

HOUSE BILL No. 5833

May 29, 1990, Introduced by Rep. Nye and referred to the Committee on Transportation.

A bill to amend sections 1 and 2 of Act No. 139 of the Public Acts of 1972, entitled

"An act authorizing township boards to provide for the maintenance and improvement of private roads by contract and to provide payments by special assessment districts; and to repeal certain acts and parts of acts,"

being sections 247.391 and 247.392 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 1 and 2 of Act No. 139 of the Public
2 Acts of 1972, being sections 247.391 and 247.392 of the Michigan
3 Compiled Laws, are amended to read as follows:

4 Sec. 1. In ~~any~~ A township, the township board may con-
5 tract for the maintenance or improvement of ~~any~~ A private
6 ~~roads~~ ROAD within the township by the creation of a special
7 assessment district ~~. Fifty one percent~~ UPON PETITION OF 51%

1 of the property owners owning ~~the frontage along a private road~~
2 ~~shall be required to request the improvement or maintenance by~~
3 ~~petition to the township board.~~ 1 OR MORE OF THE FOLLOWING:

4 (A) FRONTAGE UPON THE PORTION OF THE PRIVATE ROAD TO BE
5 MAINTAINED OR IMPROVED.

6 (B) FRONTAGE, NOT DESCRIBED IN SUBDIVISION (A) BUT UPON THE
7 SAME PRIVATE ROAD, OF LAND THAT IS ACCESSIBLE ONLY BY TRAVERSING
8 THE PORTION OF THAT ROAD TO BE MAINTAINED OR IMPROVED.

9 (C) FRONTAGE UPON ANY OTHER ROAD, PUBLIC OR PRIVATE, OF LAND
10 THAT IS ACCESSIBLE ONLY BY TRAVERSING THE PORTION OF THE PRIVATE
11 ROAD TO BE MAINTAINED OR IMPROVED.

12 Sec. 2. Upon receipt of a petition, the township board of
13 ~~any~~ A township may enter into a contract or make ~~such~~ THE
14 maintenance or improvement with the allocation of cost to be
15 spread against all of the owners in the district benefiting on a
16 pro rata frontage basis. ~~Such~~ LAND WITH FRONTAGE AS DESCRIBED
17 IN SECTION 1(A), (B), OR (C) SHALL BE CONSIDERED TO BENEFIT FROM
18 THE MAINTENANCE OR IMPROVEMENT. THE MAINTENANCE OR improvement
19 and assessment of cost shall not be completed until the township
20 board ~~has created~~ CREATES the special assessment district and
21 ~~assessed~~ ASSESSES the properties with proper notice of public
22 hearings to all of the owners of property within the special
23 assessment district to be benefited ~~thereby~~ BY THE MAINTENANCE
24 OR IMPROVEMENT.

25 Section 2. This amendatory act shall not take effect unless
26 Senate Bill No. ____ or House Bill No. 5831 (request
27 no. 03936'89) of the 85th Legislature is enacted into law.