

LUDINGTON

PUBLIC SAFETY SPECIAL ASSESSMENT

PA 33 LANDOWNER PETITION KIT

MCL 41.801(3)

Information • Signature Collection • Parcel Verification • Submission



*Our Community.
Informed Decisions.
A Stronger Ludington.*

PUBLIC SAFETY ONLY

This petition does not concern the separate
Street Lighting Special Assessment.

Version: September 30, 2026

QUICK START

PA 33 Landowner Petition — Ludington Public Safety Special Assessment

PUBLIC SAFETY ONLY. This petition does not concern the separate Street Lighting Special Assessment.

WHAT THIS PETITION ASKS

The petition asks the Ludington City Council to submit to the electors the question of raising money through the proposed Public Safety Special Assessment pursuant to MCL 41.801(3). The statutory text supplied for this project says the question must be submitted when **owners of 10% of the land to be made into a special assessment district** petition the governing body.

WHAT “10%” MEANS FOR COLLECTION

Do **not** count this as 10% of residents, voters, signatures, or parcels. The statute uses **land**. Collect accurate owner/property information now; ownership and land area should be verified against City parcel records before anyone declares that the statutory threshold has been reached.

WHO SHOULD SIGN

A signer should be an owner of property within the proposed Ludington Public Safety Special Assessment District. Use the owner's name as it appears on the property record when possible. Record the property address and parcel ID. If one owner has multiple properties, identify each property so all potentially represented land can be verified.

For a trust, LLC, corporation, partnership, estate, joint ownership, condominium, or other special ownership situation, record the exact ownership information and the signer's capacity. **Do not guess whether it counts.** Flag it for verification.

WHAT COLLECTORS SHOULD SAY

A simple explanation is enough: *“This is a PA 33 petition concerning the proposed Ludington Public Safety Special Assessment. It asks that the special-assessment question be submitted to the electors if the statutory landowner threshold is satisfied.”*

Let the owner read the petition. If you do not know an answer, write the question on the **Questions From Property Owners** sheet and have it verified.

WHAT COLLECTORS SHOULD NOT SAY

Do not say the assessment has been determined illegal. Do not promise that signing automatically stops the assessment. Do not promise that an election is guaranteed. Do not claim that a specific number of signatures equals 10%. Do not state that the PA 33 petition deadline has definitely expired—or that there definitely is no deadline. The research completed for this project has not established that timing question conclusively.

KEEP THE PROCEDURES SEPARATE

Chapter 42 objection: the September 28 district/necessity objection procedure discussed at the hearing.

PA 33 petition: the separate landowner petition seeking submission of the public-safety special-assessment question to electors.

Assessment-roll objection: the later opportunity to object to the proposed assessment/distribution after individual amounts are prepared.

The September 28 transcript treated these as distinct procedures. Do not describe one as a substitute for another.

BEFORE TURNING IN PETITIONS

- Verify owner names and parcel IDs.
- Identify every property represented by each signer.
- Verify land area using the definitive City district data.
- Flag joint/entity/special ownership for review.
- Number and copy every signature sheet.
- Keep the originals together.
- Submit with the transmittal letter.
- Obtain a City date/time-stamped receipt.

WHEN IN DOUBT

Collect the information — do not decide whether it counts. Ownership, parcel, land-area, timing, and legal questions can be verified before the petition total is calculated.

PA 33 Signature Collection — Field Guide & Checklist

Before someone signs

- ☐ Is the person an **owner of property inside the Ludington Public Safety Special Assessment District**?
- ☐ Explain that this petition concerns **public safety only**, not the street-lighting assessment.
- ☐ Explain what the petition asks: that the question of raising money through the proposed public-safety special assessment be **submitted to the electors under MCL 41.801(3)**.
- ☐ Let the person read the petition. Don't summarize it differently or promise a particular result.

When they sign

- ☐ Print the property owner's name clearly.
- ☐ Get the **Ludington property address**.
- ☐ Get the **parcel ID if available**. If they don't know it, don't guess—mark it for later verification.
- ☐ Have the **owner** sign.
- ☐ Have them date the signature.
- ☐ One owner with several properties? **Record every property/parcel they own in the district**. Don't assume one signature automatically identifies all of their land.
- ☐ Joint ownership? Record the ownership information and flag it for verification.
- ☐ LLC, corporation, trust, estate or partnership? Write down the entity's exact name and the signer's position/capacity. **Don't decide yourself whether the signature counts**.

