

## **Chapter 22 COMMUNITY DEVELOPMENT\***

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**\*Cross references:** Administration, ch. 2; buildings and building regulations, ch. 10.  
State law references: Housing and slum clearance projects, MCL 125.651 et seq.; housing corporation law, MCL 125.601 et seq.; urban redevelopment corporations, MCL 125.901 et seq.; rehabilitation of blighted areas, MCL 125.71 et seq.

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## **ARTICLE I. IN GENERAL**

**Secs. 22-1--22-25. Reserved.**

## **ARTICLE II. ECONOMIC DEVELOPMENT CORPORATION**

### **Sec. 22-26. Creation and authorization.**

There is hereby created and authorized the incorporation of the economic development corporation of the township pursuant to, and in accordance with Act No. 338 of the Public Acts of Michigan of 1974 (MCL 125.1601 et seq.), as amended.

(Ord. No. 132, § I, 7-11-77)

**Sec. 22-27. Application approval.**

The application dated May 23, 1977, and filed by Marvin Schrebe, Allan J. Rietberg and Robert Rozema is hereby approved.

(Ord. No. 132, § II, 7-11-77)

**Sec. 22-28. Approval and adoption of articles of incorporation.**

The articles of incorporation for the economic development corporation of the township are hereby approved and adopted in the following form:

ARTICLES OF INCORPORATION OF THE ECONOMIC DEVELOPMENT  
CORPORATION OF THE TOWNSHIP OF GEORGETOWN A PUBLIC CORPORATION

These articles of incorporation are signed and acknowledged by the incorporators for the purpose of forming a public economic development corporation pursuant to the provisions of Act No. 338 of the Public Acts of Michigan of 1974 (MCL 125.1601 et seq.), as amended (the "economic development corporations act of 1974").

(Ord. No. 132, § III, 7-11-77)

**Sec. 22-29. Short title.**

The name of the economic development corporation is the Economic Development Corporation of the Township of Georgetown.

(Ord. No. 132, § III, art. I, 7-11-77)

**Sec. 22-30. Incorporating municipality.**

The incorporation of the economic development corporation was accomplished by the approval of these articles of incorporation by ordinance of the township.

(Ord. No. 132, § III, art. II, 7-11-77)

**Sec. 22-31. Purpose of article.**

The corporation is organized and incorporated as authorized by and pursuant to the Economic Development Corporations Act of 1974 (Act No. 338 of the Public Acts of Michigan of 1974 (MCL 125.1601 et seq.)), as amended. The purpose for which the corporation is created is to alleviate and prevent conditions of unemployment; to assist and retain local industries and commercial enterprises; to strengthen and revitalize the economy of the township and of the state; to provide means and methods for the encouragement and assistance of industrial and

commercial enterprises in locating, purchasing, constructing, reconstructing, modernizing, improving, maintaining, repairing, furnishing, equipping, and expanding in the township to encourage the location and expansion of commercial enterprises to more conveniently provide needed services and facilities of the commercial enterprises to the township and the residents thereof. To accomplish the foregoing essential public purposes, the corporation, pursuant to Act No. 338 of the Public Acts of Michigan of 1974 (MCL 125.1601 et seq.), as amended, may do the following:

