

**PUBLIC HIGHWAYS AND PRIVATE ROADS (EXCERPT)**  
**Act 283 of 1909**

**235.3 Open drain in highways; consent of commissioner, location, disposition of earth.**

Sec. 3. Before an open drain shall be laid along a public highway, the highway commissioner of the township in which the drain is located shall be consulted and his consent as to the proposed location of the drain shall be obtained in writing, stipulating that no excavation may be made nearer than 1 rod to the center line of the highway and stating what disposition shall be made of all material excavated. It shall be the duty of the drain commissioner to level down all materials placed in the roadway.

**History:** 1909, Act 283, Eff. Sept. 1, 1909;—Am. 1915, Act 75, Eff. Aug. 24, 1915;—CL 1915, 4512;—Am. 1917, Act 121, Eff. Aug. 10, 1917;—CL 1929, 4141;—CL 1948, 235.3.