

HOUSE BILL No. 5445

September 22, 2009, Introduced by Rep. Cushingberry and referred to the Committee on Appropriations.

A bill to amend 1970 PA 169, entitled
"Local historic districts act,"
by amending section 1a (MCL 399.201a), as amended by 2004 PA 67.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1a. As used in this act:

2 (a) "Alteration" means work that changes the detail of a
3 resource but does not change its basic size or shape.

4 (b) "Certificate of appropriateness" means the written
5 approval of a permit application for work that is appropriate and
6 that does not adversely affect a resource.

7 (c) "Commission" means a historic district commission created
8 by the legislative body of a local unit under section 4.

1 (d) "Committee" means a historic district study committee
2 appointed by the legislative body of a local unit under section 3
3 or 14.

4 (e) "Demolition" means the razing or destruction, whether
5 entirely or in part, of a resource and includes, but is not limited
6 to, demolition by neglect.

7 (f) "Demolition by neglect" means neglect in maintaining,
8 repairing, or securing a resource that results in deterioration of
9 an exterior feature of the resource or the loss of structural
10 integrity of the resource.

11 (g) "Denial" means the written rejection of a permit
12 application for work that is inappropriate and that adversely
13 affects a resource.

14 (h) "Department" means the department of ~~history, arts, and~~
15 ~~libraries~~ **STATE**.

16 (i) "Fire alarm system" means a system designed to detect and
17 annunciate the presence of fire or by-products of fire. Fire alarm
18 system includes smoke alarms.

19 (j) "Historic district" means an area, or group of areas not
20 necessarily having contiguous boundaries, that contains 1 resource
21 or a group of resources that are related by history, architecture,
22 archaeology, engineering, or culture.

23 (k) "Historic preservation" means the identification,
24 evaluation, establishment, and protection of resources significant
25 in history, architecture, archaeology, engineering, or culture.

26 (l) "Historic resource" means a publicly or privately owned
27 building, structure, site, object, feature, or open space that is

1 significant in the history, architecture, archaeology, engineering,
2 or culture of this state or a community within this state, or of
3 the United States.

4 (m) "Local unit" means a county, city, village, or township.

5 (n) "Notice to proceed" means the written permission to issue
6 a permit for work that is inappropriate and that adversely affects
7 a resource, pursuant to a finding under section 5(6).

8 (o) "Open space" means undeveloped land, a naturally
9 landscaped area, or a formal or man-made landscaped area that
10 provides a connective link or a buffer between other resources.

11 (p) "Ordinary maintenance" means keeping a resource unimpaired
12 and in good condition through ongoing minor intervention,
13 undertaken from time to time, in its exterior condition. Ordinary
14 maintenance does not change the external appearance of the resource
15 except through the elimination of the usual and expected effects of
16 weathering. Ordinary maintenance does not constitute work for
17 purposes of this act.

18 (q) "Proposed historic district" means an area, or group of
19 areas not necessarily having contiguous boundaries, that has
20 delineated boundaries and that is under review by a committee or a
21 standing committee for the purpose of making a recommendation as to
22 whether it should be established as a historic district or added to
23 an established historic district.

24 (r) "Repair" means to restore a decayed or damaged resource to
25 a good or sound condition by any process. A repair that changes the
26 external appearance of a resource constitutes work for purposes of
27 this act.

1 (s) "Resource" means 1 or more publicly or privately owned
2 historic or nonhistoric buildings, structures, sites, objects,
3 features, or open spaces located within a historic district.

4 (t) "Smoke alarm" means a single-station or multiple-station
5 alarm responsive to smoke and not connected to a system. As used in
6 this subdivision, "single-station alarm" means an assembly
7 incorporating a detector, the control equipment, and the alarm
8 sounding device into a single unit, operated from a power supply
9 either in the unit or obtained at the point of installation.

10 "Multiple-station alarm" means 2 or more single-station alarms that
11 are capable of interconnection such that actuation of 1 alarm
12 causes all integrated separate audible alarms to operate.

13 (u) "Standing committee" means a permanent body established by
14 the legislative body of a local unit under section 14 to conduct
15 the activities of a historic district study committee on a
16 continuing basis.

17 (v) "Work" means construction, addition, alteration, repair,
18 moving, excavation, or demolition.

19 Enacting section 1. This amendatory act does not take effect
20 unless Senate Bill No.____ or House Bill No. 5423(request no.
21 01945'09) of the 95th Legislature is enacted into law.