



SENATE BILL No. 651

September 13, 1995, Introduced by Senator HONIGMAN
and referred to the Committee on Local, Urban
and State Affairs.

A bill to provide for the acquisition, improvement, maintenance, and operation of parks by certain local units of government; to provide for special assessments; and to provide for the issuance of bonds.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Park" means an area of land or water, or both, dedi-
3 cated to 1 or more of the following uses:

4 (i) Recreational purposes, including but not limited to
5 landscaped tracts; picnic grounds; playgrounds; athletic fields;
6 camps; campgrounds; zoological and botanical gardens; swimming,
7 boating, hunting, fishing, and birding areas; and foot and bridle
8 paths.

9 (ii) Open or scenic space.

1 (iii) Environmental, conservation, nature, or wildlife
2 areas.

3 (b) "Park improvement" means the acquisition, improvement,
4 maintenance, or operation of a park.

5 (c) "Record owner" means an individual, partnership, corpo-
6 ration, limited liability company, association, or other legal
7 entity, possessed of the most recent fee title or a land contract
8 vendee's interest in land as shown by the records of the county
9 register of deeds.

10 Sec. 2. (1) The county board of commissioners of a county
11 may make a park improvement, defray all or part of the cost of
12 the park improvement by special assessments, and finance the park
13 improvement by borrowing money and issuing bonds in anticipation
14 of the collection of the special assessments, in the same manner
15 as a board of county road commissioners proceeding under sections
16 1 to 17 of Act No. 246 of the Public Acts of 1931, being sections
17 41.271 to 41.287 of the Michigan Compiled Laws. However, the
18 proceedings for the establishment of a special assessment dis-
19 trict shall be initiated by filing with the county board of com-
20 missioners a petition meeting the following requirements:

21 (a) The petition is signed by record owners of land consti-
22 tuting not less than 2/3 of the total land area in the special
23 assessment district as finally established.

24 (b) The petition is signed by 2/3 of the record owners of
25 land in the special assessment district as finally established.

26 (2) The city council of a city organized under the fourth
27 class city act, Act No. 215 of the Public Acts of 1895, being

1 sections 81.1 to 113.20 of the Michigan Compiled Laws, may make a
2 park improvement, defray all or part of the cost of the park
3 improvement by special assessments, and finance the park improve-
4 ment by borrowing money and issuing bonds in anticipation of the
5 collection of the special assessments, in the same manner as
6 authorized in an ordinance adopted under chapter XXIVA of Act
7 No. 215 of the Public Acts of 1895, being sections 104A.1 to
8 104A.5 of the Michigan Compiled Laws. However, the proceedings
9 for the establishment of a special assessment district shall be
10 initiated by the filing of a petition meeting the following
11 requirements:

12 (a) The petition is signed by record owners of land consti-
13 tuting not less than 2/3 of the total land area in the special
14 assessment district as finally established.

15 (b) The petition is signed by 2/3 of the record owners of
16 land in the special assessment district as finally established.

17 (3) The legislative body of a city organized under the home
18 rule city act, Act No. 279 of the Public Acts of 1909, being sec-
19 tions 117.1 to 117.38 of the Michigan Compiled Laws, may make a
20 park improvement, defray all or part of the cost of the park
21 improvement by special assessments, and finance the park improve-
22 ment by borrowing money and issuing bonds in anticipation of the
23 collection of the special assessments, in the same manner as
24 authorized for other public improvements in charter provisions
25 adopted under sections 4a(7) and 4d of Act No. 279 of the Public
26 Acts of 1909, being sections 117.4a and 117.4d of the Michigan
27 Compiled Laws. However, the proceedings for the establishment of

1 a special assessment district shall be initiated by the filing of
2 a petition meeting the following requirements:

3 (a) The petition is signed by record owners of land consti-
4 tuting not less than 2/3 of the total land area in the special
5 assessment district as finally established.

6 (b) The petition is signed by 2/3 of the record owners of
7 land in the special assessment district as finally established.

8 (4) The legislative body of a village or the township board
9 of a township may make a park improvement, defray all or part of
10 the cost of the park improvement by special assessments, and
11 finance the park improvement by borrowing money and issuing bonds
12 in anticipation of the collection of special assessments, in the
13 same manner as authorized by sections 1, 2, 3, and 4 of the town-
14 ship and village public improvement and public service act, Act
15 No. 116 of the Public Acts of 1923, being sections 41.411,
16 41.412, 41.413, and 41.414 of the Michigan Compiled Laws. The
17 proceedings for the establishment of a special assessment dis-
18 trict shall be initiated by filing a petition meeting the follow-
19 ing requirements:

20 (a) The petition is signed by record owners of land consti-
21 tuting not less than 2/3 of the total land area in the special
22 assessment district as finally established.

23 (b) The petition is signed by 2/3 of the record owners of
24 land in the special assessment district as finally established.

25 Sec. 3. A county, township, city, or village shall not
26 acquire property for a park under this act by condemnation.
27 Property shall instead be acquired from a willing seller.

1 Sec. 4. The powers granted by this act are in addition to,
2 and not a limitation on, those granted by law or charter.