

RESOLUTION NO.

**AUTHORIZING FIRST READING & SETTING A PUBLIC HEARING FOR
THE PROPOSED AMENDMENT TO CHAPTER 28, SPECIAL ASSESSMENTS,
SECTION 25-15, PARTIAL PAYMENTS, OF THE CODE OF ORDINANCES
TO REDUCE THE INTEREST RATE ON UNPAID BALANCES**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, utilizes the special assessment process to attach charges to individual properties for a portion of the cost of street maintenance and for the cost of remediating hazards and nuisances on said property; and

WHEREAS, the City Council, at its discretion, may provide for the payment of special assessments in annual installments over a period of years, with interest charged on the unpaid balance; and

WHEREAS, the City would like to reduce this interest rate to provide a bit of financial relief to its citizens during this time of high inflation; and

WHEREAS, it is the long-standing practice of the City Council to hold a public hearing to receive citizen comment regarding any and all proposed ordinance amendments.

NOW, THEREFORE, BE IT RESOLVED, THAT THE CITY OF OWOSSO, SHIAWASSEE COUNTY, MICHIGAN ORDAINS THAT:

SECTION 1. AMENDMENT. That Sec. 28-15, *Partial Payments*, of Chapter 28, Special Assessments, of the Code of Ordinances of the City of Owosso, Michigan, is hereby amended to read as follows:

CHAPTER 28. —SPECIAL ASSESSMENTS

Sec. 28-15. — Partial payments.

The council may provide for the payment of special assessments in annual installments. Such annual installments shall not exceed twenty (20) in number. The first and subsequent installments of a special assessment roll shall be due upon such dates as the council shall fix in the resolution confirming the special assessment. The installments of the special assessment rolls shall bear interest at the rate of ~~six (6)~~ **three (3)** percent per annum; provided, however, if the bonds are issued in anticipation of the special assessments, then such unpaid special assessment shall bear interest at a rate of interest equal to one (1) percent above the average rate of interest borne by the bonds. Such interest shall commence on the date of the first installment and shall be paid annually on each installment due date. The full amount of all or any deferred installments, with interest accrued thereon to the date of payment, may be paid in advance of the due dates thereof. Deferred installments shall be collected without penalty until ninety (90) days after the due date thereof, after which time such installments shall be considered as delinquent and such penalties on the installments shall be collected as are provided in the Charter to be collected on delinquent general city taxes.

Any existing Special Assessment with a remaining balance as of September 1, 2023, shall be calculated from said date forth, at three (3%) percent per annum until paid in full. The City shall not refund nor retroactively adjust any Special Assessment previously paid in full or in part to any real property owner assessed prior to September 1, 2023.

SECTION 2. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this article is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this article. The city hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 3. PUBLIC HEARING. A public hearing is set for Monday, March 6, 2023 at 7:30 p.m. in the City Hall Council Chambers for the purpose of hearing citizen comment regarding the proposed amendment to the Code of Ordinances.

SECTION 4. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

SECTION 5. EFFECTIVE DATE. This amendment shall become effective 20 days after passage.