

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

280.306 Revolving fund; expenditures or obligation before completion of improvement; report to county board of commissioners; apportionment.

Sec. 306. If revolving fund money has been expended or a drainage district is obligated to pay expenses for engineering, legal, or administrative services or to pay principal and interest on notes, by action of the drain commissioner, and if an improvement has not been completed after the drain commissioner's order designating a county drainage district, the entry of the first order of determination under section 72, or the filing of a petition, if a petition has been filed, whichever is later, the drain commissioner may report this fact to the county board of commissioners. If an improvement has not been completed within 5 years after the date of the drain commissioner's order designating a drainage district, the entry of the first order of determination under section 72, or the filing of a petition, if a petition has been filed and ordered abandoned, whichever is later, the drain commissioner shall report that fact to the county board of commissioners. If the sum involved is too small to justify spreading the sum over the drainage district, the county board of commissioners may order that the sum be spread against the property of the original petitioners as the commissioners consider just and equitable. Otherwise, the county board of commissioners may order that the sum be spread over the district and the drain commissioner shall apportion the sum to the parties that would have been benefited in the district as provided in chapter 7 for the purpose of permitting a review of the assessment roll as to fairness of the apportionment only.

History: 1956, Act 40, Imd. Eff. Mar. 28, 1956;—Am. 1969, Act 105, Eff. Mar. 20, 1970;—Am. 2016, Act 115, Imd. Eff. May 10, 2016.

Popular name: Act 40