- (1) Construct, acquire by gift or purchase, reconstruct, improve, maintain, or repair projects, as the word "project" is defined in Act No. 338 of the Public Acts of Michigan of 1974, as amended, and acquire the necessary land for the site therefor.
- (2) Acquire by gift or purchase the necessary machinery, furnishings, and equipment for a project.
- (3) Borrow money and issue its revenue bonds or revenue notes to finance part or all of the cost of the acquisition, purchase, construction, reconstruction, or improvement of a project or any part thereof; the cost of the acquisition and improvement of the necessary sites thereof; the acquisition of machinery, furnishings, and equipment therefor; and the costs necessary or incidental to the borrowing of money and issuing of bonds or notes for such purpose.
- (4) Enter into leases, lease purchase agreements, or installment sales contracts with any person, firm, corporation, or public authority for the use or sale of a project, or any part thereof.
- (5) Mortgage the project, or any part thereof, in favor of any lender of money to the corporation.
- (6) Sell and convey the project or any part thereof, for a price and at a time as the corporation determines.
- (7) Lend, grant, transfer, or convey funds, as described in Act No. 338 of the Public Acts of Michigan of 1974, as amended, as permitted by law, but subject to applicable restrictions affecting the use of such funds.
- (8) Assist and participate in the designation of the land area which will be acquired in the implementation of a project.
- (9) Prepare, assist and aid in the preparation of plans, services, studies and recommendations relative to the public purposes of the corporation.
- (10) Aid, assist and participate in clearing, rebuilding and rehabilitating blighted deteriorated areas or structures.

(11) Encourage citizen participation and assistance in industrial and commercial enterprises, housing and community improvements and to disseminate information to the general public concerning the purposes and objectives of the corporation.

(12) Aid, assist and participate in the acquisition, rehabilitation or construction of industrial and commercial improvements, dwelling units or other structures or matters incidental thereto.

(13) Hold, demolish, repair, alter and improve or otherwise develop, clear, and dispose of real property.

(14) Enter into agreements and contracts with any state agency or department, its political subdivisions and agency or department thereof, or any other official public body and any individual, corporation or other organization in connection with the purpose of the corporation.

(15) Accept, hold, own, and acquire by bequest, devise, gift, purchase, or lease any property, real or mixed, whether tangible or intangible, without limitation as to kind, amount or value.

(16) Sell, convey, lease, rent, mortgage, or make loans, grants or pledges of any such property, or any interest or proceeds therefrom, and to invest and reinvest the principal thereof and receipts therefrom if any.

(17) Carry on any activity for the purpose above stated, either directly or through an agent, for or with public authorities, individuals, corporations or other organizations, or in whole or in part through or by means of public authorities, individuals, corporations or other organizations.

(18) In general, and subject to such limitations and conditions as are or may be prescribed by law, to exercise such other powers which now are or hereafter may be conferred by law upon a corporation organized pursuant to Act No. 338 of the Public Acts of Michigan of 1974, as amended, and for the purposes outlined in this section.

(Ord. No. 132, § III, art. III, 7-11-77)

**Sec. 22-32. Board of directors.**

(a) Composition; terms. The board of the economic development corporation shall consist of nine persons, not more than three of whom shall be officers or employees of the township. The board of directors of the corporation shall be appointed by the supervisor of the township, with the advice and consent of the township board, as provided in Act No. 338 of the Public Acts of Michigan of 1974 (MCL 125.1601 et seq.), as amended. The directors shall be appointed for terms of six years, except of the directors first appointed, four shall be appointed for six years, one for five years, one for three years, one for two years and one for one year.

(b) Additional directors. In accordance with Act No. 338 of the Public Acts of Michigan of 1974 (MCL 125.1601 et seq.), as amended, the supervisor with the advice and consent of the township board shall appoint two additional directors to the board of directors of the economic development corporation for each project proposed by the corporation. Each of the additional directors appointed pursuant to this subsection shall serve as directors of the corporation until the project for which they are appointed is either abandoned or, if undertaken, is completed in accordance with the project plan, at which time each such director shall cease to serve.

(Ord. No. 132, § III, art. IV, 7-11-77)

### **Sec. 22-33. Officers.**

The board of directors of the economic development corporation, by an affirmative vote of a majority of its members, not counting additional directors appointed pursuant to section 22-32(b), shall elect as the officers of the corporation, a president, a secretary, and a treasurer, and from time to time may elect one or more vice-presidents and such assistant secretaries, assistant treasurers and such other officers, agents and employees as the board of directors may deem proper. Any two offices other than the office of president, secretary, and treasurer may be held by the same person. The officers of the corporation shall serve for a term of one year and thereafter until his successor is elected and qualified, or until death, resignation or removal.

