

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

**280.514 Drainage board; membership; chairperson; appointee; exception.**

Sec. 514. (1) A drainage board is created for each project petitioned for under this chapter. Except as otherwise provided in subsection (3), the drainage board shall consist of the director of the department of agriculture and the drain commissioner of each county involved in the project.

(2) The director of the department of agriculture shall be the chairperson of the drainage board. The drainage board shall select 1 of its members as secretary.

(3) If a project involves a county with an appointed rather than an elected drain commissioner and a population of more than 1,000,000, the drainage board shall consist of the director of the department of agriculture, the drain commissioner of each county involved in the project, and an individual appointed by each drain commissioner of each county involved in the project, including a county with an elected drain commissioner. The appointee shall be an elected official, or his or her designee, of a city, village, or township subject to assessment for the project. The appointee shall serve for a 2-year term and shall not be appointed for successive terms unless the city, village, or township that he or she represents is the only municipality in the county subject to assessment. Following the completion of the 2-year term, the drain commissioner shall, if possible, appoint an elected official, or his or her designee, from a different city, village, or township subject to assessment for the project. If an appointee fails or refuses to serve or is disqualified, the drain commissioner shall appoint a successor to complete the remainder of his or her term.

(4) Subsection (3) does not apply to a project that involves a county with a population of more than 1,000,000 which was organized pursuant to 1973 PA 139, MCL 45.551 to 45.573.

**History:** 1956, Act 40, Imd. Eff. Mar. 28, 1956;—Am. 2006, Act 16, Imd. Eff. Feb. 9, 2006.

**Popular name:** Act 40