

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

280.307 Revolving fund; expenditures or obligation before completion of improvement; intercounty drainage district, apportionment; recovery of money.

Sec. 307. (1) The drainage board shall apportion the cost between counties 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 and if any of the following apply:

(a) An improvement has not been completed within the latest of the following:

(i) 5 years after the date of the drainage board's order designating an intercounty drainage district under section 105.

(ii) 5 years after the entry of the first order of determination under section 122.

(iii) 2 years after the filing of a petition, if a petition has been filed and ordered abandoned.

(b) A petition to locate, establish, and construct an intercounty drain is not filed within 2 years after the date of the drainage board's order designating an intercounty drainage district.

(2) If requested by a drain commissioner feeling aggrieved by the apportionment, the board of review shall review the apportionment under section 106. The amount apportioned to each county by the board of review shall be recovered by the county as provided in section 306.

History: 1956, Act 40, Imd. Eff. Mar. 28, 1956;—Am. 2016, Act 115, Imd. Eff. May 10, 2016;—Am. 2018, Act 646, Eff. Mar. 28, 2019.

Popular name: Act 40