HURON-CLINTON METROPOLITAN AUTHORITY
Act 147 of 1939

AN ACT to provide for the incorporation of the Huron-Clinton metropolitan authority; to permit the counties of Wayne, Washtenaw, Livingston, Oakland, and Macomb, or certain of such counties, to join in a metropolitan district for planning or promoting or for acquiring, constructing, owning, developing, maintaining and operating, either within or without their limits, parks, connecting drives, or limited access highways, or any combination of these activities; to provide for the assessment, levy, collection and return of taxes therefor; to provide for the issuance of revenue bonds; to authorize condemnation proceedings; to provide a referendum thereon; and to prescribe penalties and provide remedies.

History: 1939, Act 147, Eff. Jan. 10, 1942;—Am. 1998, Act 170, Eff. Mar. 23, 1999.

The People of the State of Michigan enact:

119.51 Huron-Clinton metropolitan authority; incorporation, counties.

Sec. 1. As may hereinafter be provided in this act, the counties of Wayne, Washtenaw, Livingston, Oakland, and Macomb, or certain of such counties, may by vote of the electorate thereof, join to form a metropolitan district as a body corporate, to be known as the Huron-Clinton metropolitan authority, for the purpose of planning, promoting, and/or for acquiring, constructing, owning, developing, maintaining and operating, either within or without their limits, parks and/or limited access highways, as well as such connecting drives as may be deemed necessary or convenient to provide access to and between the same.

History: 1939, Act 147, Eff. Jan. 10, 1942;—CL 1948, 119.51.

Compiler's note: This act has been adopted by the counties enumerated in this section.

119.52 Huron-Clinton metropolitan authority; definitions.

Sec. 2. As used in this act, parks shall be defined as areas of land, with or without water, developed and used for public recreational purposes, including landscaped tracts, picnic grounds, playgrounds, athletic fields, camps, foot, bicycle and bridle paths, motor vehicle drives, wildlife sanctuaries, museums, zoological and botanical gardens, facilities for bathing, boating, hunting and fishing, as well as other recreational facilities for the use and benefit of the public.

Limited access highways shall be defined as highways especially designed for through traffic, over which owners or occupants of abutting land have no easement or right of light, air or access by reason of the fact that their property abuts on the highway. Such highways may be parkways, with or without landscaped roadsides, from which trucks, busses and other commercial vehicles are excluded, or they may be freeways open to use by all common forms of highway traffic.

Connecting drives shall be defined as boulevards, or free access roads, with or without parklike features, leading to or connecting parks and/or limited access highways.

History: 1939, Act 147, Eff. Jan. 10, 1942;—CL 1948, 119.52.

119.53 Powers; co-operation; charges; succession to rights; vote.

Sec. 3. The Huron-Clinton metropolitan authority, either acting alone or in cooperation with the department of conservation, the state highway department, any board of county road commissioners, or any federal or other state or local body having authority to construct and maintain parks or highways, shall have the power to make plans for and promote, and/or to acquire, construct, own, operate and maintain, within or without the limits of the metropolitan district, parks, connecting drives, and/or limited access highways. Said authority may fix and collect fees and charges for use of facilities under its control, and, for its uses, may sell or purchase lands and may acquire and succeed to any or all the rights, obligations, and property pertaining to parks or highways of the state or of any county, city, village, or township comprising territory within the limits of the said metropolitan district: Provided, That no county, city, village, or township shall surrender any such rights, obligations, or property without the approval thereof by a majority vote of the electors of any such county, city, village or township, voting on such proposition.

History: 1939, Act 147, Eff. Jan. 10, 1942;—CL 1948, 119.53.

119.54 Board of commissioners; election and appointment, term.

Sec. 4. The Huron-Clinton metropolitan authority shall be directed and governed by a board of commissioners, 1 to be elected from each county of the metropolitan district by the boards of supervisors of the respective counties, and 2 to be appointed by the governor of Michigan. The elected commissioners shall be electors of their respective counties, and the appointed commissioners shall be electors of the metropolitan

© Courtesy of www.legislature.mi.gov

district. The appointed commissioners shall serve for 4 year terms or until their successors are appointed, except that for the first board 1 shall be appointed for a 2 year term. The terms of the elected commissioners shall be staggered so that not more than 1 term shall expire in any 1 year, and after the first board no terms shall be less than 6 years. For the first board the terms of the elected commissioners shall be in the order of the populations of the several counties, the commissioner from the most populous county having the longest term.

History: 1939, Act 147, Eff. Jan. 10, 1942;—CL 1948, 119.54.

119.55 Board of commissioners; meetings; organization; employes.

Sec. 5. The commissioners shall hold a meeting within 1 month after their selection, on the call of the chairman of the board of supervisors of the most populous county of the metropolitan district, at such time and place as he may designate. Such meeting shall elect a chairman, who must be a member of the board of commissioners, and a secretary and a treasurer, who need not be members. The board shall also, from time to time, select and employ such other officers and employes and engage such services as shall be deemed necessary to effectuate its purposes.

History: 1939, Act 147, Eff. Jan. 10, 1942;—CL 1948, 119.55.

119.56 Board of commissioners; records; accounts; treasurer's bond.

Sec. 6. The commissioners shall cause to be kept a written or printed record of every session of the board, which record shall be public. They shall also provide for a system of accounts to conform to any uniform system required by law, and for the auditing at least once yearly of the accounts of the treasurer by a competent certified public accountant or by the auditor general of the state. The board shall require of the treasurer a suitable bond by a responsible bonding company, such bond to be paid for by the board.

