

**SUBSTITUTE FOR
HOUSE BILL NO. 4799**

(As amended June 14, 2001)

A bill to amend 1909 PA 279, entitled
"The home rule city act,"
(MCL 117.1 to 117.38) by adding section 5j.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 5J. A CITY, IN ORDER TO PROTECT THE PUBLIC HEALTH, MAY
2 ADOPT AN ORDINANCE TO PROVIDE FOR THE SEPARATION OF STORM WATER
3 DRAINAGE AND FOOTING DRAINS FROM SANITARY SEWERS ON PRIVATELY
4 OWNED PROPERTY. THE LEGISLATIVE BODY OF A CITY MAY DETERMINE
5 THAT THE SEWER SEPARATION AUTHORIZED BY THIS SECTION IS FOR A
6 PUBLIC PURPOSE AND IS A PUBLIC IMPROVEMENT AND MAY ALSO DETERMINE
7 THAT THE WHOLE OR ANY PART OF THE EXPENSE OF THESE PUBLIC
8 IMPROVEMENTS MAY BE DEFRAYED BY SPECIAL ASSESSMENT UPON LANDS
9 BENEFITED BY THE PUBLIC IMPROVEMENT OR BY ANY OTHER LAWFUL
10 CHARGE. [A SPECIAL ASSESSMENT AUTHORIZED BY THIS SECTION SHALL BE
CONSIDERED TO BENEFIT ONLY LANDS WHERE THE SEPARATION OF STORM WATER
DRAINAGE AND FOOTING DRAINS FROM SANITARY SEWERS OCCURS.]