

HOUSE BILL No. 4035

January 31, 1991, Introduced by Reps. Willis Bullard and Dobb and referred to the Committee on Taxation.

A bill to amend section 5 of Act No. 345 of the Public Acts of 1978, entitled

"Waste management and resource recovery finance act of 1978," being section 123.315 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 5 of Act No. 345 of the Public Acts of
2 1978, being section 123.315 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 5. A municipality may DO ALL OF THE FOLLOWING:

5 (a) Include in a contract with a municipality ~~—~~ or person
6 provisions to the effect that the municipality will require all
7 residential waste subject to its jurisdiction and police power
8 under applicable law or charter and collected within its limits,
9 whether by a municipality or person operating under contract with
10 the municipality, to be disposed of at the waste management

1 project. If ~~so~~ included, the municipality shall enact
2 legislation with appropriate penalties to make the requirement
3 effective. However, a township, by resolution, may disapprove
4 the collection of waste within the township boundaries by a
5 county.

6 (b) Provide by contract with a municipality ~~or~~ or person
7 for the ownership of a waste management project after all indebt-
8 edness with respect to the project ~~has been~~ IS retired.

9 (c) Provide that rates or charges to users and beneficiaries
10 of the service furnished by the waste management project ~~shall~~
11 ~~be~~ ARE a lien on the premises for which the services have been
12 provided ~~or~~ and that amounts delinquent for 3 months or more may
13 be certified annually to the proper tax assessing officer or
14 agency of the municipality ~~or~~ to be entered upon the next tax
15 roll against the premises to which the services have been
16 rendered OR THE MUNICIPALITY MAY AUTHORIZE THE PROPER TAX ASSESS-
17 ING OFFICER OR AGENCY OF THE MUNICIPALITY TO ENTER THE RATES OR
18 CHARGES FOR SERVICES RENDERED BY THE WASTE MANAGEMENT PROJECT
19 DIRECTLY ON THE NEXT TAX ROLL AGAINST THE PREMISES TO WHICH THE
20 SERVICES HAVE BEEN RENDERED FOR INITIAL COLLECTION IN THE SAME
21 MANNER AS AD VALOREM PROPERTY TAXES UNDER THE GENERAL PROPERTY
22 TAX ACT, ACT NO. 206 OF THE PUBLIC ACTS OF 1893, BEING SECTIONS
23 211.1 TO 211.157 OF THE MICHIGAN COMPILED LAWS. IF THE RATES OR
24 CHARGES FOR SERVICES RENDERED THAT ARE ENTERED ON THE TAX ROLL
25 ARE NOT PAID BEFORE FEBRUARY 15, THE RATES OR CHARGES SHALL BE
26 RETURNED AS DELINQUENT TO THE COUNTY TREASURER IN THE SAME MANNER
27 AS PROVIDED FOR DELINQUENT TAXES UNDER THE GENERAL PROPERTY TAX

1 ACT, ACT NO. 206 OF THE PUBLIC ACTS OF 1893. The charges shall be
2 collected and the lien enforced in the same manner as provided
3 for the collection of taxes assessed upon the tax roll and the
4 enforcement of a lien for unpaid taxes. The time and manner of
5 certification and other details in respect to the collection of
6 the rates and charges and the enforcement of the lien shall be
7 prescribed by the governing body of the municipality. The munic-
8 ipality may authorize a person or municipality to impose, levy,
9 and collect rates or charges against users and beneficiaries of
10 the service furnished by the waste management project. The
11 municipality may agree with a municipality or person that the
12 rates and charges shall be a lien on the premises serviced, and
13 may further agree that the collection of the rates and charges
14 imposed may be collected and the lien enforced in the same manner
15 as provided in this subsection for the collection of rates and
16 charges and the enforcement of a lien by the municipality.