

SENATE BILL No. 975

December 6, 2007, Introduced by Senators KAHN, ALLEN, SANBORN, KUIPERS, GILBERT, RICHARDVILLE, BIRKHOLZ, HUNTER, STAMAS, BROWN, HARDIMAN, GEORGE, CLARKE, CLARK-COLEMAN, PAPPAGEORGE, BARCIA, JACOBS, THOMAS and SCOTT and referred to the Committee on Commerce and Tourism.

A bill to amend 1992 PA 147, entitled
"Neighborhood enterprise zone act,"
by amending section 3 (MCL 207.773), as amended by 2005 PA 339.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) The governing body of a local governmental unit by
2 resolution may designate 1 or more neighborhood enterprise zones
3 within that local governmental unit. ~~A—EXCEPT AS OTHERWISE PROVIDED~~
4 **IN THIS SUBSECTION, A** neighborhood enterprise zone shall contain
5 not less than 10 platted parcels of land. **A NEIGHBORHOOD ENTERPRISE**
6 **ZONE LOCATED IN A DOWNTOWN DISTRICT UNDER 1975 PA 197, MCL 125.1651**
7 **TO 125.1681, MAY CONTAIN LESS THAN 10 PLATTED PARCELS IF THE**
8 **PLATTED PARCELS TOGETHER CONTAIN 10 OR MORE FACILITIES.** All the
9 land within a neighborhood enterprise zone shall also be compact
10 and contiguous. Contiguity is not broken by a road, right-of-way,

1 or property purchased or taken under condemnation if the purchased
2 or condemned property was a single parcel prior to the sale or
3 condemnation.

4 (2) The total acreage of the neighborhood enterprise zones
5 containing only new facilities or rehabilitated facilities or any
6 combination of new facilities or rehabilitated facilities
7 designated under this act shall not exceed 15% of the total acreage
8 contained within the boundaries of the local governmental unit. The
9 total acreage of the neighborhood enterprise zones containing only
10 homestead facilities designated under this act shall not exceed 10%
11 of the total acreage contained within the boundaries of the local
12 governmental unit or, with the approval of the board of
13 commissioners of the county in which the neighborhood enterprise
14 zone is located if the county does not have an elected or appointed
15 county executive or with the approval of the board of commissioners
16 and the county executive of the county in which the neighborhood
17 enterprise zone is located if the county has an elected or
18 appointed county executive, 15% of the total acreage contained
19 within the boundaries of the local governmental unit.

20 (3) Not less than 60 days before the passage of a resolution
21 designating a neighborhood enterprise zone or the repeal or
22 amendment of a resolution under subsection (5), the clerk of the
23 local governmental unit shall give written notice to the assessor
24 and to the governing body of each taxing unit that levies ad
25 valorem property taxes in the proposed neighborhood enterprise
26 zone. Before acting upon the resolution, the governing body of the
27 local governmental unit shall make a finding that a proposed

1 neighborhood enterprise zone is consistent with the master plan of
2 the local governmental unit and the neighborhood preservation and
3 economic development goals of the local governmental unit. The
4 governing body before acting upon the resolution shall also adopt a
5 statement of the local governmental unit's goals, objectives, and
6 policies relative to the maintenance, preservation, improvement,
7 and development of housing for all persons regardless of income
8 level living within the proposed neighborhood enterprise zone.
9 Additionally, before acting upon the resolution, the governing body
10 of a local governmental unit with a population greater than 20,000
11 shall pass a housing inspection ordinance. A local governmental
12 unit with a population of 20,000 or less may pass a housing
13 inspection ordinance. Before the sale of a unit in a new or
14 rehabilitated facility for which a neighborhood enterprise zone
15 certificate is in effect, an inspection shall be made of the unit
16 to determine compliance with any local construction or safety codes
17 and that a sale may not be finalized until there is compliance with
18 those local construction or safety codes. The governing body shall
19 hold a public hearing not later than 45 days after the date the
20 notice is sent but before acting upon the resolution.

21 (4) Upon receipt of a notice under subsection (3), the
22 assessor shall determine and furnish to the governing body of the
23 local governmental unit the amount of the true cash value of the
24 property located within the proposed neighborhood enterprise zone
25 and any other information considered necessary by the governing
26 body.

27 (5) A resolution designating a neighborhood enterprise zone,

1 other than a zone designated under subsection (2), may be repealed
2 or amended not sooner than 3 years after the date of adoption or of
3 the most recent amendment of the resolution by the governing body
4 of the local governmental unit. The repeal or amendment of the
5 resolution shall take effect 6 months after adoption. However, an
6 action taken under this subsection does not invalidate a
7 certificate that is issued or in effect and a facility for which a
8 certificate is issued or in effect shall continue to be included in
9 the total acreage limitations under this section until the
10 certificate is expired or revoked.

11 (6) Upon passage, amendment, or repeal of a resolution under
12 this section, the clerk of the local governmental unit shall notify
13 the commission of the action taken.