

Part 1

1.000

VILLAGE COUNCIL MEETINGS
Ord. No. 50

Relative to the meetings of the Village Council and of the attendance thereupon.

THE VILLAGE OF HOPKINS ORDAINS:

1.001

Schedule; time.

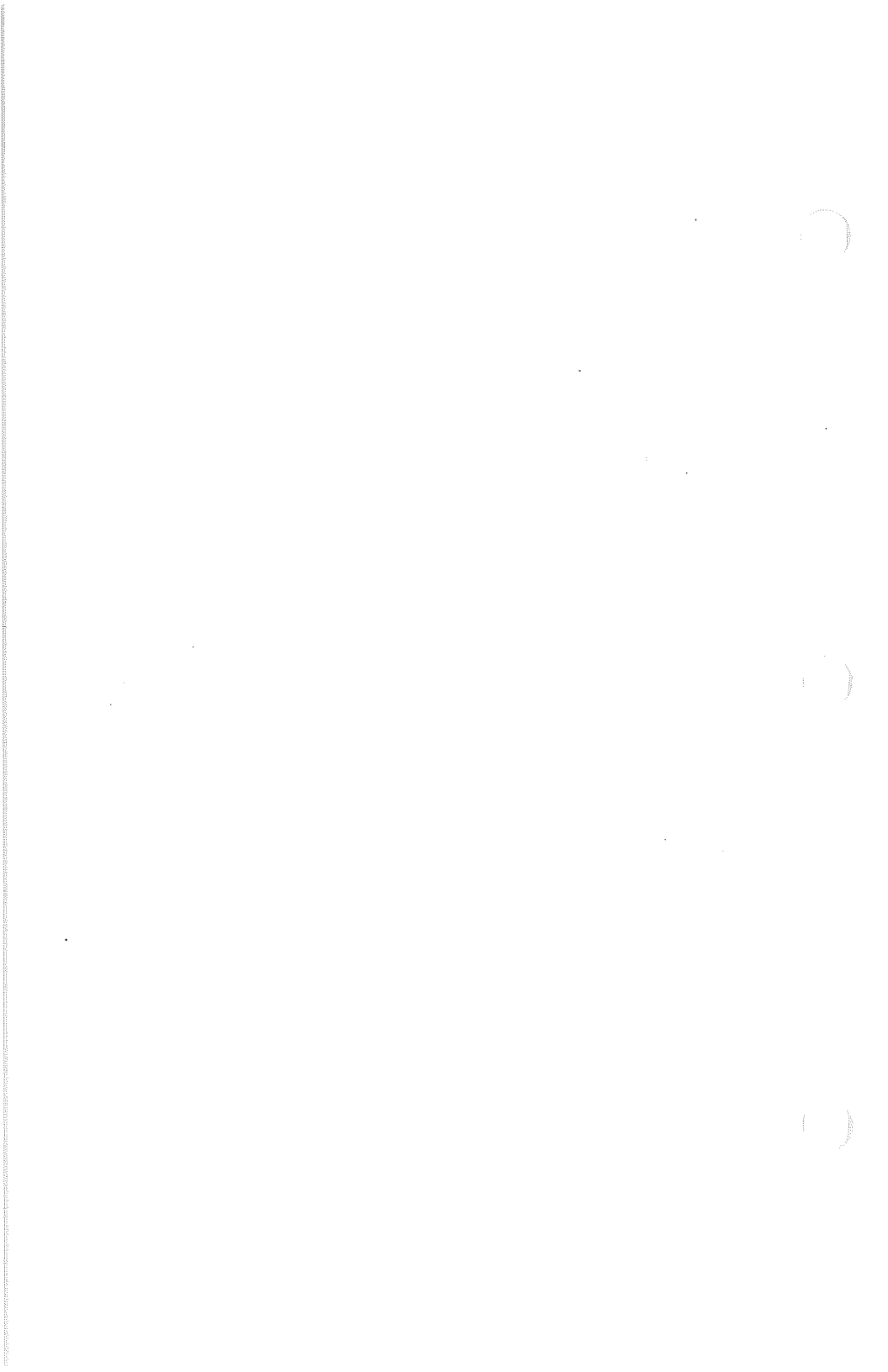
Sec. 1. That the regular meetings of the Village Council shall be held on the second Monday in each and every month. The meetings shall be called to order at 7:30 p.m.

