

HOUSE BILL No. 5589

December 13, 2007, Introduced by Reps. Ebli, Hammon, Sak, Byrum, Angerer, Hopgood, Kathleen Law, Lemmons, Gaffney, Garfield, Stahl and Nofs and referred to the Committee on Intergovernmental, Urban and Regional Affairs.

A bill to amend 1967 PA 288, entitled
"Land division act,"
by amending section 182 (MCL 560.182).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 182. (1) The governing body of a municipality in which
2 the subdivision is situated may require the following as a
3 condition of approval of final plat, for all public and private
4 streets, alleys and roads in its jurisdiction:

5 (a) Conformance to the general plan, width and location
6 requirements that it may have adopted and published, and greater
7 width than shown on a county or state plan, but may not require
8 conformance to a municipal plan that conflicts with a general plan
9 adopted by the county or state for the location and width of

1 certain streets, roads, and highways.

2 (b) Proper drainage, grading, and construction of approved
3 materials of a thickness and width provided in its current
4 published construction standards.

5 (c) Installation of bridges and culverts where it ~~deems~~
6 **CONSIDERS** necessary.

7 (d) Submission of complete plans for grading, drainage, and
8 construction to be prepared and sealed by a civil engineer
9 registered in the state.

10 (e) Completion of all required improvements relative to
11 streets, alleys, and roads or a deposit by the proprietor with the
12 clerk of the municipality in the form of cash, a certified check,
13 or irrevocable bank letter of credit, whichever the proprietor
14 selects, or a surety bond acceptable to the governing body, in an
15 amount sufficient to insure completion within the time specified.

16 (2) As a condition of approval of the plat, the governing body
17 may require a deposit to be made in the same manner as provided in
18 ~~subdivision (e) of subsection (1) (E)~~, to insure performance of
19 any of the obligations of the proprietor to make required
20 improvements.

21 (3) The governing body shall rebate to the proprietor, as the
22 work progresses, amounts of any cash deposits equal to the ratio of
23 the work completed to the entire project.

24 (4) The governing body shall **REJECT A PLAT IN ANY OF THE**
25 **FOLLOWING CIRCUMSTANCES:**

26 (a) ~~Reject a~~ **THE** plat ~~which~~ is isolated from or ~~which~~ isolates
27 other lands from existing public streets, unless suitable access is

1 provided.

2 (b) ~~Reject a~~**THE** plat ~~showing~~**SHOWS** a street or road name
3 duplicating one already in use in the municipality, except in
4 continuing a street or road.

5 (c) ~~Reject a~~**THE** plat ~~showing~~**SHOWS** the name of a new street,
6 alley, or road that is so similar to the one already in existence
7 in the municipality that permitting ~~such~~**THAT** use in the
8 subdivision may be confusing for purposes of assessing, mail
9 delivery, and locating by the public.

10 (D) **THE PLAT ISOLATES A CEMETERY SO THAT IT IS NOT ACCESSIBLE,**
11 **AS THAT TERM IS DEFINED IN SECTION 102.**