

**14.0250 ORDINANCE PROVIDING FOR THE YEAR 2023 AMENDMENT TO THE
1999 DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN
Ord. No. 612, eff. May 16, 2023**

AN ORDINANCE TO APPROVE THE YEAR 2023 AMENDMENT TO THE DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN PROPOSED BY THE DOWNTOWN DEVELOPMENT AUTHORITY OF THE CHARTER TOWNSHIP OF GRAND HAVEN AND TO PROVIDE FOR THE COLLECTION OF TAX INCREMENT REVENUES.

THE CHARTER TOWNSHIP OF GRAND HAVEN, OTTAWA COUNTY, MICHIGAN, ORDAINS:

14.0251 Sec. 1 TITLE

This Ordinance shall be known and may be cited as the “Ordinance providing for the year 2023 amendment to the 1999 Development Plan and Tax Increment Financing Plan.”

14.0252 Sec. 2 DEFINITIONS

The terms used herein shall have the same meaning given them in Act 57 as hereinafter in this section provided, unless the context clearly indicates to the contrary. As used in this Ordinance:

1. “Act 57” shall mean Act 57, Public Acts of 2018, as amended, as now in effect or hereinafter amended, being known as the Recodified Tax Increment Financing Act.
2. “Authority” shall mean the Downtown Development Authority of the Charter Township of Grand Haven.
3. “Authority Board” shall mean the Board of the Authority, its governing body.
4. “Township Board” shall mean the Township Board of the Charter Township of Grand Haven, Ottawa County, Michigan, a municipal corporation of the state of Michigan.
5. “Development Area” shall mean the development area designated in the Development Plan and described in Appendix 16 and Appendix 17 of the Year 2023 Amendment.
6. “Development Plan” shall mean the Development Plan portion of the Plan.

7. “Plan” shall mean the Charter Township of Grand Haven Downtown Development Authority 1999 Development Plan and Tax Increment Financing Plan, originally approved and adopted by Ordinance No. 308.
8. “Tax Increment Financing Plan” shall mean the Tax Increment Financing Plan portion of the Plan for the collection of tax increments.
9. “Year 2023 Amendment” shall mean the Year 2023 Amendment to the Charter Township of Grand Haven Downtown Development Authority 1999 Development Plan and Tax Increment Financing Plan submitted by the Authority to the Township Board pursuant to Act 57 and approved by this Ordinance and as it may be hereafter amended.

14.0253 Sec. 3 PUBLIC PURPOSE

The Township Board finds and confirms the continued necessity to halt property value deterioration, to eliminate the causes of such deterioration, and to promote economic growth, and hereby determines that the Year 2023 Amendment constitutes a public purpose. A Copy of the Year 2023 Amendment shall be maintained on file in the Township Clerk’s office and shall be cross-indexed to this Ordinance.

14.0254 Sec. 4 CONSIDERATIONS

In accordance with Section 219 of Act 57, the Township Board has considered the factors enumerated in that section and herein stated, making the following determinations:

1. The Development Area Citizens Council has recommended the adoption of the Year 2023 Amendment.
2. The Year 2023 Amendment meets the requirements set forth in Section 217(2) of Act 57.
3. The proposed method of financing the development described in the Year 2023 Amendment is feasible and the Authority has the ability to arrange the financing.
4. The development is reasonable and necessary to carry out the purposes of Part 2 of Act 57.
5. The land included within the Development Area to be acquired is reasonably necessary to carry out the purposes of the Year 2023 Amendment and of Part 2 of Act 57 in an efficient and economically satisfactory manner.

6. The Year 2023 Amendment is in reasonable accord with the Grand Haven Charter Township Master Plan.
7. Public services, such as fire and police protection and utilities, are or will be adequate to serve all of the projects described in the Year 2023 Amendment and the Development Area generally.
8. All changes in zoning, streets, street levels, intersections, and utilities, if any, as described in the Year 2023 Amendment are reasonably necessary for the projects described in the Year 2023 Amendment and for Grand Haven Charter Township.

14.0255 Sec. 5 MEETINGS

Representatives of all taxing jurisdictions within which all or a portion of the Development Area lies have had a reasonable opportunity to present their opinions and comments regarding the Year 2023 Amendment to the Township Board.

14.0256 Sec. 6 PUBLIC HEARING

The Township Board has held a public hearing on the Year 2023 Amendment with notice properly given in accordance with Section 218 of Act 57, and the Township Board has provided an opportunity for all interested persons to be heard regarding the Year 2023 Amendment.

14.0257 Sec. 7 APPROVAL

The Year 2023 Amendment is hereby approved in the form attached hereto as Exhibit A.

14.0258 Sec. 8 DEVELOPMENT AREA

The Development Area as set forth and described in the Plan including Appendix 16 and Appendix 17 of the Year 2023 Amendment is hereby ratified and confirmed.

14.0259 Sec. 9 TRANSMITTAL OF REVENUES

The Township Treasurer shall continue to transmit to the Authority that portion of the tax levy of all taxing bodies paid each year on real and personal property in the Development Area on the captured assessed value as set forth in the Tax Increment Financing Plan.

14.0260 Sec. 10 SEVERABILITY AND REPEAL

If any portion of this Ordinance shall be held to be unlawful, the remaining portions shall remain in full force and effect. All ordinances and parts of Ordinances in conflict herewith are hereby repealed.

14.0261 Sec. 11 PUBLICATION AND EFFECTIVE DATE

This Ordinance was approved and adopted by the Township Board on May 8, 2023, after introduction and a first reading on April 24, 2023, and publication after first reading as required by Michigan law. The Ordinance shall be effective on May 16, 2023 of its publication after adoption.