

COMMUNITY CENTER Act 199 of 1929

AN ACT to authorize and empower villages and townships of this state having a population not exceeding 10,000 inhabitants, to levy a tax for the maintenance or the purchase of lands and maintenance of property for a community center for the benefit of the public, provided the question of such purchase or maintenance, or both purchase and maintenance, as the case may be, is submitted to the duly qualified voters of such villages or townships and is adopted by a majority vote of those participating in said election; and to prescribe penalties and provide remedies.

History: 1929, Act 199, Eff. Aug. 28, 1929;—Am. 1998, Act 180, Eff. Mar. 23, 1999.

The People of the State of Michigan enact:

123.41 Referendum.

Sec. 1. The township board, village council, common council, commission, or other legislative body of any township or village of this state, having a population not exceeding 10,000 inhabitants, upon petition of 10 per centum of the qualified voters of such township or village shall submit the question to the people as to whether such village or township, as the case may be, shall come under the provisions of this act and, if adopted by a majority vote of the qualified voters participating in said election, then this act shall be in full force and effect.

History: 1929, Act 199, Eff. Aug. 28, 1929;—CL 1929, 2375;—CL 1948, 123.41.

123.41a Violation of MCL 168.1 to 168.992 applicable to petitions; penalties.

Sec. 1a. A petition under section 1 or 6, including the circulation and signing of the petition, is subject to section 488 of the Michigan election law, 1954 PA 116, MCL 168.488. A person who violates a provision of the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992, applicable to a petition described in this section is subject to the penalties prescribed for that violation in the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.

History: Add. 1998, Act 180, Eff. Mar. 23, 1999.

123.42 Community center; annual tax levy, credit.

Sec. 2. In all villages, or townships adopting the provisions of this act, the legislative body thereof is authorized and empowered to levy an annual tax not exceeding 2 mills on each dollar of the assessed valuation of such village or township as the case may be, for the maintenance, or the purchase and maintenance of property for a community center for the benefit of the public. The said tax shall be levied and collected at the same time and in the same manner as other general taxes of the said village or township are levied and collected. And the taxes thus collected under the provisions of this act shall be deposited in the village or township treasury to the credit of the community fund.

History: 1929, Act 199, Eff. Aug. 28, 1929;—CL 1929, 2376;—CL 1948, 123.42.

***** 123.43 THIS SECTION IS AMENDED EFFECTIVE JUNE 12, 2018: See 123.43.amended *****

123.43 Community center; board of directors; terms; vacancy.

Sec. 3. (1) If a village or township votes to establish a community center, the governing body of the village or township shall appoint 6 directors for boards established before the effective date of the amendatory act that added subsection (2) and 7 directors for boards established on or after the effective date of the amendatory act that added subsection (2) who shall hold office until their successors are elected and qualified. For boards established before the effective date of the amendatory act that added subsection (2), the governing body of the village or township shall appoint 1 additional director who shall hold office until his or her successor is elected and qualified. At the next regular election there shall be elected a community board of 7 directors, 2 for 1 year, 2 for 2 years, and 3 for 3 years, and then annually there shall be elected the number of directors whose terms have expired, who shall hold office for 3 years or until their successors are elected and qualified. Alternatively, the governing body of a village or township may by resolution provide that at the next regular election, and then every 2 years, there shall be elected a community board of 7 directors, who shall hold office for 2 years or until their successors are elected and qualified.

(2) If a village or township initially elected directors for 3-year terms as described in subsection (1), its governing body may subsequently adopt a resolution providing for the election every 2 years of directors for 2-year terms. The resolution shall provide for the transition of the elective terms from 3 to 2 years as follows:

(a) The offices of those directors whose terms first expire after the adoption of the resolution shall be filled at the next scheduled local, state, or federal election by the election of that number of directors who shall hold office for 2 years, and then every 2 years for 2 years or until their successors are elected and qualified.

(b) The offices of those directors whose terms next expire after the adoption of the resolution shall be filled in the year following the election in subdivision (a) by the election of that number of directors who shall hold office for 1 year, and then every 2 years for 2 years or until their successors are elected and qualified.

(c) The offices of those directors whose terms last expire after the adoption of the resolution shall be filled as described in subdivision (a).

(3) The directors shall serve without compensation. A vacancy in the board of directors occasioned by a removal, a resignation, or otherwise shall be reported to the governing body of the village or township, which shall proceed to appoint a director to fill the vacancy.

History: 1929, Act 199, Eff. Aug. 28, 1929;—CL 1929, 2377;—CL 1948, 123.43;—Am. 2000, Act 435, Imd. Eff. Jan. 9, 2001.

***** 123.43.amended THIS AMENDED SECTION IS EFFECTIVE JUNE 12, 2018 *****

123.43.amended Community center; board of directors; terms; compensation; vacancy.