Important: what we're counting

- ☐ PA 33 says **“owners of 10% of the land”**—not 10% of residents, voters, signatures or parcels. MCL-41-801
- ☐ Don't tell anyone, “We need X signatures.” We don't know that.
- ☐ Don't estimate acreage in the field.
- ☐ We will verify ownership and land area against the City's records afterward.
- ☐ A person who already submitted a September 28 objection **can still sign this petition**; these are different procedures. The September 28 record distinguished the Chapter 42 objection process from the PA 33 petition mechanism. September 29, 2026_Ludington Ci...

What NOT to tell people

- ☐ Don't say the assessment is illegal.

- ☐ Don't say signing automatically stops the assessment.
- ☐ Don't promise there will definitely be an election.
- ☐ Don't tell people the PA 33 deadline has passed—or that there is definitely no deadline. **We have not established that question.**
- ☐ Don't tell someone how much their assessment will be unless you're showing them an official City calculation for their property.
- ☐ Don't argue with anyone. If they don't want to sign, thank them and move on.

If someone asks a question you can't answer

Write it down.

“I don't want to guess. We're keeping a list of questions so we can verify the answer.”

That last piece is important. I'd actually put a little **“Questions from property owners”** box at the bottom with several blank lines. That turns the collectors into information gatherers too.

And I'd put a prominent box at the top:

WHEN IN DOUBT, COLLECT THE INFORMATION — DON'T DECIDE WHETHER IT COUNTS.

Ownership, parcel and land-area questions will be verified before the petition total is calculated.

That protects you from volunteers making different judgment calls in the field.

I can add this as the **first working page of the existing print-ready petition packet**, plus make it as a **standalone one-page handout** so Jason can give one to every person collecting signatures.

Questions From Property Owners

Do not guess at an answer. If you aren't certain, write the question down. We can verify it against the City documents, PA 33, or other applicable records.

Property owner: _____

Property address: _____

Phone/email — optional: _____

Question or concern:

Check the general topic:

- ☐ PA 33 / petition process
- ☐ Who may sign
- ☐ Joint ownership / spouse
- ☐ Trust / LLC / corporation / estate
- ☐ Multiple properties
- ☐ Parcel ID / property records
- ☐ How the 10% land threshold is calculated
- ☐ Petition deadline / timing
- ☐ Election / ballot process
- ☐ September 28 objection
- ☐ October 26 hearing
- ☐ Assessment amount
- ☐ Taxable value
- ☐ Special benefit
- ☐ Police / fire costs
- ☐ Street lighting — **separate proceeding**
- ☐ Other: _____

Does this question need an answer before the owner will sign?

☐ Yes ☐ No

Collector: _____ **Date:** _____

Follow-up:

- ☐ Answer verified
- ☐ Owner contacted
- ☐ Needs legal/professional review

- ☐ Needs City clarification
- ☐ Needs additional records

I'd also put one sentence immediately underneath:

Collectors: A question is not an objection. Record it accurately and do not pressure anyone to sign while they are waiting for an answer.

This could become surprisingly valuable. After the first day of collection, we can take all these sheets and build a **verified FAQ based on what owners are actually asking**, rather than guessing what the public needs explained.

And if ten people independently ask, for example, **“Does my spouse also have to sign?”** or **“Does one signature cover my three parcels?”**, that tells us which PA 33 counting questions need to be resolved with the City immediately.

I can turn this into a **standalone printable Questions From Property Owners sheet**, with two or three question records per page so collectors don't burn a full sheet for every question.

LUDINGTON PUBLIC SAFETY SPECIAL ASSESSMENT

PA 33 LANDOWNER PETITION - PRINT-READY PACKET

For the Public Safety Special Assessment only. This packet is drafted around MCL 41.801(3), which uses the standard 'owners of 10% of the land to be made into a special assessment district.' It does not assert that a particular filing deadline has been legally established.

