

LOCAL HISTORIC DISTRICTS ACT (EXCERPT)
Act 169 of 1970

399.204 Historic district commission; establishment; appointment, qualifications, and terms of members; vacancy; commissions previously established by charter or ordinance.

Sec. 4.

The legislative body of a local unit may establish by ordinance a commission to be called the historic district commission. The commission may be established at any time, but not later than the time the first historic district is established by the legislative body of the local unit. Each member of the commission shall reside within the local unit. The membership of the historic district commission in a local unit having a population of 5,000 or more individuals shall consist of not less than 7 or more than 9 members. The membership of the historic district commission in a local unit having a population of less than 5,000 individuals shall consist of not less than 5 or more than 7 members. A majority of the members shall have a clearly demonstrated interest in or knowledge of historic preservation. The members shall be appointed by the township supervisor, village president, mayor, or chairperson of the board of commissioners, unless another method of appointment is provided in the ordinance creating the commission. Initial members shall be appointed within 6 months after the ordinance establishing the commission is enacted. Members shall be appointed for 3-year terms except the initial appointments of some of the members shall be for less than 3 years so that the initial appointments are staggered and that subsequent appointments do not recur at the same time. Members shall be eligible for reappointment. A vacancy on the commission shall be filled within 60 calendar days by an appointment made by the appointing authority. The ordinance creating the commission may provide procedures for terminating an appointment due to the acts or omissions of the member. The appointing authority of a local unit having a population of 25,000 or more individuals shall appoint at least 2 members from a list of citizens submitted by 1 or more duly organized local historic preservation organizations. A local unit having a population of more than 5,000 individuals but less than 25,000 individuals shall appoint at least 1 member from a list of citizens submitted by 1 or more duly organized local historic preservation organizations. The commission of all local units shall include as a member, if available, a graduate of an accredited school of architecture who has 2 years of architectural experience or who is an architect registered in this state. This section does not apply to historic district commissions established by charter or to historic district commissions established by ordinance before August 3, 1970.

History: 1970, Act 169, Imd. Eff. Aug. 3, 1970 ;-- Am. 1971, Act 30, Imd. Eff. May 25, 1971 ;-- Am. 1992, Act 96, Imd. Eff. June 18, 1992

Compiler's Notes: For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752. For transfer of powers and duties of the state historic preservation office relating to the identification, certification, and preservation of historical sites from the Michigan state housing development authority to the Michigan strategic fund, see E.R.O. No. 2019-3, compiled at MCL 125.1998.