

HOUSE BILL No. 4480

March 5, 1991, Introduced by Rep. Ostling and referred to the Committee on Towns and Counties.

A bill to amend the title and sections 169 and 241 of Act No. 288 of the Public Acts of 1967, entitled as amended "Subdivision control act of 1967," being sections 560.169 and 560.241 of the Michigan Compiled Laws; to add sections 169a and 241a; and to repeal certain parts of the act on specific dates.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and sections 169 and 241 of Act
2 No. 288 of the Public Acts of 1967, being sections 560.169 and
3 560.241 of the Michigan Compiled Laws, are amended and sections
4 169a and 241a are added to read as follows:

5 TITLE

6 An act to regulate the subdivision of land; to promote the
7 public health, safety, and general welfare; to further the
8 orderly layout and use of land; to require that the land be

1 suitable for building sites and public improvements ~~—~~ and that
2 there be adequate drainage ~~thereof~~ OF THE LAND; to provide for
3 proper ingress and egress to lots; to promote proper surveying
4 and monumenting of land subdivided and conveyed by accurate legal
5 descriptions; to provide for the approvals to be obtained by sub-
6 dividers prior to the recording and filing of plats; to provide
7 for the establishment of special assessment districts and for the
8 imposition of special assessments to defray the cost of the oper-
9 ation and maintenance of retention basins for land within ~~all or~~
10 ~~a part of the~~ A final plat; to establish the procedure for
11 vacating, correcting, and revising plats; to control residential
12 building development within floodplain areas; to provide for
13 reserving easements for utilities in vacated streets and alleys;
14 to provide for the filing of amended plats; to provide for the
15 making of assessors plats; to provide penalties for the violation
16 of the provisions of this act; TO REPEAL CERTAIN PARTS OF THIS
17 ACT ON SPECIFIC DATES; and to repeal certain acts and parts of
18 acts.

19 Sec. 169. ~~When approved~~ BEGINNING UPON THE EXPIRATION OF
20 2 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED
21 SECTION 169A, UPON APPROVAL OF THE PLAT by a majority of the
22 county plat board, the clerk of the board shall secure a warrant
23 from the county treasurer for 1/2 the filing and recording fee
24 required by section 241 and forward it with all copies of the
25 plat to the state ~~treasurer~~ ADMINISTRATOR.

1 SEC. 169A. (1) UPON APPROVAL OF THE PLAT BY A MAJORITY OF
2 THE COUNTY PLAT BOARD, THE CLERK OF THE BOARD SHALL FORWARD IT
3 WITH ALL COPIES OF THE PLAT TO THE STATE ADMINISTRATOR.

4 (2) THIS SECTION IS REPEALED EFFECTIVE UPON THE EXPIRATION
5 OF 2 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT
6 ADDED THIS SECTION.

7 Sec. 241. (1) ~~When the~~ BEGINNING UPON THE EXPIRATION OF 2
8 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED
9 SECTION 241A, WHEN A final plat is submitted to the clerk of the
10 governing body of the municipality, the proprietor shall deposit
11 with the plat a FILING AND RECORDING fee of \$20.00. ~~, which~~
12 ~~shall be known as the~~ THE filing and recording fee ~~and shall~~
13 ~~be~~ IS in addition to any fee the municipality may charge under
14 the provisions of ~~the~~ THIS act.

15 (2) ~~On~~ UPON approval of the plat by the governing body,
16 the clerk shall send the \$20.00 fee ~~when sending~~ WITH the plat
17 to the clerk of the county plat board.

18 (3) The clerk of the county plat board shall deposit the fee
19 in the county trust and agency fund for subsequent payments by
20 county warrant from this fund to BOTH OF THE FOLLOWING:

21 (a) ~~The~~ THIS state, in the amount of \$10.00, upon the
22 approval of the plat by the county plat board.

23 (b) The county register of deeds in the amount of \$10.00,
24 upon submission of proof to the clerk of the county plat board
25 that the plat has been duly recorded in the office of the county
26 register of deeds.

1 (4) The state ~~treasurer~~ ADMINISTRATOR shall ~~deposit~~ PAY
2 the state's portion of the fee TO THE STATE TREASURER, WHO SHALL
3 DEPOSIT IT in the state general fund.

4 (5) The state ~~treasurer~~ ADMINISTRATOR may also charge an
5 additional \$10.00 fee if he OR SHE is of the opinion that the
6 review time is ~~of an~~ extraordinary. ~~nature.~~

7 SEC. 241A. (1) WHEN A FINAL PLAT IS SUBMITTED TO THE CLERK
8 OF THE GOVERNING BODY OF THE MUNICIPALITY, THE PROPRIETOR SHALL
9 DEPOSIT WITH THE PLAT BOTH OF THE FOLLOWING:

10 (A) A FILING AND RECORDING FEE OF \$20.00. THE FILING AND
11 RECORDING FEE IS IN ADDITION TO ANY FEE THE MUNICIPALITY MAY
12 CHARGE UNDER THE PROVISIONS OF THIS ACT.

13 (B) A STATE PLAT REVIEW FEE OF \$300.00 PLUS \$30.00, FOR EACH
14 LOT OVER 4 LOTS INCLUDED IN THE PLAT. THE STATE PLAT REVIEW FEE
15 SHALL BE PAID BY CHECK OR MONEY ORDER PAYABLE TO THE STATE OF
16 MICHIGAN.

17 (2) ON APPROVAL OF THE PLAT BY THE GOVERNING BODY, THE CLERK
18 SHALL SEND THE FILING AND RECORDING FEE AND THE STATE PLAT REVIEW
19 FEE WITH THE PLAT TO THE CLERK OF THE COUNTY PLAT BOARD.

20 (3) THE CLERK OF THE COUNTY PLAT BOARD SHALL DEPOSIT THE
21 FILING AND RECORDING FEE IN THE COUNTY TRUST AND AGENCY FUND FOR
22 SUBSEQUENT PAYMENT BY COUNTY WARRANT FROM THIS FUND TO THE COUNTY
23 REGISTER OF DEEDS IN THE AMOUNT OF \$20.00, UPON SUBMISSION OF
24 PROOF TO THE CLERK OF THE COUNTY PLAT BOARD THAT THE PLAT HAS
25 BEEN DULY RECORDED IN THE OFFICE OF THE COUNTY REGISTER OF
26 DEEDS.

1 (4) IF A FINAL PLAT IS FORWARDED TO THE STATE ADMINISTRATOR,
2 THE CLERK OF THE COUNTY PLAT BOARD SHALL FORWARD THE STATE PLAT
3 REVIEW FEE WITH THE PLAT.

4 (5) A STATE PLAT REVIEW FEE COLLECTED BY THIS STATE SHALL BE
5 DEPOSITED IN THE STATE TREASURY FOR USE IN THE ADMINISTRATION OF
6 THIS ACT. A FUND IN WHICH STATE PLAT REVIEW FEES SHALL BE DEPOS-
7 ITED IS CREATED IN THE STATE TREASURY. THIS FUND IS A REVOLVING
8 FUND, AND MONEY REMAINING IN THE FUND AT THE END OF THE FISCAL
9 YEAR SHALL BE CARRIED OVER IN THE FUND TO THE NEXT AND SUCCEEDING
10 FISCAL YEARS FOR USE IN THE ADMINISTRATION OF THIS ACT.

11 (6) THIS SECTION IS REPEALED EFFECTIVE UPON THE EXPIRATION
12 OF 2 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT
13 ADDED THIS SECTION.