

HOUSE BILL No. 4359

March 15, 2017, Introduced by Rep. Lucido and referred to the Committee on Local Government.

A bill to amend 1954 PA 188, entitled

"An act to provide for the making of certain improvements by townships; to provide for paying for the improvements by the issuance of bonds; to provide for the levying of taxes; to provide for assessing the whole or a part of the cost of improvements against property benefited; and to provide for the issuance of bonds in anticipation of the collection of special assessments and for the obligation of the township on the bonds,"

by amending section 2 (MCL 41.722), as amended by 2002 PA 585.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) The following improvements may be made under this
2 act:

3 (a) The construction, improvement, and maintenance of storm or
4 sanitary sewers or the improvement and maintenance of, but not the
5 construction of new or expanded, combined storm and sanitary sewer
6 systems.

7 (b) The construction, improvement, and maintenance of water

1 systems.

2 (c) The construction, improvement, and maintenance of public
3 roads.

4 (d) The acquisition, improvement, and maintenance of public
5 parks.

6 (e) The construction, improvement, and maintenance of elevated
7 structures for foot travel over roads in the township.

8 (f) The collection and disposal of garbage and rubbish.

9 (g) The construction, maintenance, and improvement of bicycle
10 paths.

11 (h) The construction, maintenance, and improvement of erosion
12 control structures or dikes.

13 (i) The planting, maintenance, and removal of trees.

14 (j) The installation, improvement, and maintenance of lighting
15 systems.

16 (k) The construction, improvement, and maintenance of
17 sidewalks.

18 (l) The eradication or control of aquatic weeds and plants.

19 (m) The construction, improvement, and maintenance of private
20 roads.

21 (n) The construction, improvement, and maintenance of a lake,
22 pond, river, stream, lagoon, or other body of water or of an
23 improvement to the body of water. This subdivision includes, but is
24 not limited to, dredging.

25 (o) The construction, improvement, and maintenance of dams and
26 other structures that retain the waters of this state for
27 recreational purposes.

(p) The construction, improvement, and maintenance of sound attenuation walls, pavement, or other sound mitigation treatments unless a written objection is filed in the same manner as provided under section 3 by the record owners of land constituting more than 20% of the total area in the proposed special assessment district. If a written objection is filed, then the township board shall not proceed with the improvement until a petition signed by the record owners of land constituting more than 50% of the total land area in the special assessment district as finally established is filed with the board.

(Q) FOR A TOWNSHIP WITH A POPULATION OF MORE THAN 50,000, THE CONSTRUCTION, IMPROVEMENT, AND MAINTENANCE OF EXISTING PRIVATE UTILITY SERVICES, INCLUDING, BUT NOT LIMITED TO, WATER OR SANITARY SEWER SERVICES.

(2) A road under the jurisdiction of either the state transportation department or the board of county road commissioners ~~shall~~**MUST** not be improved under this act without the written approval of the state transportation department or the board of county road commissioners. As a condition to the granting of approval, the state transportation department or the board of county road commissioners may require 1 or more of the following:

(a) That all engineering with respect to the improvement be performed by the state transportation department or the board of county road commissioners.

(b) That all construction, including the awarding of contracts for construction, in connection with the improvement be pursuant to the specifications of the state transportation department or the

1 board of county road commissioners.

2 (c) That the cost of the engineering and supervision be paid
3 to the state transportation department or the board of county road
4 commissioners from the funds of the special assessment district.

5 (3) A lake, pond, river, stream, lagoon, or other body of
6 water under the jurisdiction of a county drain commissioner ~~shall~~
7 **MUST** not be improved under this act without the written approval of
8 the county drain commissioner of the county in which the lake,
9 pond, river, stream, lagoon, or other body of water is located.

10 Enacting section 1. This amendatory act takes effect 90 days
11 after the date it is enacted into law.

12 Enacting section 2. This amendatory act does not take effect
13 unless all of the following bills of the 99th Legislature are
14 enacted into law:

15 (a) Senate Bill No.____ or House Bill No.____ (request no.
16 02081'17).

17 (b) Senate Bill No.____ or House Bill No.____ (request no.
18 02129'17).