(Ord. No. 132, § III, art. V, 7-11-77)

### **Sec. 22-34. Powers and duties.**

The powers and duties of the economic development corporation and its officers are to:

- (1) Assist in alleviating and preventing conditions of unemployment;
- (2) Assist and retain local industries and commercial enterprises;
- (3) Assist industrial and commercial enterprises in locating, purchasing, constructing, reconstructing, modernizing, improving, maintaining, repairing, furnishing, equipping and expanding in the township;
- (4) Construct, acquire by gift or purchase, reconstruct, improve, maintain, modernize, repair, furnish, equip and expand projects (as the word "project" is defined in Act No. 338 of the Public Acts of Michigan of 1974, as amended), and acquire the necessary lands for the site therefor;
- (5) Acquire by gift or purchase the necessary machinery, furnishings, and equipment for a project;
- (6) Borrow money and issue revenue bonds or revenue notes to finance all or part of the cost of a project, including machinery, furnishings and equipment and the necessary sites therefor;

- (7) Enter into, execute and carry out leases, lease purchase agreements, installment sales contracts with any person, firm or corporation for the use or sale of the project;
- (8) Lease, mortgage, sell, and convey the project or any part thereof for a price and at a time as the corporation determines;
- (9) Lend, grant, transfer, or convey funds as permitted by law; and
- (10) In general to do and have such powers not prohibited by law and to this extent all powers provided and conferred by law upon corporations created and incorporated pursuant to Act No. 338 of the Public Acts of Michigan of 1974, as amended.

Such powers are hereby incorporated in this section as powers of the corporation and its officers, in addition to all other powers conferred thereupon by law. It shall be the power and the duty of the officers of the corporation to implement, carry out, and execute the powers and duties described in this section of the corporation.

(Ord. No. 132, § III, art. VI, 7-11-77)

**Sec. 22-35. Body corporate.**

The economic development corporation shall be a body corporate with power to sue and be sued in any court of this state. It shall possess all the powers necessary to carry out the purpose of its incorporation and those incidental thereto. The enumeration of any powers in these articles of incorporation shall not be construed as a limitation upon such general powers of the corporation.

(Ord. No. 132, § III, art. VII, 7-11-77)

**Sec. 22-36. Location of offices.**

Location of the first offices of the economic development corporation of the township is the Township Office, 263 Church Street, Jenison, MI.

(Ord. No. 132, § III, art. VIII, 7-11-77)

**Sec. 22-37. Registered agent.**

The name of the first resident agent at the registered office is Gerald De Windt.

(Ord. No. 132, § III, art. IX, 7-11-77)

**Sec. 22-38. Organized on nonstock basis; assets.**

The economic development corporation is organized upon a nonstock basis. The amount of assets which the corporation possesses is:

- (1) Real property: none.
- (2) Personal property: none.

The corporation will be financed from donations, gifts, grants, and devises, either solicited or unsolicited, obtained from public authorities, individuals, corporations and other organizations, by earnings from its activities, borrowings, and issuance of bonds and notes.

(Ord. No. 132, § III, art. X, 7-11-77)

**Sec. 22-39. Incorporators; names and addresses.**

The names and addresses of each of the incorporators are as follows:

Marvin Schrebe, 655 Summerset, Jenison, Michigan 49428

Robert D. Rozema, 7764 Fairlawn, Jenison, Michigan 49428

Allan J. Rietberg, 1230 Parsons, Hudsonville, Michigan 49426

(Ord. No. 132, § III, art. XI, 7-11-77)

**Sec. 22-40. Term of corporate existence.**

The term of existence of the economic development corporation is perpetual or until dissolved in accordance with Act No. 338 of the Public Acts of Michigan of 1974 (MCL 125.1601 et seq.), as amended.

