

**Marquette Township  
Downtown Development Authority  
BY-LAWS**

**Section 1. Name and Area.**

- A. This Downtown Development Authority (DDA) shall be known as the Marquette Township Downtown Development Authority.
- B. The area served by the Marquette Township DDA shall be the boundaries outlined in Marquette Township Ordinance No. 040886, as amended, establishing the DDA.

**Section 2. Authority, Mission, and Functions.**

- A. The Marquette Township Downtown Development Authority, hereafter referred to as the Authority, shall exercise the authority granted it by the Marquette Township Board.
- B. It is the mission of the Authority to act as the principal planning, policy, and program development body which provides advice to the Marquette Township Board on issues affecting the development of the activities within the DDA boundaries. Activities of the Authority will include those duties and responsibilities set forth in Act 197 P.A. of 1975, as amended.

**Section 3. Membership.**

- A. The membership of the Authority shall consist of nine (9) members, consisting of the Township Supervisor and eight (8) members that are not officers or trustees of the Township Board for staggered terms of four (4) years appointed by the Marquette Township Supervisor, subject to approval of the Marquette Township Board. Of the nine (9) members, not less than five (5) members shall have an interest in property located within the DDA boundaries.

**Section 4. Officers.**

At the first regular meeting of each year the Authority shall elect from its membership a Chairperson, Vice-Chairperson, and a Secretary.

**Section 5. Duties of the Officers.**

- A. Chairperson. The Chairperson shall preside at all meetings, appoint committees, call special meetings, executes documents of the Authority, and see that all actions of the Authority are properly taken and perform such duties as may be ordered by the Authority.

- B. Vice-Chairperson. The Vice-Chairperson shall act in the capacity of Chairperson in his/her absence and in the event the office of the Chairperson becomes vacant, the Vice-Chairperson shall succeed to this office for the unexpired term and the Authority shall elect a successor to the office of Vice-Chairperson for the unexpired term at the next scheduled meeting.
- C. Secretary. The Secretary or his/her designee shall be responsible for the minutes of each meeting. The Secretary shall execute documents in the name of the Authority, be a custodian of the Authority's records, and perform such duties as the Authority may determine. All the records of the Authority shall be kept at the Marquette Township Hall and shall be open for public inspection.

**Section 6. Director.**

- A. The Marquette Township Manager shall serve as Director of the Authority at the pleasure of the Authority. If the Director is absent, disabled or deemed unable to serve in office, the Authority may designate a qualified person as acting director to perform the duties of the office. A member of the Authority or the Township Board is not eligible to hold the position of director.
- B. The Director shall be the Chief Executive office of the Authority. Subject to the approval of the Authority, the Director shall supervise, and be responsible for, the preparation of plans and the performance of the functions of the Authority in the manner prescribed by law. The Director shall attend the meetings of the Authority, and shall render to the Authority and to the Township Board a regular report covering the activities and financial condition of the Authority.
- C. All communications, petitions, and reports shall be addressed to the Authority and delivered or mailed to the Director. The Director or his/her designee shall inform the Authority of all correspondence relating to business of the Authority and attend to such correspondence.
- D. Before entering upon the duties of the office, the Director shall take and subscribe to the constitutional oath, and filed with the Township Clerk.

**Section 7. Treasurer.**

- A. The Township Treasurer shall serve as Treasurer of the Authority.
- B. The Treasurer or his/her designee shall be responsible for the payment of all warrants as prepared by the Township Clerk on behalf of the Authority. The Treasurer shall execute financial documents in the name of the Authority and perform such duties as the Authority may determine and as may be provided by law. The Treasurer shall establish a separate fund which shall be kept in a depository bank account or accounts in a bank(s) approved by the Township Treasurer and provide to the Authority a record of bank deposits and accounts each month.

**Section 8. Payment of Claims, Accounting, Audit or Records, Administrative Fees.**

- A. Any claim for payment shall be considered by the Authority at a regular or special meeting, and any claim approved for payment by the Authority shall be presented to the Township Clerk who shall prepare and execute a warrant for each payment to the Treasurer.
- B. The Township Clerk shall maintain a copy of each claim and warrant by fund and account as prescribed by law, and provide to the Authority a financial report of all accounts each month.
- C. An audit of all financial records and accounts shall be conducted each year by a certified public accountant as determined by the Township Board, and at the expense of the Authority.
- D. The Authority shall refund the Township for administrative services in an amount as may mutually be agreed upon annually. Administrative costs as a result of special projects shall be determined in a separate manner.

