

CITY OF ZEELAND

ORDINANCE NO. 763

(Shopping Area Redevelopment Ordinance Amendment)

Portions of minutes of a Regular Meeting of the City Council of the City of Zeeland, County of Ottawa, Michigan, held in the Zeeland City Hall in said City on April 1, 2002, at 7:00 o'clock P.M., Local Time.

PRESENT: Council Members Mayor Hoogland, Gruppen, Klynstra, Curnick, Karsten, Van Ommen and Broersma

ABSENT: Council Members None

The following preamble and ordinance were offered by Council Member Van Ommen and supported by Council Member Gruppen:

WHEREAS, the City of Zeeland adopted Ordinance No. 507 to establish the Shopping Area Redevelopment Board in 1988;

AND WHEREAS, the City Council desires to expand the size of the Board and desires to amend the criteria for becoming a Board Member;

AND WHEREAS, such changes will result in better merchant and community representation on such Board.

THE CITY OF ZEELAND ORDAINS.

Section 1. Section 4 of Ordinance No. 507 is hereby amended to read in its entirety as follows:

SECTION 4. Board.

The Board shall consist of seven members. Five members of the Board shall be nominees of individual businesses located within the principal shopping district and such nominees shall be required to work within the principal shopping district. One member of the Board who does not work in, own property in, or have an equity interest in any business within the principal shopping district shall be from the adjacent residential area. The adjacent residential area shall be defined as

being an area within three blocks from the principal shopping district. One member shall be a representative of the City and shall be a member of the City Council. All members of the Board shall be appointed by the chief executive officer of the City with the concurrence of the City Council. If all of the following requirements are met, however, a business may appoint a member of the Board of the principal shopping district, which member shall be counted toward the majority of members required to be nominees of businesses located within the principal shopping district:

- (a) The business is located within the principal shopping district;
- (b) The principal shopping district was designated by the governing body of the City after July 14, 1992; (Unless the City of Zeeland amends the current boundaries of the principal shopping district, no business shall have the right to designate a board member since Zeeland's district was established prior to July 14, 1992.)
- (c) The business is located within a special assessment district as specified in MCL 125.981;
- (d) The special assessment district is divided into special assessment rate zones reflecting varying levels of special benefits;
- (e) The business is located in the special assessment rate zone with the highest assessment rates; and,
- (f) The square footage of the business is greater than 5.0% of the total square footage of all businesses in that special assessment rate zone.

A member of the Board shall be required to resign from the Board if they no longer work within the principal shopping district, if they no longer live within

three blocks of the principal shopping district, or if they are no longer on the City Council. Such resignation shall be considered to take effect upon the occurrence of such event. The term of office shall be for four (4) years. For the first Board, members of the Board shall be appointed so as to provide two members with four year terms, two members with three year terms, two members with two year terms, and one member with a one year term. Upon the resignation or removal of a Board member, a successor shall be appointed for the unexpired term of the replaced member. Members of the Board shall serve without compensation, but shall be reimbursed for actual and necessary expenses.

Section 2. All Ordinances or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section 3. This Ordinance shall take effect immediately upon publication of this ordinance or of a summary thereof and is hereby declared to be an Emergency Ordinance.

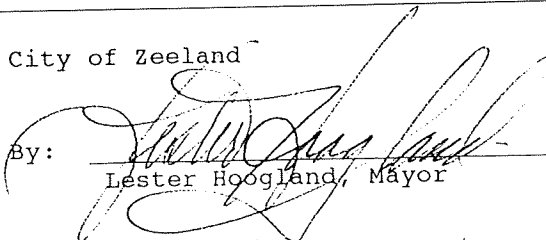
This Ordinance is hereby adopted on the 1st day of April, 2002, at a Regular Meeting of the Zeeland City Council, with the following vote:

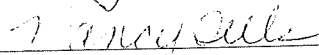
AYES: Council Members Curnick, Broersma, Van Ommen, Klynstra,
Karsten, Gruppen and Mayor Hoogland

NAYS: Council Members None

ABSENT: Council Members None

City of Zeeland

By: 
Lester Hoogland, Mayor

By: 
Nancy Tuls, Clerk

CERTIFICATE

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 763 which was duly adopted by the City Council of the City of Zeeland, County of Ottawa, Michigan, at a Regular Meeting held on April 1, 2002, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act. I hereby certify that the above Ordinance known as Ordinance No. 763 or a summary of such Ordinance was published in the Zeeland Record on the 4th day of April, 2002.

Nancy Tuls
Nancy Tuls, City Clerk