History: 1939, Act 147, Eff. Jan. 10, 1942;—CL 1948, 119.56.

119.57 Board of commissioners; levy of tax, procedure.

Sec. 7. The commissioners may levy for the purposes of the authority a tax of not more than 1/4 mill upon each dollar of the assessed value of the property of the district. The board shall ascertain the total taxes or appropriation required for any year and shall thereupon certify to the board of supervisors of each county comprising the district the necessary tax rate to raise such amount, which shall be uniform in the district, and shall take into consideration the ratio that the total assessed valuation of each respective county bears to the total assessed value of all property, real and personal in said entire district according to the last assessment in each of said respective counties. All taxes shall be assessed, levied, collected and returned as county taxes under the general property tax law. All moneys collected by any tax collecting officer from the tax levied under the provisions of this section shall be transmitted to the authority to be disbursed as provided in this act.

The subjects of taxation for the district purposes shall be the same as for state, county, and school purposes under the general law.

History: 1939, Act 147, Eff. Jan. 10, 1942;—CL 1948, 119.57.

119.58 Revenue bonds; issuance; lien.

Sec. 8. For the purposes of acquiring, purchasing, constructing, improving, enlarging, extending, or repairing any revenue-producing recreational facilities, the commissioners may issue self-liquidating bonds in accordance with the provisions of Act No. 94 of the Public Acts of 1933, as amended. Such bonds shall not impose any liability upon the district but shall be secured only by the property and revenues of the facilities for the purchase and construction of which they were issued. Such bonds shall not be sold for less than par, and shall bear interest at a rate not in excess of 6 per cent. The commissioners shall have power to create a lien on such facilities as security for the payment of the bonds.

History: 1939, Act 147, Eff. Jan. 10, 1942;—CL 1948, 119.58.

Compiler's note: For provisions of Act 94 of 1933, referred to in this section, see MCL 141.101 et seq.

119.59 Property, purchase, gift or devise; condemnation, procedure.

Sec. 9. For the purposes of the authority as herein defined, the commissioners may purchase, accept by gift or devise or condemn private property. If by condemnation, the provisions of Act No. 149 of the Public Acts of 1911, as amended, being sections 3763 to 3783, inclusive, of the Compiled Laws of 1929, or such other appropriate provisions therefor as exist or shall be made by law, may be adopted and used for the purpose of instituting and prosecuting such condemnation proceedings.

History: 1939, Act 147, Eff. Jan. 10, 1942;—CL 1948, 119.59.

Compiler's note: For provisions of Act 149 of 1911, referred to in this section, see MCL 213.21 et seq.

This document is from the archive and may contain obsolete information.

© Courtesy of www.legislature.mi.gov

119.60 Referendum.

Sec. 10. The foregoing local act shall be submitted to the electors of the counties of Wayne, Washtenaw, Livingston, Oakland, and Macomb at the regular election in November, 1940. The secretary of state is hereby required to certify the said local act to the various clerks of the several counties named in the manner required by law. It shall be the duty of the board of election commissioners of each county above named to prepare ballots for the use of electors in all precincts in the counties of Wayne, Washtenaw, Livingston, Oakland, and Macomb, in the manner required by law, which ballots, after setting forth the foregoing local act in full, shall be in substantially the following form:

"Vote on local act incorporating into the Huron-Clinton metropolitan authority the metropolitan district including the counties of Wayne, Washtenaw, Livingston, Oakland, and Macomb.

"Shall the above local act be approved and adopted?

"Yes ( )

"No ( )."

It shall be the duty of the board of election commissioners in each above named county to deliver the ballots so prepared to the inspectors under the general election law. All votes cast upon said local act shall be counted, canvassed, and returned in the same manner as is provided by law for counting, canvassing, and returning votes cast for state officers.

History: 1939, Act 147, Eff. Jan. 10, 1942;—CL 1948, 119.60.

119.61 Referendum; approval by two or more counties; resubmission; governing body.

Sec. 11. If a majority of the electors voting thereon at any election in 2 or more of the above named counties, which are contiguous, shall vote "yes" on the proposal, then all the counties so approving shall constitute a metropolitan district, and the Huron-Clinton metropolitan authority shall be a corporation having all the powers, duties and obligations provided for in this act.

The governing board shall consist of the 2 commissioners appointed by the governor and of the elected commissioners from the counties so approving.

If a majority of the electors in any county should vote "no" on the approval of a Huron-Clinton metropolitan authority, the project may again be submitted to the electors in such county or counties, by their respective boards of supervisors or by petitions signed by at least 10 per cent of the electors therein. Such county or counties shall become part of the metropolitan district whenever at a later election a majority of the electors in such county or counties shall vote "yes".

History: 1939, Act 147, Eff. Jan. 10, 1942;—CL 1948, 119.61.

Compiler's note: This act has been adopted by the counties enumerated in MCL 119.60.

119.62 Violation of MCL 168.1 to 168.992 applicable to petitions; penalties.

Sec. 12. A petition under section 11, 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 170, Eff. Mar. 23, 1999.

This document is from an archive and may contain outdated information.

© Courtesy of www.legislature.mi.gov