CIRCULATOR INSTRUCTIONS

1. Use only for the proposed Ludington **Public Safety** Special Assessment. Do not combine these signatures with street-lighting or Chapter 42 objection sheets.
2. Ask the signer to use the property-owner name as it appears on the property record. Record the Ludington property address and parcel identification number whenever available.
3. The statutory threshold is based on **land represented by owners**, not merely number of signatures. Do not promise that a particular number of signatures equals 10%. Land-area verification should be performed against City parcel data.
4. For jointly owned, trust, LLC, corporate, partnership, condominium, or other entity-owned property, note the ownership name and the signer's capacity. Do not guess whether a signature counts; flag it for verification.
5. Do not alter the petition request on individual sheets. Keep each signed sheet attached to or distributed with the petition language.
6. Keep the originals. Make a complete copy before submission. Ask the City Clerk to date/time-stamp the submitted copy.
7. Nothing on this form asks a signer to waive other objections, assessment-roll rights, appeal rights, or other legal rights.

PETITION PURSUANT TO MCL 41.801(3)

LUDINGTON PUBLIC SAFETY SPECIAL ASSESSMENT

TO THE CITY COUNCIL OF THE CITY OF LUDINGTON, MICHIGAN:

The undersigned are owners of land located within the proposed Ludington Public Safety Special Assessment District. The Ludington City Council has proposed to raise money by special assessment for police and fire protection pursuant, in part, to Public Act 33 of 1951, MCL 41.801 et seq.

MCL 41.801(3) provides that the question of raising money by special assessment must be submitted to the electors when the owners of 10% of the land to be made into a special assessment district petition the governing body.

Accordingly, the undersigned property owners hereby **petition the Ludington City Council pursuant to MCL 41.801(3) to submit to the electors the question of raising money by the proposed Ludington Public Safety Special Assessment.**

This petition concerns the proposed **Public Safety Special Assessment only**. By signing below, each signer represents that he or she is an owner of the identified property within the proposed district and requests submission of the question to the electors pursuant to MCL 41.801(3).

Printed owner name	Property address	Parcel ID	Owner signature	Date

Entity / special ownership notes: If a property is owned by a trust, LLC, corporation, partnership, estate, or other entity, state the ownership name and signer's capacity here:

No waiver: Nothing in this petition is intended to waive any objection, protest, appeal, hearing right, or other right concerning necessity, district boundaries, the assessment roll, distribution of the levy, special benefit, taxable-value methodology, notice, or any other issue.

PA 33 PETITION - CONTINUATION SHEET

This sheet is part of the Petition Pursuant to MCL 41.801(3) concerning the Ludington Public Safety Special Assessment. Each signer petitions the Ludington City Council to submit to the electors the question of raising money by the proposed Public Safety Special Assessment. This sheet must remain attached to the petition language.

Printed owner name	Property address	Parcel ID	Owner signature	Date

Continuation sheet number: _____ Circulator/collector: _____

Notes for ownership verification:

PA 33 PETITION - CONTINUATION SHEET

This sheet is part of the Petition Pursuant to MCL 41.801(3) concerning the Ludington Public Safety Special Assessment. Each signer petitions the Ludington City Council to submit to the electors the question of raising money by the proposed Public Safety Special Assessment. This sheet must remain attached to the petition language.

Printed owner name	Property address	Parcel ID	Owner signature	Date

Continuation sheet number: _____ Circulator/collector: _____

Notes for ownership verification:

PA 33 PARCEL VERIFICATION WORKSHEET

Ludington Public Safety Special Assessment - Working Verification Sheet

Purpose: verify each signed property against the City's district and ownership records before counting land toward the MCL 41.801(3) threshold. Do not count a parcel twice. Flag joint/entity ownership for verification rather than guessing.

Verification date: Verified by: City/source dataset date:

Sheet / line	Owner name as signed	Record owner	Parcel ID	Property address	Ownership / capacity	In district?	Land area	Qualifies?	Notes / source

Ownership/capacity: individual; joint owner; trustee; LLC member/manager; corporate officer; personal representative; other. Record capacity without deciding validity in the field.

Land-area source: use one consistent City parcel/assessment/GIS field. Duplicate control: multiple signatures for the same parcel do not create additional land area; enter the parcel once in the calculation worksheet, subject to final verification.

