

ORDINANCE NO. 2020 - 03

CITY OF ST. CLAIR

COUNTY OF ST. CLAIR, MICHIGAN

AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO AMEND CHAPTER 46 "SPECIAL ASSESSMENTS," SECTION 16 "PARTIAL PAYMENTS" BY EXTENDING THE MAXIMUM POTENTIAL TERM OF ANNUAL INSTALLMENTS FROM TEN TO TWENTY.

THE CITY OF ST. CLAIR ORDAINS:

SECTION 46-16. Partial payments.

The council may provide for the payment of special assessments in annual installments. Such annual installments shall not exceed twenty in number, the first installment being due upon confirmation of the roll or on such date as the council may determine and deferred installments being due annually thereafter, or, in the discretion of the council, may be spread upon and made a part of each annual city tax roll thereafter until all are paid. Interest shall be charged on all deferred installments at a rate not to exceed the annual rate allowed by law, commencing on the due date of the first installment, or 60 days after the date of confirmation if the first installment is not due upon confirmation, and payable on the due date of each subsequent installment. The full amount of all or any deferred installments, with interest accrued thereon to the date of payment, may be paid in advance of the due dates thereof. If the full assessment or the first installment thereof shall be due upon confirmation, each property owner shall have 60 days from the date of confirmation to pay the full amount of such assessment, or the penalty. Following such 60-day period, the assessment or first installment thereof shall, if unpaid, be considered as delinquent and the same penalties shall be collected on such unpaid assessments or first installments thereof as are provided by law to be collected on delinquent general city taxes. Deferred installments shall be collected without penalty until 60 days after the due date thereof, after which such installments shall be considered as delinquent and such penalties on such installments shall be collected as are provided by law to be collected on delinquent general city taxes. After the council has confirmed the roll, the city treasurer shall notify by mail each property owner on such roll that the roll has been filed, stating the amount assessed and the terms of payment. Failure on the part of the city treasurer to give such notice or of the owner to receive such notice shall not invalidate any special assessment roll of the city or any assessment thereon, nor excuse the payment of interest or penalties.

SECTION 2. 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 3. 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 4. 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 5. 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.

SECTION 6. 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 16th day of March, 2020, 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, Kuffa, LaPorte, McCartney, Watt
Members Absent: None

It was moved by Member McCartney and supported by Member Kindsvater to adopt the Ordinance.

Members voting yes: Watt, LaPorte, Kuffa, Kindsvater, McCartney, Ellery, 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: March 2, 2020
ADOPTED: March 16, 2020
PUBLISHED: March 20, 2020
EFFECTIVE: March 20, 2020