

PROPERTY ASSESSED CLEAN ENERGY ACT (EXCERPT)
Act 270 of 2010

460.937 Establishment; actions to be taken by governing body; amendment by resolution.

Sec. 7. (1) To establish a property assessed clean energy program, a governing body shall take the following actions in the following order:

(a) Adopt a resolution of intent that includes all of the following:

(i) A finding that the financing of projects is a valid public purpose.

(ii) A statement of intent to provide funds for projects, which may be repaid by assessments on the property benefited, with the agreement of the record owner.

(iii) A description of the proposed arrangements for financing the program.

(iv) The types of projects that may be financed.

(v) Reference to a report on the proposed program as described in section 9(1) and a location where the report is available pursuant to section 9(2).

(vi) The time and place for a public hearing on the proposed program.

(b) Hold a public hearing at which the public may comment on the proposed program, including the report described in section 9(1).

(c) Adopt a resolution establishing the program and setting forth its terms and conditions, including all of the following:

(i) Matters required by section 9(1) to be included in the report. For this purpose, the resolution may incorporate the report or an amended version of the report by reference.

(ii) A description of aspects of the program that may be amended without holding a new public hearing and aspects that may be amended only after a new public hearing is held.

(2) The governing body may amend a property assessed clean energy program by resolution. Before adopting the resolution, the governing body shall hold a public hearing if required under subsection (1)(c).

History: 2010, Act 270, Imd. Eff. Dec. 14, 2010;—Am. 2023, Act 107, Eff. Feb. 13, 2024.