Version: September 30, 2026 | Working verification material | Not a legal opinion

PA 33 - 10% OF LAND CALCULATION WORKSHEET

Ludington Public Safety Special Assessment - MCL 41.801(3) Working Calculation

Use only after parcel verification. The supplied statute uses the phrase owners of 10% of the land to be made into a special assessment district. *This worksheet calculates land represented - not signatures, voters, residents, parcels, or taxable value.*

Prepared by: _____ Date: _____ District dataset/source: _____

Calculation item	Amount / land area	Source / note
A. Total land area in Public Safety Special Assessment District		
B. Statutory 10% threshold = $A \times 0.10$		
C. Gross land area represented by verified petition parcels		
D. Less duplicate / nonqualifying land / corrections		
E. Net qualifying land represented = $C - D$		
F. Percentage represented = $E / A \times 100$		
G. Amount above / (below) threshold = $E - B$		

PETITION-SHEET / PARCEL SUBTOTALS

Petition sheet(s)	Verified parcels	Qualifying land area	Adjustments / duplicates / notes

Controls: ■ One consistent denominator/source ■ Excluded parcels treated consistently ■ Duplicate parcels removed ■ Same parcel not counted twice for multiple owners/signatures ■ Multiple parcels separately verified ■ Entity/joint ownership reviewed ■ Same land-area units used ■ Arithmetic independently checked

Working result: ■ Below 10% ■ At or above 10% ■ Cannot determine yet - more verification needed

Important: Internal/reproducible calculation aid only. It is not the City's sufficiency determination and does not resolve legal questions about timing, ownership qualification, or unusual parcels.

Version: September 30, 2026 | Working calculation material | Not a legal opinion

TRANSMITTAL LETTER - PA 33 PETITION

September _____, 2026

Ludington City Council
c/o Deborah L. Luskin, City Clerk
City of Ludington
400 S. Harrison Street
Ludington, Michigan 49431

Re: MCL 41.801(3) Landowner Petition - Ludington Public Safety Special Assessment

Dear Mayor Barnett, Members of the City Council, and Clerk Luskin:

Enclosed is a landowner petition submitted pursuant to Public Act 33 of 1951, specifically MCL 41.801(3), concerning the proposed Ludington Public Safety Special Assessment.

MCL 41.801(3) provides that the question of raising money by special assessment must be submitted to the electors if the owners of 10% of the land to be made into the special assessment district petition the governing body.

At the September 28, 2026 City Council meeting, City Attorney Timothy Figura explained that Public Act 33 contains a petition mechanism applicable to the proposed Public Safety Special Assessment. He distinguished that mechanism from the separate Chapter 42 objection procedure. Mr. Figura stated that the Chapter 42 opportunity to object to the district for purposes of triggering the one-third threshold ended with the September 28 hearing. He did not state that the separate MCL 41.801(3) petition right expired September 28, and he did not identify a deadline for exercising it.

The Public Safety hearing notice mailed before September 28 expressly identified Chapter 42 of the Ludington City Code and Act 179 of 1909 and explained the Chapter 42 objection procedure. The notice supplied to us does not expressly identify Public Act 33, MCL 41.801, or the separate landowner petition mechanism. Public Safety Resolution No. 3 subsequently expressly invoked Public Act 33.

Accordingly, please receive and preserve the enclosed petition and provide the City's position in writing on the following:

1. Does the City contend that a deadline applies to a petition under MCL 41.801(3)? If so, identify the deadline and legal authority.
2. Does the City contend that adoption of Public Safety Resolutions Nos. 3 or 4 terminated or affected the petition right? If so, identify the authority.
3. What methodology will the City use to determine whether petitioning owners represent '10% of the land' within MCL 41.801(3)?
4. Please provide or identify the definitive district parcel list, land area/acreage for each parcel, and total land area used as the denominator.
5. What ownership records/effective date will be used, and how will joint, trust, LLC, corporate, condominium, estate, and other ownership forms be treated?
6. Identify any parcels/land excluded from the denominator and the basis for exclusion.
7. After submission, please provide a written sufficiency determination stating qualifying land area represented and its percentage of district land.

This request does not concede that any particular deadline applies or has expired, and submission does not waive any owner's other objections or rights.

