

VILLAGE OF CAMDEN
HILLSDALE COUNTY, MICHIGAN
Ordinance Number 1989- 10-1

THE VILLAGE OF CAMDEN ORDAINS:

SECTION ONE - **Housing Projects Not To Be Tax Exempt.** The tax exemption established in subsection 15a(1) of Act No. 346 of the Public Acts of 1966 of the State of Michigan, as amended, for housing projects financed with federally-aided or Michigan State Housing Authority-aided mortgages, advances or grants, shall not apply to any class of housing projects within the boundaries of the Village of Camden, except as hereinafter provided to the contrary.

SECTION TWO - **Exceptions and Conditions.**

A. Notwithstanding, and as an exception to, the provisions of Section One of this ordinance, housing projects financed with federally-aided or Michigan State Housing Authority-aided mortgages, advances or grants, may be exempted from state and local taxes if, but only if, documented evidence satisfactory to the Assessor responsible for assessing taxes in the Village is first presented to establish that the housing project seeking the tax exemption allocates the benefits of any tax exemption granted exclusively to the low income persons or families occupying said housing project in accordance with the rules and regulations of the United States Department of Housing and Urban Development or the Michigan State Housing Development Authority, or both, and that such housing project

is designed for and used, specifically and exclusively by persons or families of low and moderate income, as those terms are defined in Act 346 of the Public Acts of 1966 of the State of Michigan, as amended.

B. An exemption from taxation granted pursuant to this ordinance shall be contingent upon construction of the housing project being commenced within one year from the date such tax exemption is granted and shall thereafter remain in effect for so long as the Federally-aided or Michigan State Housing Authority-aided mortgage, advance or grant is outstanding, but for not more than 50 years, or for such different time as the Village of Camden might hereafter establish by ordinance.

C. The owner of a housing project eligible for the tax exemption provided for in this ordinance, shall file with the Village Assessor, in addition to the documentation required in subparagraph A of this section, a notification of exemption which shall be in an affidavit as provided by the Michigan State Housing Development Authority. The completed affidavit shall first be submitted to the Michigan State Housing Development Authority for certification that the housing project is eligible for the tax exemption under Act 346 of the Public Acts of 1966 of the State of Michigan, as amended. The certified notification shall be filed with the Village Assessor before November 1 of the year preceding the tax year in which the exemption is to begin.

SECTION THREE - Annual Charge In Lieu Of Taxes. An annual service charge for public services in lieu of all taxes shall

be established and may be changed by the Village of Camden, by ordinance, for all or any class of housing projects which qualify for the above provided tax exemption, however, the service charge so established shall not exceed the taxes that would be paid but for the tax exemption provided for in this ordinance.

SECTION FOUR - **Payment Of Service Charge.** Any annual service charge in lieu of taxes established for a tax exempt housing project, as determined hereunder, shall be payable in the same manner as general property taxes are payable to the Village of Camden, except that the annual service charge established shall be paid on or before February 15 of each calendar year; provided, however, that such annual service charge in lieu of taxes, if not paid when due, shall become a lien against the premises and may be enforced as a special assessment.

SECTION FIVE - **Termination Of Tax Exemption.** The tax exemption of any housing project which otherwise qualifies for a tax exemption under this ordinance shall be subject to the following:

(1) Any such tax exemption shall automatically cease and terminate upon the housing project's failure to meet the requirements of Section 15a(1) of Public Act 346 of 1966 of the State of Michigan, as amended;

(2) Such tax exemption may be terminated by the Village Council of the Village of Camden at its discretion when a housing project, after receiving 90 days written notice, has failed to make timely service charge payments in lieu of taxes

when due.

(3) Any contractual obligation on the part of the Village of Camden to continue tax exemption to a housing project shall cease, and be of no further force and effect, upon the housing project's failure to purchase its sewer and water services from the Village of Camden, and to timely pay such charges and assessments as shall be levied in connection therewith, so long as the Village of Camden is able to provide such services.

SECTION SIX - Right Of Repeal. The Village of Camden hereby specifically and expressly reserves the right to repeal this ordinance in its sole discretion at any time, any such repeal to become effective on the date designated in the repealing ordinance.

SECTION SEVEN - Severability. The various sections and provisions of this ordinance shall be deemed to be severable, and should 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 the ordinance as a whole or any section or provision hereof other than the section or provision so declared to be unconstitutional or invalid.

SECTION EIGHT - Effective Date. This ordinance shall become effective upon its' enactment and publication.

This ordinance adopted at a regular Village Council Meeting on October 10, 1989.

Lyle Kowitz

Lyle Kowitz, Mayor

Patsy Kowitz

Patsy Kowitz, Clerk

Affidavit of Publication

Village of Camden DN10/22

PUBLIC NOTICE

VILLAGE OF CAMDEN, HILLSDALE COUNTY, MICHIGAN, Ordinance Number 1989-10-1

THE VILLAGE OF CAMDEN ORDAINS:

SECTION ONE - Housing Projects Not To Be Tax Exempt. The tax exemption established in subsection 15a(1) of Act No. 346 of the Public Acts of 1966 of the State of Michigan, as amended, for housing projects financed with federally-aided or Michigan State Housing Authority-aided mortgages, advances or grants, shall not apply to any class of housing projects within the boundaries of the Village of Camden, except as hereinafter provided to the contrary.

