

**STATE OF MICHIGAN
COUNTY OF WAYNE
CITY OF ALLEN PARK**

ORDINANCE #11-2021

**AN ORDINANCE OF THE CITY OF ALLEN PARK CODE OF ORDINANCES;
AMENDING CHAPTER 2 “ADMINISTRATION”, DIVISION 7 “DOWNTOWN
DEVELOPMENT AUTHORITY ” BY THE REPEAL AND READOPTION OF SEC. 2-
447 TO ADOPT AND APPROVE THE FIRST AMENDMENT AND RESTATEMENT
OF THE ALLEN PARK DOWNTOWN DEVELOPMENT AUTHORITY TAX
INCREMENT FINANCING AND DEVELOPMENT PLAN**

City of Allen Park Ordains:

SECTION 1. Findings

The First Amendment and Restatement of the Allen Park Downtown Development Authority Tax Increment Financing and Development Plan (“Development Plan”) is hereby approved based on the following considerations:

- (1) The Development Plan meets the requirements set forth in Section 217 of 2018 PA 57 (the “Act”).
- (2) The proposed method of financing the development is feasible and the City of Allen Park Downtown Development Authority (“Authority”) has the ability to arrange the financing.
- (3) The Development Plan is reasonable and necessary to carry out the purposes of the Act.
- (4) The Development Plan is in reasonable accord with the master plan of the City of Allen Park.
- (5) Public services, such as fire and police protection and utilities, are or will be adequate to service the Development Area.
- (6) The tax increment financing plan is necessary and reasonable in order to fund the Development Plan. The Development Plan is being amended and restated so that it will now expire on December 31, 2041, unless earlier terminated by subsequent action by council or amendment to the Development Plan.

- (7) Any changes in zoning, streets, intersections and utilities are reasonably necessary for the Development Area and for the City.
- (8) The Development Plan constitutes an essential public purpose as it is designed to halt property value deterioration and promote economic growth and development.

SECTION 2. Amendment to Code

Section 2-447 is hereby repealed and readopted to hereinafter read as follows:

Sec. 2-447 Approval and Adoption of First Amendment and Restatement of Allen Park Downtown Development Authority Tax Increment Financing and Development Plan

The First Amendment and Restatement of the Allen Park Downtown Development Authority Tax Increment Financing and Development Plan is hereby approved and adopted. The Duration of the plan is extended until December 31, 2041 unless earlier terminated by action of the council or amendment to the Plan. A copy of the plan and all subsequent amendments shall be maintained on file in the city clerk's office. The First Amendment and Restatement of the Allen Park Downtown Development Authority Tax Increment Financing and Development Plan as approved and adopted is incorporated herein by reference.

SECTION 3. Exhibits

A copy of the First Amendment and Restatement of the Allen Park Downtown Development Authority Tax Increment Financing and Development Plan is attached hereto as Exhibit A and is incorporated by reference herein.

SECTION 4. Repeal. All ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 5. Saving Clause.

Nothing in this Ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquiring or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 6. Severability.

Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such work, sentence, phrase, or any portion of the Ordinance held to be so invalid shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

SECTION 7. Codification; Scrivener's Errors:

- (a). Section 2 of this Ordinance shall be codified, and all other sections shall not be codified.
- (b). The sections, divisions and provisions of this Ordinance may be renumbered or re-lettered as deemed appropriate by the Code codifier.
- (c). Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Administrator, or designee, without the need for a public hearing.

SECTION 8. Publication.

The Clerk for the City of Allen Park shall cause this ordinance to be published in the manner required by law.

SECTION 9. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Allen Park, County of Wayne, State of Michigan, at a regular meeting, called and held on the 14th day of December, 2021.

GAIL McLEOD, Mayor
City of Allen Park

MICHAEL I. MIZZI, City Clerk
City of Allen Park

EXHIBIT A

**FIRST AMENDMENT AND RESTATEMENT OF THE ALLEN PARK DOWNTOWN
DEVELOPMENT AUTHORITY TAX INCREMENT FINANCING AND
DEVELOPMENT PLAN**