



SENATE BILL No. 383

February 10, 1993, Introduced by Senator EHLERS and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend section 1 of Act No. 320 of the Public Acts of 1927, entitled as amended

"An act authorizing counties, cities, villages, and townships, either individually or jointly by agreement, to provide a sanitary means of disposing of the solid waste, refuse, garbage, sewage, night soil, and storm water thereof; to supply water thereto; to charge owners or occupants of premises therefor; to borrow money and issue bonds to own, acquire, construct, equip, operate, and maintain waterworks systems, intercepting sewers, other sanitary and storm sewers, sewage disposal plants, transfer stations, and garbage or refuse processing or disposal plants; and to provide for the levying of taxes without limitation as to rate or amount for the repayment of such bonds,"

being section 123.241 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 1 of Act No. 320 of the Public Acts of
2 1927, being section 123.241 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 1. (1) A ~~county, city, village, or township in this~~
5 ~~state, either individually or jointly by agreement, is authorized~~

1 ~~to~~ GOVERNMENTAL AGENCY OR MUNICIPALITY MAY own, acquire,
 2 construct, equip, operate, and maintain ANY OF THE FOLLOWING
 3 either within or without the statutory or corporate limits of the
 4 governmental ~~agencies~~ AGENCY or ~~municipalities, intercepting~~
 5 MUNICIPALITY:

6 (A) INTERCEPTING sewers, other sanitary ~~and storm~~ sewers,
 7 pumping stations, and a plant or plants for the treatment, pro-
 8 cessing, purification, and disposal in a sanitary manner,
 9 approved by the department of natural resources, of the liquid
 10 and solid wastes, refuse, sewage, ~~and night soil,~~ storm water,
 11 and garbage of ~~those~~ THAT governmental ~~agencies and municipal~~
 12 ~~ities and~~ AGENCY OR MUNICIPALITY.

13 (B) A SYSTEM OF DISPOSAL OF STORM WATER THAT MAY INCLUDE
 14 INTERCEPTING STORM SEWERS, PIPES, DRAINS, A DETENTION OR RETEN-
 15 TION POND OR PONDS, A PUMP, A PUMPING FACILITY, A TREATMENT
 16 FACILITY, AND ANY OTHER ITEM NECESSARY TO OPERATE A STORM WATER
 17 DISPOSAL SYSTEM.

18 (C) A waterworks SYSTEM OR systems approved by the depart-
 19 ment of public health, ~~including such~~ THAT MAY INCLUDE facili-
 20 ties SUCH as water mains, treatment works, source facilities,
 21 pumping stations, reservoirs, storage tanks, ~~and~~ OR other
 22 appurtenances for the purpose of obtaining, treating, and deliv-
 23 ering pure and wholesome water in adequate quantity to ~~those~~
 24 THAT governmental ~~agencies and municipalities. They~~ AGENCY OR
 25 MUNICIPALITY.

26 (2) EXCEPT AS PROVIDED IN SUBSECTION (3), A GOVERNMENTAL
 27 AGENCY OR MUNICIPALITY may acquire by gift, grant, purchase, or

1 condemnation ~~necessary lands therefor, either~~ REAL PROPERTY
2 within or without the statutory or corporate limits of the gov-
3 ernmental ~~agencies~~ AGENCY or ~~municipalities. However,~~
4 ~~townships~~ MUNICIPALITY FOR PURPOSES DESCRIBED IN THIS SECTION.

5 (3) A TOWNSHIP shall not ~~have the power of condemnation~~
6 ~~outside their~~ CONDEMN PROPERTY UNDER THIS ACT IF THAT PROPERTY
7 IS OUTSIDE THE TOWNSHIP'S corporate limits. For the purpose of
8 acquiring property for ~~the uses herein mentioned the~~
9 DESCRIBED IN THIS SECTION, governmental agencies or municipali-
10 ties ~~may invoke and shall~~ have all the rights, powers, and
11 privileges granted to ~~"~~ public corporations ~~"~~ under Act
12 No. 149 of the Public Acts of 1911, as amended, being sections
13 213.21 to ~~213.41~~ 213.25 of the Michigan Compiled Laws, ~~and~~
14 ~~which shall be~~ in addition to any powers granted to the govern-
15 mental agencies by statute or municipalities by their charters.

16 (4) AS USED IN THIS ACT:

17 (A) "GOVERNMENTAL AGENCY OR MUNICIPALITY" MEANS A COUNTY,
18 CITY, VILLAGE, OR TOWNSHIP, OR ANY COMBINATION OF COUNTIES,
19 CITIES, VILLAGES, OR TOWNSHIPS ACTING PURSUANT TO AN AGREEMENT
20 UNDER THIS ACT.

21 (B) "SEWAGE" MEANS SANITARY SEWAGE, STORM WATER, OR BOTH.

22 (C) "SEWER" MEANS A SANITARY SEWER, A STORM SEWER, OR A COM-
23 BINED SANITARY AND STORM SEWER.