**Section 9. Meetings.**

- A. Meetings will normally be on a quarterly basis. The day, time, and meeting place will be determined by a consensus of the Authority and will be advertised in the local paper.
- B. Special meetings shall be called at the request of the Chairperson or any two (2) members of the Authority. Notice of the special meeting shall be given by the Secretary, in writing, to the members of the Authority at least forty-eight (48) hours prior to such meeting and shall state the purpose, day, time, and location of the meeting.
- C. Five (5) members of the Authority shall constitute a quorum for the transaction of business and the taking of official action for all matters before the Authority. Whenever a quorum is not present at a regular or special meeting, those present may adjourn the meeting to another day or hold the meeting for the purpose of considering such matters as are on the agenda. No action taken at such a meeting shall be final or official unless ratified and confirmed at a subsequent meeting at which a quorum is present, by approval of the minutes of that meeting at which a quorum was not present.
- D. Order of Business. The following procedure will normally be observed; however, it may be rearranged by the Chairperson for individual items, if necessary, for the expeditious conduct of business:
  - 1. Meeting Called to Order by Chairperson.
  - 2. Roll Call.
  - 3. Approval of the Agenda.
  - 4. Approval of Previous Meeting Minutes.
  - 5. Bills Payable.

6. Public Comment.
  7. Correspondence.
  8. Reports.
  9. Unfinished Business.
  10. New Business.
  11. Public Comment.
  12. Additional Comments Board Members Wish to Present.
  13. Adjournment.
- E. Motion shall be restated by the Secretary before a vote is taken. The name of the maker and supporter of a motion shall be recorded.
- F. Voting shall be by voice and shall be recorded by yeas and nays. Roll call votes will be recorded only upon request by a member of the Authority. The Chair shall vote last.
- G. No member of the Authority shall have the power to bind the Authority nor act in its behalf, nor use its name, unless official sanction is granted by the Authority at a duly called regular or special meeting.
- H. Any member of the Authority who shall feel that they have a conflict of interest on any matter that is on the Authority agenda shall voluntarily excuse themselves, and give the reason of conflict. The Authority shall determine if a conflict does exist, either actual or apparent, and if so determined by vote shall excuse the member, requiring the member to temporarily vacate their seat, and refrain from discussing and voting on said items as an Authority member.
- I. Parliamentary procedure in meetings shall be governed by Robert's Rules of Order in all cases not otherwise provided for in these By-Laws.

**Section 10. Committees.**

The Chairperson, upon approval of the Authority, shall appoint various standing committees and task force committees when the occasion arises.

**Section 11. Member's Absence.**

- A. Whenever a member of the Authority fails to attend three (3) consecutive regular scheduled meetings and the absences are unexcused pursuant to 11(b) by the Authority members, it shall be the mandatory duty of the Secretary to submit to the appointing body a written memorandum of the attendance record of such member, and their membership on the Authority shall be terminated. The Chairperson will notify the member of his/her termination. The Township Supervisor shall then appoint a new member to serve out the unexpired term, subject to approval of the Township Board and consistent with Section 3 of these By-Laws.
- B. Each member of the Authority who has knowledge of the fact that will not be able to attend a scheduled meeting of the Authority shall notify the Chairperson,

Secretary, or Township Manager at the earliest possible opportunity but not later than 5:00 p.m. on the date of the meeting.

**Section 12. Amendments.**

These By-Laws may be amended at any regular or special meeting on passage by a quorum of the members providing the following procedures have been met:

1. A proposed amendment to the By-Laws shall be signed by a member of the Authority and be presented in writing to the Authority at a regular scheduled meeting prior to the scheduled meeting at which the proposed amendment is to be heard.
2. The Secretary shall give at least forty-eight (48) hours written notice to each member of the Authority prior to the scheduled meeting at which the proposed amendment is to be heard.

**Section 13. Review.**

The Secretary shall distribute these By-Laws to each Authority member in January of each even-numbered year for review.

**Section 14. Effective Date.**

These By-Laws shall take effect immediately on passage by a quorum of the membership.

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Abstain: \_\_\_\_\_ Absent: \_\_\_\_\_

Date Adopted: \_\_\_\_\_

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary

*Amendment: March 8, 2004*  
*Amendment: July 11, 2005*  
*Reviewed March 1, 2010*  
*Reviewed August 11, 2015*