1.002

Special meetings.

Sec. 2. Special meetings shall be called by the Clerk on the written request of the President or any two members of the Council on at least six hours written notice to each member of the Council, but a special meeting may be held on shorter notice if all members of the Council are present or have waived notice thereof in writing.

[Note: See PA267 - 1976.]



Part 2

2.000

SPECIAL ASSESSMENTS
Ord. No. 42 (1 of 1977)

An ordinance to establish procedure for special assessments for public improvements and to carry out and supplement the Charter provisions therefor.

THE VILLAGE OF HOPKINS ORDAINS:

2.001

Authority to assess; estimate.

Sec. 1. Whenever the Council shall determine that the whole or any part of the expenses of any public improvement shall be defrayed by an assessment on the owners of lands to be benefited thereby, the Council shall so declare by resolution which shall also state:

- A. The improvement to be made, and
- B. That the expense of such improvement be estimated.
(Adopted: 12-12-77)

2.002

Procedure for establishing assessment roll.

Sec. 2. Upon considering the estimates, the Council shall by resolution and entry on its journal:

- A. Determine the portion of the Village to be benefited.
- B. State whether the estimates are approved or disapproved and, if the same are disapproved, the Council may:
 - 1. Order new estimates, or
 - 2. Void all action to date.
- C. Determine, if the estimates are approved, or when new estimates are approved:
 - 1. Whether the whole or what portion of the expense shall be assessed to the owners and occupants of the premises benefited.
 - 2. The sum to be assessed.
 - 3. The number of installments in which the assessments may be paid.

- D. Direct the Assessor to cause an assessment of the sum to be assessed to be made upon all lands within the designated portion of the Village according to benefit and prepare an assessment roll for the improvement as follows:
1. All lots, premises and parcels of land to be assessed shall be described.
 2. The names of the persons, if known, chargeable with the assessments thereon; and, in case the owner or occupant is not known, the Assessor shall insert the name "Unknown".
 3. The amount assessed upon each lot, premise or parcel.
- E. Direct the Assessor, upon completion of the roll, to deliver the same with his certificate in the form provided for Certification of Assessment Rolls in the Incorporation of Villages Act.

(Adopted: 12-12-77)

2.003 Inspection period; review of assessment roll.

Sec. 3. Upon receipt of the roll, the Council shall by resolution:

- A. Appoint a time and place for the meeting of the Council to review the roll and hear complaints.
- B. Order that the assessment roll be open to public inspection for a period of at least 7 days before the Council shall meet to review the roll and further determine a place where the roll will be open and the hours thereof.
- C. Direct the Clerk to give notice of said meeting as hereinafter provided.

(Adopted: 12-12-77)

2.004 Public inspection; period of time.

Sec. 4. The assessment roll shall be open to public inspection for a period of 7 days before the time ap-

pointed for the meeting of the Council to review the roll and hear complaints.

(Adopted: 12-12-77)

2.005 Notice of hearing by publication.

Sec. 5. The Clerk shall give notice by publication at least 14 days in advance of the meeting of the opening of the roll for public inspection and of the meeting of the Council to review the roll and hear complaints.

(Adopted: 12-12-77)

2.006 Notice of hearing by mail.

Sec. 6. Notice of said hearing shall also be given by mail as provided by Act 162 of Public Acts of 1962 by the Clerk.

(Adopted: 12-12-77)

2.007 Objection by property owners.

Sec. 7. If, at or prior to the hearing, the owners of more than one-half of the property to be assessed shall object in writing to the improvement, the assessment shall not be made without the unanimous vote of the Council.

(Adopted: 12-12-77)

2.008 Ratifying, confirming, rejection.

Sec. 8. After said hearing, the Council shall amend or correct the roll, if necessary, and ratify and confirm or reject the same.

(Adopted: 12-12-77)

2.009 Confirmation conclusive.

Sec. 9. Every special assessment ratified and confirmed by the Council after such hearing shall be final and conclusive.