(Ord. No. 132, § III, art. XII, 7-11-77)

**Sec. 22-41. Bylaws and regulation of internal affairs.**

(a) The board of directors, by an affirmative vote of a majority of its members, not counting additional directors appointed pursuant to section 22-32(b), shall adopt bylaws for the operation of affairs of the economic development corporation.

(b) The regulation of the internal affairs of the corporation, including the distribution of assets or dissolution or final liquidation, is placed entirely with the board of directors or their successors, as provided in the bylaws of this corporation, subject, however, to the provisions of Act No. 338 of the Public Acts of Michigan of 1974 (MCL 125.1601 et seq.), as amended.

(Ord. No. 132, § III, art. XIII, 7-11-77)

**Sec. 22-42. Effective date of corporation.**

The date upon which the economic development corporation shall become effective is September 1, 1977.

(Ord. No. 132, § III, art. XIV, 7-11-77)

**Sec. 22-43. Publication of articles of incorporation.**

The name of the newspaper in which the articles of incorporation shall be published is Grand Valley Shoppers' Guide, a newspaper of general circulation in the township. The director elected as secretary of the economic development corporation shall also act as recording officer of the corporation. The clerk of the township shall cause a copy of the articles of incorporation to be published once in the Grand Valley Shoppers' Guide, accompanied by a statement that the right exists to question the incorporation of the corporation in the court, as provided in section 31 of Act No. 338 of the Public Acts of Michigan of 1974 (MCL 125.1601 et seq.), as amended.

(Ord. No. 132, § III, art. XV, 7-11-77)

**Sec. 22-44. Net earnings.**

(a) No part of the net earnings of the economic development corporation, beyond that necessary for the retirement of the indebtedness or to implement the public purposes or program of the township shall insure to the benefit of any person, other than the township, except that reasonable compensation may be paid for services rendered to or for the corporation affecting one or more of its purposes. No member, trustee, officer or director of the corporation or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the corporation. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in, including the publication or distribution of statements, any political campaign on behalf of any candidate for public office.

(b) Upon the termination or dissolution of the corporation, after adequate provision has been made for all obligations of the corporation, surplus earnings, and all property assets of the corporation shall belong to and be paid only to the township or its successor.

(c) We, the incorporators, sign our names on September 1, 1977.

Marvin Schrebe

Allan J. Rietberg

Robert D. Rozema

STATE OF MICHIGAN

COUNTY OF OTTAWA, SS:

On this 1st day of September, 1977, before me personally appeared Marvin Schrebe, Allan J. Rietberg, and Robert Rozema to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Anna M. Wind

Notary Public, Ottawa County, Michigan

My Commission expires: August 28, 1978

"The foregoing Articles of Incorporation were adopted by the Township Board of the Township of Georgetown, Ottawa County, Michigan, at a regular meeting duly held on the 11th day of July, 1977."

Attest: H. Jack Hayes, Township Clerk

(Ord. No. 132, § III, art. XVI, 7-11-77)

**Sec. 22-45. Perfection of incorporation--Applicants.**

The applicants in the application dated May 23, 1977, are hereby authorized and directed to take such steps as are necessary to perfect incorporation of the economic development corporation of the township, as a public corporation pursuant to Act No. 338 of the Public Acts of Michigan of 1974 (MCL 125.1601 et seq.), as amended.

(Ord. No. 132, § V, 7-11-77)

**Sec. 22-46. Same--Township clerk.**

The township clerk is hereby directed to take such steps as are necessary under the provisions of Act No. 338 of the Public Acts of Michigan of 1974 (MCL 125.1601 et seq.), as amended, to perfect the incorporation of the economic development corporation of the township.

(Ord. No. 132, § IV, 7-11-77)

**Sec. 22-47. Deadline for incorporation.**

Pursuant to Act No. 338 of the Public Acts of Michigan of 1974 (MCL 125.1601 et seq.), if incorporation by the applicants is not accomplished within 90 days after September 1, 1977, then this article shall be void.

(Ord. No. 132, § VI, 7-11-77)