

**CITY COMMISSION  
CITY OF OTSEGO  
Allegan County, Michigan**

**ORDINANCE NO. 172**

At a regular meeting of the City Commission of the City of Otsego, Allegan County, Michigan, held on May 15, 2023, at 7:00 p.m., Commissioner Krueger moved to approve the following Ordinance for a first reading, publication, and subsequent adoption, which motion was seconded by Commissioner Rayburn:

*An Ordinance to dissolve the Downtown Development Authority for the City of Otsego pursuant to Act 197 of the Public Acts of Michigan of 1975, as amended (MCL 125.4227 et seq.); to provide that the City of Otsego Tax Increment Financing Plan has no force and effect as of the date of this Ordinance; to transfer surplus funds to the taxing bodies; to transfer the property and assets of the Authority to the general fund of the City of Otsego after the satisfaction of the obligations of the Authority; to repeal Article II, Chapter 22 of the City of Otsego Code of Ordinances; and to provide for other matters related thereto.*

**CITY OF OTSEGO OF ALLEGAN COUNTY, MICHIGAN, ORDAINS:**

**SECTION 1. TERMINATION OF PURPOSES:** The City of Otsego hereby determines that it is in the best interest of the public to dissolve the City of Otsego Downtown Development Authority because the Authority has completed its purpose.

**SECTION 2. DISSOLUTION:** The City Commission of the City of Otsego hereby dissolves the Downtown Development Authority for the City of Otsego as of the effective date of this Ordinance.

**SECTION 3. DEVELOPMENT AND TAX INCREMENT PLAN:** Because the Downtown Development Authority for the City of Otsego is dissolved, the City of Otsego Development and Tax Increment Financing Plan has no further force and effect as of the effective date of this Ordinance.

**SECTION 4. FUNDS:** Pursuant to MCL 125.4215(2), the surplus funds of the Downtown Development Authority for the City of Otsego shall revert proportionately to the respective taxing bodies.

**SECTION 5. PROPERTY AND ASSETS:** Pursuant to MCL 125.4230(1), the property and assets of the Downtown Development Authority for the City of Otsego, exclusive of surplus funds, shall belong to the City of Otsego upon dissolution of the Authority.

**SECTION 6. PUBLICATION AND COPIES:** The City Clerk for the City of Otsego shall promptly send a certified copy of this Ordinance, along with copies of the required publications, to the Michigan Secretary of State.

**SECTION 7. SEVERABILITY:** The provisions of this Ordinance are declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.

**SECTION 8. REPEAL:** All ordinances or part of ordinances in conflict with this Ordinance, including but not limited to, Chapter 22 of the City of Otsego Code of Ordinances, are hereby repealed.

**SECTION 9. EFFECTIVE DATE.** This ordinance shall take effect upon the latter of publication or the passage of twenty (20) days' time following its final adoption in accordance with the City Charter but in no case any earlier than June 30, 2023.

YEAS: Commissioners: Stacey Withee, Lauri Krueger, Brent Milhiem, Jason Smith, and Chuck Moore.

NAYS: Commissioners: None.

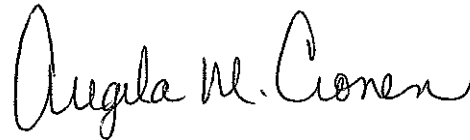
ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.

**ORDINANCE DECLARED ADOPTED.**

CERTIFICATION

I certify that this is a true and complete copy of an ordinance adopted by the City Commission of the City of Otsego at a regular meeting held on May 15, 2023.



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Angela Cronen, City Clerk

Dated: May 15, 2023

Public Hearing & Introduced: April 17, 2023

Adopted: May 15, 2023

Published: April 27, 2023

Effective: June 30, 2023