HOUSING COOPERATION LAW

Act 293 of 1937

AN ACT to authorize cities, incorporated villages, metropolitan districts, counties, and other public bodies to aid housing projects of housing authorities, housing commissions and the federal government by furnishing parks, playgrounds, streets, and other improvements and facilities, by exercising certain other powers and by making agreements relating to such aid; to authorize cities, incorporated villages, metropolitan districts, counties and other political subdivisions to contract with respect to the sums to be paid them for improvements, services and facilities to be provided for the benefit of housing projects and the occupants thereof, to make agreements respecting the exercise of the powers of such public bodies relating to the remedying or elimination of unfit dwellings, and to make other agreements with respect to housing projects; to prescribe the form and nature of agreements by a city, incorporated village or county with respect to a housing project of the housing commission created for such city, incorporated village or county; to require cities, incorporated villages, metropolitan districts, and counties to make an appropriation for the first year's administrative expenses of housing commissions or housing authorities; to authorize certain cities, incorporated villages, metropolitan districts and counties to pay moneys to housing commissions or housing authorities; to regulate the selection and payment of the personnel of housing commissions; and to declare an emergency requiring that this act take effect immediately.

History: 1937, Act 293, Eff. Oct. 29, 1937 ;-- Am. 1938, Ex. Sess., Act 6, Imd. Eff. Sept. 8, 1938

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The People of the State of Michigan enact:

125.601 Housing cooperation law; short title.

Sec. 1.

Short title. This act may be referred to as the "Housing cooperation law."

History: 1937, Act 293, Eff. Oct. 29, 1937 ;-- CL 1948, 125.601
Compiler's Notes: The catchlines following the act section numbers were incorporated as part of the act as enacted.

125.602 Declaration of necessity.

Sec. 2.

Finding and declaration of necessity. It is hereby found and declared that there exist in the state unsafe and insanitary housing conditions and a shortage of safe and sanitary dwelling accommodations for persons of low income; that these conditions necessitate excessive and disproportionate expenditures of public funds for crime prevention and punishment, public health and safety, fire and accident protection, and other public services and facilities; and that the public interest requires the remedying of these conditions. It is hereby found and declared that the assistance herein provided for the remedying of these conditions constitutes a public use and purpose and an essential governmental function for which public moneys may be spent, and other aid given; that it is a proper public purpose for any state public body to aid any housing commission or housing authority operating within its boundaries or jurisdiction or any housing project located therein, as the state public body derives immediate benefits and advantages from such housing commission or housing authority or project; and that the provisions hereinafter enacted are necessary in the public interest.

History: 1937, Act 293, Eff. Oct. 29, 1937 ;-- CL 1948, 125.602

125.603 Housing cooperation law; definitions.

Sec. 3.

Definitions. The following terms whenever used or referred to in this act shall have the following respective meanings, unless a different meaning clearly appears from the context:

(a) "Housing commission" shall mean any housing commission now or hereafter created pursuant to Act No. 18 of the Public Acts of the extra session of 1933, as amended.

(b) "Housing authority" shall mean any housing authority organized as a body corporate and politic which is created or authorized to be created by any law of this state now in force or hereafter enacted.

(c) "Housing project" shall mean any work or undertaking of a city or incorporated village or housing commission pursuant to Act No. 18 of the Public Acts of the extra session of 1933, as amended, or any similar work or undertaking of a housing authority or of the federal government.

(d) "State public body" shall mean any city, town, incorporated village, county, metropolitan district, or other subdivision or public body of the state.

(e) "Governing body" shall mean the council, board of commissioners, board, or other body having charge of the fiscal affairs of the state public body.

(f) "Federal government" shall mean the United States of America, the federal emergency administration of public works, or any other agency or instrumentality, corporate or otherwise, of the United States of America.

(g) An "agreement" of a city, incorporated village or county authorized by this act shall, with respect to a housing project to be constructed by the housing commission created for such city, incorporated village or county, mean a resolution or resolutions of the governing body of such city, incorporated village or county, setting forth the action to be taken or the matter determined. Such resolutions shall be deemed to be agreements made for the benefit of the holders of bonds then outstanding or thereafter issued in connection with such project and for the benefit of any person, firm, corporation, state public body or the federal government which has agreed or thereafter agrees to make a grant or annual contribution for or in aid of such project.

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History: 1937, Act 293, Eff. Oct. 29, 1937 ;-- Am. 1938, Ex. Sess., Act 6, Imd. Eff. Sept. 8, 1938 ;-- CL 1948, 125.603

Compiler's Notes: For provisions of Act 18 of 1933, Ex. Sess., referred to in subdivisions (a) and (c), see MCL 125.651 et seq.Section 2 of Act 6 of 1938, Ex. Sess., provides: "The powers conferred by this act shall be in addition and supplemental to the powers conferred by any other law."

125.604 Cooperation in housing projects; powers.

Sec. 4.

