



SENATE BILL No. 1194

June 22, 1994, Introduced by Senators HONIGMAN, HART and BERRYMAN and referred to the Committee on Local Government and Urban Development

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 (1) 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 (11) Open or scenic space

1 (111) 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 signed by record owners of land constitut-
21 ing not less than 2/3 of the total land area in the special
22 assessment district as finally established

23 (2) The township board of a township may make a park
24 improvement, defray all or part of the cost of the park improve-
25 ment by special assessments, and finance the park improvement by
26 borrowing money and issuing bonds in anticipation of the
27 collection of the special assessments in the same manner as

1 authorized by Act No 188 of the Public Acts of 1954, being
2 sections 41 721 to 41 738 of the Michigan Compiled Laws
3 However, the proceedings for the establishment of a special
4 assessment district shall be initiated by the filing of a peti-
5 tion signed by record owners of land constituting not less than
6 2/3 of the total land area in the special assessment district as
7 finally established

8 (3) The city council of a city organized under the fourth
9 class city act, Act No 215 of the Public Acts of 1895, being
10 sections 81 1 to 113 20 of the Michigan Compiled Laws, may make a
11 park improvement, defray all or part of the cost of the park
12 improvement by special assessments, and finance the park improve-
13 ment by borrowing money and issuing bonds in anticipation of the
14 collection of the special assessments, in the same manner as
15 authorized in an ordinance adopted under chapter XXIVA of Act
16 No 215 of the Public Acts of 1895, being sections 104A 1 to
17 104A 5 of the Michigan Compiled Laws However, the proceedings
18 for the establishment of a special assessment district shall be
19 initiated by the filing of a petition signed by record owners of
20 land constituting not less than 2/3 of the total land area in the
21 special assessment district as finally established

22 (4) The legislative body of a city organized under the home
23 rule city act, Act No 279 of the Public Acts of 1909, being sec-
24 tions 117 1 to 117 38 of the Michigan Compiled Laws, may make a
25 park improvement, defray all or part of the cost of the park
26 improvement by special assessments, and finance the park
27 improvement by borrowing money and issuing bonds in anticipation

1 of the collection of the special assessments, in the same manner
2 as authorized for other public improvements in charter provisions
3 adopted under sections 4a(7) and 4d of Act No 279 of the Public
4 Acts of 1909, being sections 117 4a and 117 4d of the Michigan
5 Compiled Laws However, the proceedings for the establishment of
6 a special assessment district shall be initiated by the filing of
7 a petition signed by record owners of land constituting not less
8 than 2/3 of the total land area in the special assessment dis-
9 trict as finally established

10 (5) The legislative body of a village may make a park
11 improvement, defray all or part of the cost of the park improve-
12 ment by special assessments, and finance the park improvement by
13 borrowing money and issuing bonds in anticipation of the collec-
14 tion of special assessments, in the same manner as authorized by
15 sections 1, 2, 3, and 4 of the township and village public
16 improvement and public service act, Act No 116 of the Public
17 Acts of 1923, being sections 41 411, 41 412, 41 413, and 41 414
18 of the Michigan Compiled Laws The proceedings for the estab-
19 lishment of a special assessment district shall be initiated by
20 filing with the county board of commissioners a petition signed
21 by record owners of land constituting not less than 2/3 of the
22 total land area in the special assessment district as finally
23 established

24 Sec 3 A county, township, city, or village shall not
25 acquire property for a park under this act by condemnation

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