeast corner of Lot 8; thence southerly along the east line of such plat to the south right of way of Sixth Street (66 feet wide); thence easterly along the south right of way of Sixth Street to the west right of way of Locust Street (53 feet wide); thence southerly along the west right-of-way line of

Locust Street to the south right-of-way line of Ninth Street (66 feet wide); thence easterly along the south right of way of Ninth Street to the east right-of-way line of the north-south alley (33 feet wide) east of Union Street, Block 6, as found in Hannah, Lay and Company's First Addition, recorded in Book One, Page 10; thence northerly along the east right of way of such alley to the south right-of-way line of 8th Street (66 feet wide); thence easterly along the south right of way of 8th Street to the thread of the Boardman River; thence northwesterly along the thread of the Boardman River to the centerline of Cass Street; thence northerly along the centerline of Cass Street to the centerline of the alley between State and Washington Streets; thence easterly approximately 300 feet to the east lot line of Lot 14, Block 7, of the original Plat of Traverse City; thence southerly approximately 213.5 feet to the centerline of Washington Street; thence easterly approximately 555 feet along the centerline of Washington Street to a point approximately 27 feet east of the west lot line of Lot 14, Block 21, original Plat of Traverse City; thence northerly approximately 213.5 feet to the centerline of the alley between State and Washington Streets; thence easterly to the centerline of Boardman Avenue; thence northerly along the centerline of Boardman Avenue to the centerline of the alley between Front and State Streets; thence easterly to the centerline of Railroad Avenue; thence northwesterly to the intersection of the centerlines of East Front Street and Railroad Avenue; thence easterly to the intersection of the centerlines of East Front Street and Grandview Parkway; thence northwesterly to the centerline of the Boardman River; thence northerly to Grand Traverse Bay and also including Lot 3 of Hannah, Lay and Company's 16th Addition, Liber 3 of Plat, Pages 6 and 7. (Ord. 72. Passed 9-5-78; Ord. 176. Passed 6-17-85.)

#### **298.05 BOARD OF TRUSTEES.**

The Downtown Development Authority shall be under the supervision and control of a Board of Trustees consisting of the Mayor and eleven members as provided by Act 197 of the Public Acts of 1975, as amended. The members shall be appointed by the Mayor, subject to approval by the City Commission, and shall hold office for the terms provided in Act 197. For the office of Trustee established by Ordinance 180, the term shall expire on September 15, 1988; thereafter terms shall be for four years. All members shall hold office until the member's successor is appointed. (Ord. 72. Passed 9-5-78; Ord. 147. Passed 12-6-82; Ord. 158. Passed 10-3-83; Ord. 180. Passed 8-19-85.)

#### **298.06 SPECIFIC POWERS.**

Except as specifically otherwise provided in this chapter, the Downtown Development Authority shall have all powers provided by law, subject to the limitations imposed by law and in this chapter. The Authority may levy ad valorem

taxes on real and tangible personal property not exempt by law and as finally equalized in the Downtown District at the rate of not more than two mills each year if the City Commission annually approves the levy thereof.  
(Ord. 72. Passed 9-5-78.)

**298.07 DIRECTOR; BOND.**

If a director is employed as authorized by Section 5 of Act 197 of the Public Acts of 1975, as amended, he or she shall post bond in the penal sum of five thousand dollars (\$5,000) as required by such section.  
(Ord. 72. Passed 9-5-78.)

**298.08 FISCAL YEAR; BUDGET; AUDITS.**

(a) The fiscal year of the Downtown Development Authority shall begin on July 1 of each year and end on June 30 of the following year, or as otherwise adopted by the City.

(b) The Board of Trustees shall annually prepare a budget and shall submit it to the City Commission on the same date that the proposed budget for the City is required by the City Charter to be submitted to the Commission. The Board shall not finally adopt a budget for any fiscal year until the budget has been approved by the Commission. However, the Board may temporarily adopt a budget in connection with the operation of any improvements which have been financed by revenue bonds where required to do so by the ordinance authorizing the revenue bonds.

(c) The Authority shall submit financial reports to the Commission as requested by the Commission. The Authority shall be audited annually by the same independent auditors auditing the City, and copies of the audit report shall be filed with the Commission. (Ord. 72. Passed 9-5-78.)