

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

280.199 Cleaning out drain; apportionment of cost; use of surplus in drain fund.

Sec. 199. In case the necessity for cleaning out any drain arises from the act or neglect of any land owner, said act or neglect shall be taken into consideration by the commissioner in making the apportionment. In case the cost of cleaning out shall be lessened by the tiling of the source of the drain under section 425 of this act, the commissioner may take that into consideration in making the apportionment of benefits against the land so tiled, but in no case shall said benefits be considered to be less than 50% of the benefits to such land if it were not tiled. Should there be a surplus in any drain fund, the commissioner or drainage board, as the case may be, may, in their discretion, without application or notice, pay out of such funds a reasonable compensation for cleaning out any obstruction that may accumulate in the particular drain for which the fund was raised.

History: 1956, Act 40, Imd. Eff. Mar. 28, 1956.

Popular name: Act 40