Sec. 3. (1) If a village or township votes to establish a community center, the governing body of the village or township shall appoint 6 directors for boards established before January 9, 2001 and 7 directors for boards established on or after January 9, 2001 who shall hold office until their successors are elected and qualified. For boards established before January 9, 2001, the governing body of the village or township shall appoint 1 additional director who shall hold office until his or her successor is elected and qualified. At the next regular election there must be elected a community board of 7 directors, 2 for 1 year, 2 for 2 years, and 3 for 3 years, and then annually there must be elected the number of directors whose terms have expired, who shall hold office for 3 years or until their successors are elected and qualified. Alternatively, the governing body of a village or township may by resolution provide that at the next regular election, and then every 2 years, there must be elected a community board of 7 directors, who shall hold office for 2 years or until their successors are elected and qualified.

(2) If a village or township initially elected directors for 3-year terms as described in subsection (1), its governing body may subsequently adopt a resolution providing for the election every 2 years of directors for 2-year terms. The resolution must provide for the transition of the elective terms from 3 to 2 years as follows:

(a) The offices of those directors whose terms first expire after the adoption of the resolution must be filled at the next scheduled local, state, or federal election by the election of that number of directors who shall hold office for 2 years, and then every 2 years for 2 years or until their successors are elected and qualified.

(b) The offices of those directors whose terms next expire after the adoption of the resolution must be filled in the year following the election in subdivision (a) by the election of that number of directors who shall hold office for 1 year, and then every 2 years for 2 years or until their successors are elected and qualified.

(c) The offices of those directors whose terms last expire after the adoption of the resolution must be filled as described in subdivision (a).

(3) The governing body of the village or township shall determine by resolution the compensation of the board of directors. A vacancy in the board of directors occasioned by a removal, a resignation, or otherwise must be reported to the governing body of the village or township, which shall proceed to appoint a director to fill the vacancy.

History: 1929, Act 199, Eff. Aug. 28, 1929;—CL 1929, 2377;—CL 1948, 123.43;—Am. 2000, Act 435, Imd. Eff. Jan. 9, 2001;—Am. 2018, Act 61, Eff. June 12, 2018.

123.44 Board of directors; powers, duties.

Sec. 4. When such community center shall have been established and a board of directors elected and qualified as herein provided said directors shall immediately meet and organize, by the election of 1 of their number president, and by the election of such other officers as they may deem necessary. They shall on or before the first day of September in each year, prepare an estimate of the amount of money necessary for the support and maintenance of such community center for the ensuing year, and report such estimate to the assessor of such village or township for assessment and collection and the same shall be assessed and collected as in this act provided, and they shall make and adopt such by-laws, rules and regulations for their own guidance and for the government of the community house and grounds, as may be expedient and not inconsistent with this act, they shall have power to purchase or lease grounds, to occupy, lease, or erect, appropriate buildings for the use of said community center, and shall have the supervision, care and custody of the grounds, rooms or buildings constructed, leased or set apart for that purpose, and shall also have the authority to employ a suitable community director, and necessary assistants and fix their compensation, and

shall also have power to discharge such appointees, and shall, in general, carry out the spirit and intent of this act in establishing and maintaining a community center. Said board of directors shall also have charge of the expenditure of all moneys collected to the credit of the community fund, shall draw their order on the community fund for any expenses incurred, and the governing body of the village, or township shall cause the order to be paid from the community fund. The said board of directors shall keep a record of the proceedings of said board and a complete record of their expenditures.

History: 1929, Act 199, Eff. Aug. 28, 1929;—CL 1929, 2378;—CL 1948, 123.44.

123.45 Use of community center; rules and regulations.

Sec. 5. Every community center established under this act shall be subject to such reasonable rules and regulations as the community board may adopt. The board may exclude from the use of the community building and grounds any individuals who willfully violate these rules.

History: 1929, Act 199, Eff. Aug. 28, 1929;—CL 1929, 2379;—CL 1948, 123.45;—Am. 2000, Act 435, Imd. Eff. Jan. 9, 2001.

123.46 Legislative body; relinquishment of control power by legislative body.

Sec. 6. Any such village or township having previously adopted the provisions of this act, may at any time thereafter relinquish said authority or power by following the same procedure as provided in this act for adopting the provisions thereof: Provided, That such action may be taken by the legislative body aforesaid only after a petition signed by 10 per centum of the qualified voters residing in such village or township, as the case may be, duly filed with the legislative body thereof at least 90 days prior to the date of re-submission asking that the question of relinquishment of said authority be re-submitted to the vote of the people.

History: 1929, Act 199, Eff. Aug. 28, 1929;—CL 1929, 2380;—CL 1948, 123.46.

CAUTION!
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