

SENATE BILL No. 804

October 29, 2003, Introduced by Senators BIRKHOLZ, BROWN, KUIPERS and HARDIMAN and referred to the Committee on Local, Urban and State Affairs.

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 183 (MCL 560.183).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 183. (1) The county road commission may require the
2 following as a condition of approval of final plat for all
3 highways, streets, and alleys in its jurisdiction or to come
4 under its jurisdiction and also for all private roads in
5 unincorporated areas:

6 (a) Conformance to the general plan, width, and location
7 requirements that the board may have adopted and published.

8 (b) Adequate provision for traffic safety in laying out
9 drives which enter county roads and streets, as provided in the
10 board's current published construction standards.

11 (c) Proper drainage, grading, and construction of approved

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1 materials of a thickness and width provided in its current
2 published construction standards.

3 (d) Submission of complete plans for grading, drainage, and
4 construction, to be prepared and sealed by a civil engineer
5 registered in ~~the~~ **this** state.

6 (e) Installation of bridges, culverts, and drainage
7 structures where ~~it deems~~ **the board considers** necessary.

8 (f) Completion of all required improvements relative to
9 streets, alleys, and roads, or a deposit by the proprietor with
10 the board in the form of cash, a certified check, or irrevocable
11 ~~bank~~ letter of credit, whichever the proprietor selects, or a
12 surety bond acceptable to the board, in an amount sufficient to
13 ~~insure~~ **ensure** completion within the time specified.

14 (2) As a condition of approval of the final plat, the board
15 ~~may~~ **shall** require a deposit to be made in the same manner as
16 provided in ~~subdivision (f) of subsection (1)~~ **subsection**
17 **(1) (f)**, to ~~insure~~ **ensure** performance ~~of any~~ of the
18 obligations of the proprietor to make required improvements.

19 (3) The board shall rebate to the proprietor, as the work
20 progresses, amounts of any cash deposits equal to the ratio of
21 the work completed to the entire project.

22 (4) The board shall reject a final plat isolating lands from
23 existing public streets or roads, unless **the proprietor provides**
24 suitable access ~~is provided, and shall also require that such~~
25 ~~access be granted~~ by easement or dedicated to public use.

<<(5) As used in this section, "county road commission" means the board of county road commissioners elected or appointed pursuant to section 6 of chapter IV of 1909 PA 283, MCL 224.6, or, in the case of a charter county with a population of 2,000,000 or more with an elected county executive that does not have a board of county road commissioners, the county executive for ministerial functions and the county commission provided for in section 14(1) (d) of 1966 PA 293, MCL 45.514, for legislative functions.>>