An ordinance to provide for the deferment of special assessment charges.

The Township of Lake ordains:

The owner or owners of a single-family residence in which residence said owner or owners reside and upon which special assessment charges have been levied may submit a hardship application to the township to seek a deferment in the partial or total payment of the charges based upon a showing of financial hardship, subject to and in accordance with the following:

1. The owners of the premises shall, under oath, complete a hardship application provided by the township board and shall file said application, together with all other information and documentation reasonably required by the township, with the township board not less than 30 days prior to the due date of such charge. An application shall be completed and filed by each and every legal and equitable interest holder in the premises, except financial institutions having security interests in the premises.

2. Hardship applications shall be reviewed by the township board; and, after due deliberation of hardship applications, the township board shall determine, in each case, whether there has been an adequate showing of financial hardship and shall forthwith notify the applicants of said determination.

3. An applicant aggrieved by the determination of the township board may request the opportunity to appear before the township board in person for the purposes of showing hardship and presenting any argument or additional evidence. A denial of hardship following such a personal appearance before the township board shall be final and conclusive. The township board, at its sole discretion, may reject any application.

4. In the event that the township board makes a finding of hardship, the township board shall fix the amount of partial or total deferment of the charge so imposed and, in so doing, shall require an annual filing of financial status by each applicant, provided that, upon a material change of financial status of an applicant, said applicant shall immediately notify the clerk of the township so that a further review of the matter may be made by the township board, and further provided that the duration of the deferment granted shall be self-terminating upon the occurrence of any one of the following events:

   A. A change in the financial status that removes the basis for financial hardship of any applicant.

   B. A conveyance of any interest in the premises by any of the applicants, including the execution of a new security interest in the premises or extension thereof.

   C. The death of all of the applicants.
5. Upon a determination of the township board deferring all or part of the special assessment charges levied, the owners of the premises shall, within 1 month after such determination, execute and deliver, to the township, as the secured party, a recordable security and lien instrument covering the premises guaranteeing payment of the deferred amounts, plus interest at 0.5 percent per month (6 percent per year), on or before the death of the applicants or, in any event, upon the sale or transfer of the premises. Said security interest shall guarantee payment of an amount necessary to cover all fees and charges deferred and all costs of installation and connection, if applicable, the consideration for said security interest being the grant of deferment pursuant to this ordinance. The lien, if not paid when due, shall be collectible in the same manner as delinquent special assessment by placement on the township annual tax roll.

Made and passed by the township board of the Township of Lake, County of Missaukee, Michigan, this ___ day of ______, 19__.

[Signature]
Robert DeBoer, Supervisor

[Signature]
Mary Lou Schut, Clerk

REG/rap
9401-22-8
06/05/92
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1. The owners of the premises shall, under oath, complete a hardship application provided by the township board and shall file said application, together with all other information and documentation reasonably required by the township, with the township board not less than 30 days prior to the due date of such charge. An application shall be completed and filed by each and every legal, and equitable interest holder in the premises, except

2. Hardship applications shall be reviewed by the township board; and, after due deliberation of hardship applications, the township board shall determine, in each case, whether there has been an adequate showing of financial hardship and shall forthwith notify the applicants of said determination.

3. An applicant aggrieved by the determination of the township board may request the opportunity to appear before the township board in person for the purposes of showing hardship and presenting any argument or additional evidence. A denial of hardship following such a personal appearance before the township board shall be final and conclusive. The township board, at its sole discretion, may reject any application.

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   A. A change in the financial status that removes the basis for financial hardship of any applicant.

   B. A conveyance of any interest in the premises by any of the applicants, including the execution of a new security interest in the premises or extension thereof.

   C. The death of all the applicants.

5. Upon a determination of the township board deferring all or part of the special assessment charges levied, the owners of the premises shall, within 1 month after such determination, execute and deliver, to the township, as the secured party, a recordable security and lien instrument covering the premises guaranteeing payment of the deferred amounts, plus interest at 0.5 percent per month (6 percent per year), or before the death of the applicants or, in any event, upon the sale or transfer of the premises. Said security interest shall guarantee payment of an amount necessary to cover all fees and charges deferred and all costs of installation and connection, if applicable, the consideration for said security interest being the grant of deferment pursuant to this ordinance. The lien, if not paid when due, shall be collectible in the same manner as delinquent special assessment by placement on the township annual tax roll.

ORDINANCE NO. 16

Made and passed by the township board of the Township of Lake, County of Missaukee, Michigan, this 2nd day of July, 1992

Robert DeBoer, Supervisor
Mary Lou Schut, Clerk
3/20