Cooperation in undertaking housing projects. For the purpose of aiding and cooperating in the planning, undertaking, construction or operation of housing projects located within the area in which it is authorized to act, any state public body may upon such terms, with or without consideration, as it may determine in the manner prescribed in section 7 hereof:

(a) Dedicate, sell, convey or lease any of its property to a housing commission, housing authority or the federal government;

(b) Cause parks, playgrounds, recreational, community, educational, water, sewage or drainage facilities, or any other works which it is otherwise empowered to undertake, to be furnished adjacent to or in connection with housing projects;

(c) Furnish, dedicate, close, pave, install, grade, regrade, plan or replan streets, roads, roadways, alleys, sidewalks or other places which it is otherwise empowered to undertake;

(d) Plan or replan, zone or rezone any part of such state public body; make exceptions from building regulations and ordinances; any city or town also may change its map;

(e) Enter into agreements, which may extend over any period, notwithstanding any provision or rule of law to the contrary, with a housing commission, housing authority or the federal government respecting action to be taken by such state public body pursuant to any of the powers granted by this act;

(f) Do any and all things, necessary or convenient to aid and cooperate in the planning, undertaking, construction or operation of such housing projects;

(g) Cause services to be furnished with respect to a housing project of the character which such state public body is otherwise empowered to furnish;

(h) Enter into agreements with respect to the exercise by such state public body of its powers relating to the

repair, elimination or closing of unsafe, insanitary or unfit dwellings; and

(i) With respect to a housing project of a housing commission created for a state public body such state public body may enter into the agreements referred to in section 27 of Act No. 18 of the Public Acts of the extra session of 1933, as amended, regarding the amount, if any, of the reserve for taxation purposes.

(j) With respect to any housing project which a housing commission, housing authority or state public body has acquired or taken over from the federal government and which the housing authority, housing commission or state public body by resolution has found and declared to have been constructed in a manner that will promote the public interest and afford necessary safety, sanitation and other protection, no state public body shall require any changes to be made in the housing project or the manner of its construction or take any other action relating to such construction.

(k) In connection with any public improvements made by a state public body in exercising the powers herein granted, such state public body may incur the entire expense thereof. Any law or statute to the contrary notwithstanding, any sale, conveyance, lease or agreement provided for in this section may be made by a state public body without appraisal, public notice, advertisement or public bidding.

(l) In order to insure proper employment of qualified personnel by housing commissions, any state public body for which a housing commission has been created may prescribe, notwithstanding any laws to the contrary, by resolution of the governing body the method of selection and payment of the employees of such commission.

History: 1937, Act 293, Eff. Oct. 29, 1937 ;-- Am. 1938, Ex. Sess., Act 6, Imd. Eff. Sept. 8, 1938 ;-- CL 1948, 125.604
Compiler's Notes: For provisions of section 27 of Act 18 of 1933, Ex. Sess., referred to in subdivision (i), see MCL 125.677.Section 2 of Act 6 of 1938, Ex. Sess., provides: "The powers conferred by this act shall be in addition and supplemental to the powers conferred by any other law."

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125.605 Contract powers for payment for services.

Sec. 5.

Contract for payments for services. In connection with any housing project located wholly or partly within the area in which it is authorized to act, any state public body may contract with a housing commission, housing authority or the federal government with respect to the sum or sums, if any, which the housing commission, housing authority or the federal government may agree to pay, during any year or period of years, to the state public body for the improvements, services and facilities to be furnished by it for the benefit of said housing project, but in no event shall the amount of such payments exceed the estimated cost to the state public body of the improvements, services or facilities to be so furnished: Provided, however, That the absence of a contract for such payment shall in no way relieve any state public body from the duty to furnish, for the benefit of said housing project all such services and facilities as such state public body usually furnishes without a service fee.

History: 1937, Act 293, Eff. Oct. 29, 1937 ;-- CL 1948, 125.605

125.606 Advances to housing authority.

Sec. 6.

Advances to housing authority. When any housing commission or housing authority which is created for any state public body becomes authorized to transact business and exercise its powers therein, the governing body of such state public body, shall immediately make an estimate of the amount of money necessary for the administrative expenses and overhead of such housing commission or housing authority during the first year thereafter, and shall appropriate such amount to the housing commission or housing authority out of any moneys in the treasury of such state public body not appropriated to some other purposes. The moneys so appropriated shall be paid to the housing commission or housing authority as a donation. Any state body located in whole or in part within the area of operation of a housing commission or housing authority shall have the power from time to time to lend or donate money to the housing commission or housing authority or to agree to take such action. The housing commission or housing authority, when it has money available therefor, shall make reimbursements for all such loans made to it.

History: 1937, Act 293, Eff. Oct. 29, 1937 ;-- CL 1948, 125.606

125.607 Powers; procedure for exercising.

Sec. 7.

Procedure for exercising powers. The exercise of a state public body of the powers herein granted shall be by resolution or ordinance in the manner and with such notice as is now or hereafter may be prescribed by the city or village charter or the law of this state.

History: 1937, Act 293, Eff. Oct. 29, 1937 ;-- Am. 1938, Ex. Sess., Act 6, Imd. Eff. Sept. 8, 1938 ;-- CL 1948, 125.607
Compiler's Notes: Section 2 of Act 6 of 1938, Ex. Sess., provides: "The powers conferred by this act shall be in addition and supplemental to the powers conferred by any other law."

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125.608 Supplemental nature of act.

Sec. 8.

Supplemental nature of act. The powers conferred by this act shall be in addition and supplemental to the powers conferred by any other law.

History: 1937, Act 293, Eff. Oct. 29, 1937 ;-- CL 1948, 125.608

125.610 Emergency clause.

Sec. 10.

Emergency clause. It is hereby declared that this act is immediately necessary for the protection of the public health and safety.

History: 1937, Act 293, Eff. Oct. 29, 1937 ;-- CL 1948, 125.610