

**PORT AUSTIN  
DOWNTOWN DEVELOPMENT AUTHORITY  
BY-LAWS**

**ARTICLE I: NAME**

1. The Name shall be Port Austin Downtown Development Authority, Hereinafter referred to as the DDA.
  
2. The DDA is created by the Village of Port Austin, Michigan, as an Authority pursuant to Public Act 197 of the Public Acts of Michigan 1975, as amended.

**ARTICLE II: PURPOSE**

1. The DDA shall analyze the impact of economic changes and growth in the downtown district and develop plans in coordination with the Village's Planning Commission, to promote orderly economic growth in the Downtown Development District, hereinafter referred to as the DDD.
  
2. With the advice and consent of the Village Council, the DDA shall implement a development plan in the DDD as necessary to achieve the purposes of the Downtown Development Act, all in accordance with the powers granted by said Act.
  
3. To promote economic growth, halt property value deteriorations, to eliminate the causes of that deterioration, to encourage historic preservation and to properly and reasonably use the powers conferred to the DDA pursuant to said Public Act 197 of the Public Acts of Michigan, 1975, as amended.

**ARTICLE III: MEMBERSHIP, APPOINTMENT, TERM VACANCIES**

1. The DDA shall consist of 9 members including the Village President and 8 members appointed by him, subject to the approval of the Village Council.
  
2. At least 5 members shall be persons having an interest in property within the DDD, and at least one (1) member shall be a resident of the DDD.
  
3. Of the 8 members appointed, 2 shall have one year appointments, 2

shall have two years appointments, 2 shall have three year appointments and 2 shall have four year appointments. Ex-officio member of the DDA shall be the Village Clerk. Ex-officio members are non-voting members.

4. The Village President shall appoint members of the DDA to fill unexpired terms and terms of those who may resign or who fail to qualify for any reason.

5. Members of the DDA shall serve without compensation, but shall be reimbursed for actual and necessary expenses incurred in line of duty providing they are approved by the DDA Board of Directors.

6. Before assuming the duties of an office, a member shall qualify by taking the constitutional "Oath of Office"

#### ARTICLE IV: **POWERS AND DUTIES**

1. The DDA shall adopt its own rules governing procedures, meeting dates, etc. Subject to the approval of the Village Council. Special meetings may be called by the Chairperson and one other DDA Board Member. Public notice of the time, date and place of all meetings shall be given in the manner required by Act 267 of the Public Acts of 1976.

2. Meetings of the DDA shall be open to the public and a record shall be maintained of all proceedings. All business which the board may perform shall be conducted in compliance with ACT 267 of the Public Acts of 1976, being Michigan 15.261.15.275.

3. The initial meeting was Tuesday, May 4, 1999. Remaining meetings for the first year shall be held quarterly, the second Tuesday of June, September and December at 7:00pm in the Village Hall. Hereafter, meeting dates will be held at the discretion of the Chairperson.

4. One officer and four members shall constitute a quorum for the transaction of business.

#### ARTICLE V: **OFFICERS**

1. The DDA shall elect a Chairperson, Vice Chairperson, Secretary and Treasurer annually at the June meeting.

2. The Chairperson shall preside at all meetings of the DDA, shall bring matters of immediate attention to the board, shall announce any special meetings to the membership, shall maintain direct communication with

the Village Council and/or the Village Planning Commission.

3. The Vice Chairperson, in the absence of the Chairperson, shall assume the duties of the Chairperson. Should the Chair become vacant by death or resignation, or should the Chair become otherwise unable to discharge the duties of the office, the Vice Chairperson shall become the Chairperson for the unexpired term and assume all powers and responsibilities of the office.

4. In the event the Vice Chairperson assumes the duties of the Chairperson, a new Vice Chairperson shall be elected.

5. The Secretary shall keep minutes of the meetings, and maintain these records; shall provide the Village Council with a copy of the DDA minutes; shall maintain the by-laws as amended or otherwise altered to date; shall see that books, reports, statements and all other documents and records required by law are property kept and filed.

6. The Treasurer shall be responsible to the DDA for the conduct of all financial affairs; shall countersign all checks along with the Chairperson or Vice Chairperson. All expense items of the DDA shall be publicized and financial records shall be open to the public.

#### ARTICLE VI: **COMMITTEES**

1. Standing committees may be formed and disbanded at the discretion of the DDA. Any committee so formed must have at least one member of the DDA in its membership.

2. The DDA may invite persons to act as advisory members to help guide and supply information to assist in decision making. DDA members may recruit potential advisory members and appointment shall be affirmed by a majority vote of the membership at a regular DDA meeting.

#### ARTICLE VII: **REMOVAL OF DDA MEMBERS**

1. DDA members shall be regular in attendance at meetings and any member who is not able to attend regularly, shall resign his membership. By a majority vote, any member may be removed from the DDA for continued absence from regular meetings.

**ARTICLE VIII: FISCAL YEAR, BUDGET, REPORTS, AUDITS**

1. The fiscal year of the DDA shall be from March 1 to February 28 or such other fiscal year as may hereafter be adopted by the Village Council.
2. The Chairperson and Treasurer shall prepare an annual budget and submit same to the Village Council for approval. Before the budget may be adopted by the board, it shall be approved by the governing body of the municipality.
3. The DDA shall be audited annually by the CPA firm which audits the Village of Port Austin. Copies of the DDA audit shall be filed with the Village Council.
4. All expenses items of the authority shall be publicized and the financial records shall always be open to the public.

**ARTICLE IX: CONTRACTS, LIABILITY**

1. No member of the DDA shall bind the DDA to any contract or pledge its credit or render it pecuniarily liable for any purpose without the express authorization of the Village Council, and the vote of the DDA. Normal operation expenses shall not be considered to be in this category.

**ARTICLE X: BY- LAW AMENDMENTS**

1. By laws may be amended by a vote of the DDA Members at any regular or special meeting called for the purpose, upon prior notice (30 days) of the proposed action.