(Adopted: 12-12-77)

2.010 Additional assessment.

Sec. 10. Should any special assessment prove insufficient to pay for the improvement and related costs of the project for which it was levied, the Council may make an additional pro rata assessment.

(Adopted: 12-12-77)

2.011 Excess funds.

Sec. 11. Should the assessment prove larger than necessary by less than 5 per cent of total cost, the Council may place the excess in the General Fund of the Village; if more than 5 per cent, the excess shall be refunded pro rata to payments.

(Adopted: 12-12-77)

2.012 Lien.

Sec. 12. Special assessments and all interest and charges thereon shall, from the date of confirmation of the roll, be and remain in lien upon the property assessed, of the same character and effect as the lien created by general law for State and County taxes, until paid.

(Adopted: 12-12-77)

2.013 Delinquent, deferred installments; interest, penalty.

Sec. 13. Interest at the rate of 6 per cent per annum shall be collected on deferred installments and interest at the rate of $\frac{3}{4}$ of 1 per cent per month shall be collected on delinquent installments of such assessments from such date after confirmation as shall be fixed by the Council; and, in addition to such interest, a penalty of 3 per cent shall be collected on any installment not paid within the time prescribed for its payment.

(Adopted: 12-12-77)

2.014 Collection of assessments.

Sec. 14. Collection of the assessments shall be made directly from the assessment roll and the procedure

therefor, Treasurer's return, warrant and renewal therefor, shall be the same as provided in the Incorporation of Villages Act.

(Adopted: 12-12-77)

2.015 Right of Village to collect.

Sec. 15. At any time after a special assessment has become payable, the Village may collect the same instituted by suit in the name of the Village against the person assessed in any court having jurisdiction of that amount. The special assessment roll and a certified order or resolution confirming the same shall be prima facie evidence of the regularity of the proceeding in making the assessment and of the right of the Village to recover judgement therefor.

(Adopted: 12-12-77)

2.016 Foreclosure of lien.

Sec. 16. The Village also shall have the right to foreclose the lien of the tax and the procedure shall be the same as provided for foreclosure for real estate mortgages by advertisement or as provided by the Judicature Act in force at that time for foreclosure of real estate mortgages.

(Adopted: 12-12-77)

2.017 Period of assessing.

Sec. 17. Assessments may be made prior to, during or after the improvement has been made.

(Adopted: 12-12-77)

2.018 Assessment without name of proper owner.

Sec. 18. If, by mistake or otherwise, any person shall be improperly designated as the owner of any lot, parcel of land or premises or if the same shall be assessed without the name of the owner or in the name of a person other than the owner, such assessment shall not, for any such cause, be vitiated, but shall, in all

respects be as valid upon and against such lot, parcel of land or premises as though assessed in the name of the proper owner, and when the assessment roll shall have been confirmed be a lien on such lot, parcel of land or premises and collected as in other cases.

(Adopted: 12-12-77)

2.019 Reassessment; procedure.

Sec. 19. Whenever any special assessment shall, in the opinion of the Council, be invalid by reason of irregularity or informality in the proceedings or if any court of competent jurisdiction shall adjudge such assessment to be illegal, the Council shall, whether the improvement has been made or not, or whether any part of the assessments have been made or not, have power to cause a new assessment to be made for the same purpose for which the former assessment was made. All proceedings on such reassessment and for the collection thereof shall be conducted in the same manner as provided for the original assessment and whenever any sum or part thereof, levied upon any premises and the assessment so set aside has been paid or not refunded, the payment so made shall be applied upon the reassessment on said premises, and the reassessment shall be to that extent deemed satisfied.

(Adopted: 12-12-77)

2.020 Severability.

Sec. 20. Each of the provisions of this Ordinance are severable, and if any provision shall be declared to be invalid, the remaining provisions shall not be affected but shall remain in force and effect.

(Adopted: 12-12-77)

2.021 Repeal.

Sec. 21. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

(Adopted: 12-12-77)

2.022 Effective date.

Sec. 22. This Ordinance to be in full force and effect from and after its passage, approval and publication, according to the law of the State of Michigan.
(Adopted: 12-12-77)



Parts 3—9. Reserved.