Because the next assessment-roll hearing is scheduled for October 26, 2026, please address these matters promptly. Please date/time-stamp a complete copy of this letter and the petition upon receipt and return the stamped copy to the submitter.

Respectfully submitted,

Name

Address

Telephone / Email

Enclosure: Petition Pursuant to MCL 41.801(3) - Ludington Public Safety Special Assessment

SUBMISSION RECEIPT / RECORD COPY

For use when delivering the petition to the City Clerk. Ask the receiving office to stamp or complete this page and the first page of the petition packet.

Document submitted: Petition Pursuant to MCL 41.801(3) - Ludington Public Safety Special Assessment

Number of petition signature sheets submitted: _____

Number of signatures presented (not a determination of validity): _____

Submitted by: _____

Date: _____ **Time:** _____

RECEIVED BY CITY OF LUDINGTON:

Name / title of receiving official Signature

Date: _____ **Time:** _____

CITY DATE/TIME STAMP:

PA 33 PETITION SUBMISSION

Receipt & Record Copy

Ludington Public Safety Special Assessment • MCL 41.801(3)

Purpose: Keep this page with the submitter's complete copy of the petition. Ask the receiving City office to date/time-stamp this page and, if possible, the first page of the petition. This receipt records delivery only; it is not a City determination that signatures or land area satisfy the statutory threshold.

DOCUMENTS PRESENTED

Petition title	
Number of petition signature sheets	
Number of signatures presented	
Number of continuation sheets	
Transmittal letter included?	
Other attachments	

SUBMITTER INFORMATION

Submitted by	
Address	
Telephone / email	
Date submitted	
Time submitted	

CITY RECEIPT

The undersigned acknowledges receipt of the materials identified above. Receipt does not constitute a determination of petition sufficiency, timeliness, ownership qualification, land-area calculation, or legal effect.

Received by - printed name	
Title / department	
Signature	
Date received	
Time received	

CITY DATE / TIME STAMP

SUBMITTER'S RECORD CHECKLIST

- Complete petition copied/scanned before delivery
- Every signature sheet numbered
- Transmittal letter copied
- This receipt page copied
- City date/time stamp obtained
- Name/title of receiving official recorded
- Electronic backup of complete submitted packet preserved

AFTER SUBMISSION

Keep the stamped receipt with the exact copy of what was delivered. Do not add, remove, or alter pages in that record copy. Any later supplemental submission should be separately dated and documented.

Version: September 30, 2026 • Working community petition material • Not a legal opinion

PUBLIC ACT 33 OF 1951

MCL 41.801 — Police and Fire Protection Special Assessments

Clean Reference Copy • Ludington Public Safety Special Assessment Project

Source note: This reference is based on the Michigan Compiled Laws text supplied for this project, rendered September 24, 2026 and identified as complete through PA 103 of 2026. Formatting and headings have been added for readability; the statutory substance below follows the supplied source.

SECTION 1 — MCL 41.801

Purchase of police and fire motor vehicles, apparatus, equipment, and housing; appropriation; special assessment; bonds; election; estimate of cost and expenses; special assessment district; hearing; notice; distribution; general-fund transfers; taxable value; invalid assessment.

(1) EQUIPMENT APPROPRIATIONS

The township board of a township, or township boards of adjoining townships acting jointly, may purchase police and fire motor vehicles, apparatus, equipment, and housing and may appropriate general or contingent funds for that purpose. After December 31, 1998, appropriations for fire equipment/housing and police equipment/housing in a one-year period must not exceed 10 mills of the taxable value of the area for which the respective protection is furnished.

(2) MAINTENANCE AND OPERATION

The township board, or boards acting jointly, may provide annually by resolution for appropriation of general or contingent funds for maintenance and operation of police and fire departments.

(3) SPECIAL ASSESSMENT AND LANDOWNER PETITION

The township board, or boards acting jointly, may provide that sums prescribed in subsection (2) for purchasing and housing equipment, operation of equipment, or both, may be defrayed by special assessment on lands and premises in the township or townships to be benefited, except qualifying tax-exempt property, and may issue bonds in anticipation of collection.

