

SUMMARY OF AMNEDED ORDINANCE NO. 24
Lawrence Township

The following is a summary of Lawrence Township Ordinance No. 24, adopted by the Lawrence Township Board of Trustees at a regular meeting on March 12, 2015, which is an amendment of Ordinance No. 24 of the Lawrence Township Compiled Ordinances, originally adopted January 29, 2013. This amendment is being published in summary form pursuant to MCL 41.184. A true copy of the entire ordinance may be inspected or obtained at the Lawrence Township Community Services Building, 205 N. Paw Paw Street, Lawrence, Michigan, during regular business hours.

~~**AN ORDINANCE TO AUTHORIZE THE PAYMENT OF AN ANNUAL SERVICE CHARGE IN LIEU OF TAXES FOR RESIDENTIAL UNITS SERVING LOW INCOME OR MODERATE INCOME PERSONS**~~

Section 1. Purpose. This Ordinance authorizes and approves an annual service charge in lieu of taxes for low and moderate income residential housing developments in accordance with the State Housing Development Authority, Act 346 of the Public Acts of Michigan of 1966, as amended.

Section 2. Title. This Ordinance shall be known and cited as the "Township of Lawrence Tax Exemption Ordinance."

Section 3. Preamble. It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for low income citizens and to encourage the development of such housing by providing for a service charge in lieu of property taxes.

Section 4. Definitions. This section defines special words used in the Ordinance, including but not limited to: Annual Shelter Rents; Contract Rents; Federally-Aided Mortgage; Low Income or Moderate Income Persons; Sponsor; and, Tax Credits.

Section 5. Class of Housing Development. This Ordinance shall apply only to a Housing Development to the extent that it provides housing for Low Income and Moderate Income Persons and otherwise qualifies under the terms and conditions of the ordinance.

Section 6. Establishment of Annual Service Charge. In consideration of the Sponsor's offer to rehabilitate, own and operate a qualified Housing Development, the Township agrees to accept payment of an annual service charge for public services in lieu of all ad valorem property taxes that would otherwise be assessed to the Housing Development under Michigan law. This section describes the terms and conditions of payment and the consequences of non-payment.

Section 7. Limitation on the Payment of Annual Service Charge. If any portion of the Housing Development is occupied by other than Low Income and Moderate Income Persons, the

full amount of the taxes that would be paid on those units of the Housing Development if the Housing Development were not tax exempt shall be added to the service charge in lieu of taxes.

Section 8. Contractual Effect of Ordinance. The terms of this Ordinance constitutes a contract between the Township and the Sponsor and the Housing Development.

Section 9. Payment of Service Charge. The service charge in lieu of taxes shall be payable to the Township in the same manner as ad valorem property taxes are payable, except as to the date of payment.

Section 10. Duration. This Ordinance shall remain in effect for not more than eighteen (18) years from the date of completion of the rehabilitation, but may end sooner for reasons set forth in the ordinance.

Section 11. Severability. The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of this Ordinance as a whole or any section or provision of this Ordinance, other than the section or provision so declared to be unconstitutional or invalid.

Section 12. Inconsistent Ordinances. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are repealed to the extent of such inconsistency or conflict.

Section 13. Publication; Effective Date. This Ordinance shall become effective the day following its publication or the day following publication of a summary of its provisions in a newspaper of general circulation in the Township.

Passed and adopted by the Township of Lawrence on March 12, 2015.

Kim Thompson,
Lawrence Township Clerk