

THE DRAIN CODE OF 1956 (EXCERPT)
Act 40 of 1956

280.10 Drains; location; meetings; jurisdiction of commissioner; exception; payment of bonds or drain orders; deficiency.

Sec. 10. Drains may be laid or extended into or along or from any lake or other body of water surrounded wholly or in part by a swamp, marsh or other low lands for the general purpose of drainage contemplated by this act, but not so as to impair the navigation of any navigable river.

Any meeting called pursuant to the provisions of this act, unless otherwise provided, may be adjourned from time to time by public announcement thereof and no advertisement of the time of said adjournment shall be required.

The commissioner shall have jurisdiction over all established county drains within his county, heretofore established and now in the process of being established except that in the case of a drain located or to be located entirely within a single city or village, such jurisdiction shall be consented to by resolution of the governing body of such city or village.

If any drainage project lies entirely within the limits of a municipality less than a county, such municipality, by its governing body, shall have the power to pledge the full faith and credit of the municipality for the payment of bonds or drain orders issued in connection with such project, and if a deficiency exists in the drain fund or sinking fund for said drain 1 year after the last installment of the deficiency assessment provided for in section 280 of this act, shall have become delinquent, such municipality shall forthwith advance to the county drain fund the amount of such deficiency and thereafter all receipts of such drain fund from the sale of delinquent tax lands, which had been assessed for said drain, shall be paid to the municipality within 90 days after receipt by the county treasurer.

History: 1956, Act 40, Imd. Eff. Mar. 28, 1956;—Am. 1963, Act 228, Eff. Sept. 6, 1963.

Popular name: Act 40