The question of raising money by special assessment may be submitted to the electors by the governing board at a general or special election. **The question of raising money by special assessment must be submitted if the owners of 10% of the land to be made into a special assessment district petition the governing board.**

(4) DISTRICT, HEARINGS, DISTRIBUTION AND ANNUAL DETERMINATION

If a special assessment district is proposed under subsection (3), the governing board shall estimate the cost and expenses of police/fire vehicles, apparatus, equipment, housing and protection, and fix a day for a hearing on the estimate and on creating a special assessment district and defraying its expenses by special assessment on property to be especially benefited, subject to the statutory exemption for qualifying tax-exempt property.

The hearing must be a public meeting complying with the Open Meetings Act. Public notice of time, date and place must be given as required by that Act. In addition, notice stating the time, place and purpose must be published in a newspaper of general circulation in the proposed district, or posted in at least three public places if no such newspaper exists, not less than five days before the hearing.

At the hearing, the governing board shall hear objections against the estimate and creation of the district. After December 31, 1998, if the board determines to create the district, it shall determine the boundaries by resolution, determine the amount of the levy, and direct that the assessment be spread on the **taxable value** of lands and premises in the district that are to be **especially benefited** by police and fire protection, **according to benefits received**, subject to the statutory exemption.

The governing board shall hold a hearing on objections to distribution of the special assessment levy, with the same manner and notice described in this section.

The governing board shall annually determine the amount to be assessed in the district for police and fire protection, direct distribution of the levy, and hold a hearing on the estimated costs and expenses and on distribution of the levy.

The assessment may be placed on a special assessment roll or in a column in the regular tax roll. It becomes due and is collected with other taxes and returned in the same manner for nonpayment. The subsection also provides for certain General Fund transfers or loans when special-assessment collections are insufficient, with repayment to the General Fund from special-assessment funds when collected.

(5) POLICE, FIRE, OR BOTH

The powers granted by the Act with respect to police and fire protection may be exercised for police protection alone, fire protection alone, or police and fire protection in combination.

(6) TAXABLE VALUE AND SPECIAL BENEFIT

After December 31, 1998, an ad valorem special assessment under the Act must be levied on taxable value. **After December 31, 2018, a special assessment levied under the Act must be spread on the taxable value of the property assessed based on the special benefit provided to the property assessed and may not be based on police and fire protection provided in a prior year to assessed property.**

(7) PROPERTY WITHIN THE DISTRICT

A special assessment imposed under the Act must be levied on all properties within the special assessment district established under the Act other than properties exempt from collection of taxes under the General Property Tax Act.

(8) DEFINITION OF TAXABLE VALUE

For purposes of this section, "taxable value" means the value determined under section 27a of the General Property Tax Act, MCL 211.27a.

(9) IF TAXABLE-VALUE LEVY IS FOUND INVALID

If an ad valorem special assessment levy on taxable value is found invalid by a court of competent jurisdiction, the assessment must be levied on the property's state equalized value.

(10) BONDS

Bonds issued under the Act are subject to the Revised Municipal Finance Act, 2001 PA 34, MCL 141.2101 to 141.2821.

KEY PROVISIONS FOR THE LUDINGTON RECORD

Reference guide — not a legal conclusion

Issue	Relevant language in supplied MCL 41.801
Landowner election petition	Subsection (3): question must be submitted when owners of 10% of the land to be made into the district petition the governing body.
Initial hearing	Subsection (4): hearing on estimate, creation of district and special assessment of property to be especially benefited.
Distribution hearing	Subsection (4): separate hearing on objections to distribution of the levy.
Annual procedure	Subsection (4): governing body shall annually determine amount, direct distribution and hold hearing on estimated costs/expenses and distribution.
Taxable value	Subsections (4) and (6): assessment is spread on taxable value, subject to special-benefit requirements.
Special benefit	Subsection (6): after 2018, taxable-value spreading must be based on the special benefit provided to the property assessed .
Prior-year services	Subsection (6): assessment may not be based on police/fire protection provided in a prior year to assessed property.

Important: This clean reference is designed for the petition kit. For quotation, filing, or legal analysis, consult the supplied official MCL copy and/or the current official Michigan Legislature text. This document does not add a petition deadline that is not stated in the supplied text.

Source: MCL 41.801 supplied by the user • Rendered September 24, 2026 • Complete through PA 103 of 2026