SECTION TWO - Exceptions and Conditions.

A. Notwithstanding, and as an exception to, the provisions of Section One of this ordinance, housing projects financed with federally-aided or Michigan State Housing Authority-aided mortgages, advances or grants, may be exempted from state and local taxes if, but only if, documented evidence satisfactory to the Assessor responsible for assessing taxes in the Village is first presented to establish that the housing project seeking the tax exemption allocates the benefits of any tax exemption granted exclusively to the low income persons or families occupying said housing project in accordance with the rules and regulations of the United States Department of Housing and Urban Development or the Michigan State Housing Development Authority, or both, and that such housing project is designed for and used, specifically and exclusively by persons or families of low and moderate income, as those terms are defined in Act 346 of the Public Acts of 1966 of the State of Michigan, as amended.

B. An exemption from taxation granted pursuant to this ordinance shall be contingent upon construction of the housing project being commenced within one year from the date such tax exemption is granted and shall thereafter remain in effect for so long as the Federally-aided or Michigan State Housing Authority-aided mortgage, advance or grant is outstanding, but for not more than 50 years, or for such different time as the Village of Camden might hereafter establish by ordinance.

C. The owner of a housing project eligible for the tax exemption provided for in this ordinance, shall file with the Village Assessor, in addition to the documentation required in subparagraph A of this section, a notification of exemption which shall be in an affidavit as provided by the Michigan State Housing Development Authority. The completed affidavit shall first be submitted to the Michigan State Housing Development Authority for certification that the housing project is eligible for the tax exemption under Act 346 of the Public Acts of 1966 of the State of Michigan, as amended. The certified notification shall be filed with the Village Assessor before November 1 of the year preceding the tax year in which the exemption is to begin.

SECTION THREE - Annual Charge In Lieu Of Taxes. An annual service charge for public services in lieu of all taxes shall be established and may be changed by the Village of Camden, by ordinance, for all or any class of housing projects which qualify for the above provided tax exemption, however, the service charge so established shall not exceed the taxes that would be paid but for the tax exemption provided for in this ordinance.

SECTION FOUR - Payment Of Service Charge. Any annual service charge in lieu of taxes established for a tax exempt housing project, as determined hereunder, shall be payable in the same manner as general property taxes are payable to the Village of Camden, except that the annual service charge established shall be paid on or before February 15 of each calendar year; provided, however, that such annual service charge in lieu of taxes, if not paid when due, shall become a lien against the premises and may be enforced as a special assessment.

SECTION FIVE - Termination Of Tax Exemption. The tax exemption of any housing project which otherwise qualifies for a tax exemption under this ordinance shall be subject to the following:

(1) Any such tax exemption shall automatically cease and terminate upon the housing project's failure to meet the requirements of Section 15a(1) of Public Act 346 of 1966 of the State of Michigan, as amended;

(2) Such tax exemption may be terminated by the Village Council of the Village of Camden at its discretion when a housing project, after receiving 90 days written notice, has failed to make timely service charge payments in lieu of taxes when due.

(3) Any contractual obligation on the part of the Village of Camden to continue tax exemption to a housing project shall cease, and be of no further force and effect, upon the housing project's failure to purchase its sewer and water services from the Village of Camden, and to timely pay such charges and assessments as shall be levied in connection therewith, so long as the Village of Camden is able to provide such services.

SECTION SIX - Right Of Repeal. The Village of Camden hereby specifically and expressly reserves the right to

repeal this ordinance in its sole discretion at any time, any such repeal to become effective on the date designated in the repealing ordinance.

SECTION SEVEN - Severability. The various sections and provisions of this ordinance shall be deemed to be severable, and should 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 the ordinance as a whole or any section or provision hereof other than the section or provision so declared to be unconstitutional or invalid.

SECTION EIGHT - Effective Date. This ordinance shall become effective upon its enactment and publication.

This ordinance adopted at a regular Village Council Meeting on October 10, 1989.

Lyle Kowitz, Mayor
Patsy Kowitz, Clerk
DN10/22 Oct. 19

STATE OF MICHIGAN)

:SS

County of Hillsdale)

1989-10-1

Kimberly M. Benedict being first duly sworn, says that she is the advertising manager of the Hillsdale Daily News, a newspaper published in the English language for the dissemination of local or transmitted news and intelligence of a general character and legal news, which is a duly qualified newspaper, and that annexed hereto is a copy of a certain order taken from said newspaper, in which the order was published on the following dates, to wit:

October 19, 1989

Kimberly M. Benedict
(Advertising Manager)

Subscribed and sworn to before me this

31st day of October

A.D. 19 89

Imogene Jacks
Notary Public for Hillsdale County

My Commission Expires 01-05-92