

**ORDINANCE NO. 2017 - 01
CITY OF ST. CLAIR
COUNTY OF ST. CLAIR, MICHIGAN**

AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO PROVIDE FOR A SERVICE CHARGE IN LIEU OF TAXES FOR PROPERTY PURSUANT TO THE PROVISIONS OF THE MICHIGAN HOUSING FACILITIES ACT (PUBLIC ACT 88 OF 1993, AS AMENDED; MCL 125.651, *ET SEQ.*) (THE “ACT”).

THE CITY OF ST. CLAIR ORDAINS:

PAYMENT IN LIEU OF TAXES ORDINANCE – PALMER PARK MANOR

SECTION 1. TITLE.

This Ordinance shall be known and cited as the City of St. Clair Payment In Lieu of Taxes Ordinance – Palmer Park Manor.

SECTION 2. PREAMBLE.

It is acknowledged and recognized that the St. Clair Housing Commission, through its operation of Palmer Park Manor, provides a valuable benefit to the City of St. Clair. Pursuant to the Act, Palmer Park Manor is exempt from *ad valorem* taxation; however, the City is authorized by the Act to establish a service charge to be paid in lieu of taxes for Palmer Park Manor.

SECTION 3. ESTABLISHMENT OF ANNUAL SERVICE CHARGE.

The housing project operated by the St. Clair Housing Commission, identified as Palmer Park Manor and the property on which it is located, shall be exempt from all *ad valorem* property taxes as long as such exemption is provided for under the Act. As long as Palmer Park Manor is exempt from *ad valorem* property taxes, pursuant to the Act the City agrees to accept payment of an annual service charge for public services in lieu of all *ad valorem* property taxes. The annual service charge shall be equal to ten percent (10%) of the annual shelter rents actually collected during each operating year. For purposes of this Ordinance, annual shelter rent means the total annual collections by the St. Clair Housing Commission from or paid on behalf of all occupants of Palmer Park Manor representing rent or occupancy charges, exclusive of charges for gas, electric, water, sanitary sewer and other utilities or services furnished to residents of Palmer Park Manor by the St. Clair Housing Commission.

SECTION 4. SEVERABILITY.

This Ordinance and each of the various parts, sections, subsections, sentences, phrases, and clauses hereof are declared to be severable. If any part, section, subsection, sentence, phrase, or clause is determined to be invalid or unenforceable by a court of competent jurisdiction, it is hereby provided that the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

SECTION 5. REPEAL OF ORDINANCES IN CONFLICT HEREWITH.

Any and all Ordinances of the City of St. Clair or any parts or provisions thereof, to the extent that they are contrary to or inconsistent with the provisions of the within Ordinance, are hereby expressly repealed.

SECTION 6. RATIFICATION.

All other provisions of the code of Ordinances of the City of St. Clair, Michigan except as herein modified or amended are hereby expressly ratified and affirmed.

SECTION 7. PUBLICATION.

This Ordinance shall be published in accordance with the terms, provisions, and requirements of the City Charter of the city of St. Clair, Michigan, and in accordance with and to the extent required by the statutes of the State of Michigan.

SECITON 8. EFFECTIVE DATE.

This Ordinance shall take immediate effect upon publication in accordance with the provisions and requirements of the City Charter of the City of St. Clair.

ORDINANCE DECLARED ADOPTED.

William Cedar, Jr., Mayor
City of St. Clair, Michigan

CERTIFICATION

The foregoing is a true and complete copy of an Ordinance adopted by the City Council of the City of St. Clair, County of St. Clair, State of Michigan, at a regular meeting of the City Council held on the 6th day of February, 2017, and public notice of said meeting was given pursuant to and in accordance with the requirements of Act No. 267 of the Public Acts of 1976, as amended, being the Open Meetings Act, and the minutes of said meeting have been or will be made available as required by said Act.

Members Present: Mayor Cedar, Ellery, Kindsvater, Klieman, Kuffa, LaPorte, McCartney
Members Absent: None

It was moved by Member LaPorte and supported by Member Kuffa to adopt the Ordinance.

Members voting yes: Klieman, Kuffa, LaPorte, McCartney, Ellery, Kindsvater, Cedar
Members voting no: None

The Ordinance was declared adopted by the Mayor and has been recorded in the Ordinance Book of the City of St. Clair.

Annette Sturdy, City Clerk
City of St. Clair, Michigan

INTRODUCED: January 16, 2017
ADOPTED: February 6, 2017
PUBLISHED: February 15, 2017
EFFECTIVE: February 15, 2017