



MICHIGAN HISTORIC PRESERVATION NETWORK

HISTORIC RESOURCES IN MICHIGAN JEOPARDIZED BY BILL TO

AMEND 1970 PA 169

Michigan's historic places drive economic development, attract businesses, draw tourists and new residents, create a sense of place, and enhance our quality of life. Keeping these historic places is so important that historic preservation has been upheld as a public purpose under the U. S. Constitution—preserving historic resources is a valid governmental goal and local historic district ordinances have been upheld as an appropriate means to secure that goal. Local historic districts are the only way for communities to manage and protect their historic assets, and **78 communities to date have chosen to enact ordinances to protect their historic assets** at the local level, under current state law. The bill to amend 1970 Public Act 169 jeopardizes the efficient and fair process for establishing local historic districts already in place under PA 169, reduces protection given to resources in local historic districts, and diminishes the authority of local historic district commissions and local legislative bodies.

Weakens Protection for Historic Resources

- This bill would dispose of the current process for dissolving historic districts, allowing local legislative bodies to eliminate local historic districts without guidelines or justification, and without community input.
- This bill would reduce reliance on accepted, best-practice Standards used nationwide for commission decision-making, introducing uncertainty into the process.
- This bill would change the appeals process for an aggrieved property owner within a district. Instead of appealing to a neutral state board, which has appellate jurisdiction because of its expertise, appeals would be heard at the local level where political and development pressures could affect the outcome.

Reduces Local Control

- This bill would make it impossible for local legislative bodies to act quickly to head off a sudden development threat to a community landmark. Currently, in municipalities with a historic district ordinance, a local legislative body can place a threatened resource under study for local designation and delay development in that area for up to 6 months. This bill proposes to petition local property owners and acquire a 2/3 majority in support before a historic district study committee could even be appointed, wiping out the local body's ability to act quickly under threat.
- This bill would mandate that after a local legislative body decides to establish a local historic district, the public in that unit of government must vote in support of the district in a general election to make it official. Further, the electorate will have to vote on its local historic districts every 10 years, even in communities with long-standing historic districts, imposing unnecessary and substantial costs upon municipalities in staff time and community education. ***These inefficient processes undermine local representative democracy. Why would the State impose a sunset clause on local decisions?***

KEY IMPLICATIONS OF BILL TO AMEND 1970 PA 169:

To establish a local historic district, this bill would require petitioning property owners in a proposed district for majority consent and then require the general electorate to vote in favor of establishing a district, whereas no such petitioning or voting would be required to dissolve a local historic district.

The ability to designate and protect single landmark resources would be critically compromised as, again, majority consent would need to be granted—meaning one property owner in such circumstances. If the property owner were absent, unresponsive, or not in favor, that resource could not be protected from alteration or demolition, and a treasured community asset could be lost.