

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

280.551 Water management; definitions.

Sec. 551. Whenever used in this chapter, except when otherwise indicated by the context:

- (a) The term "state" shall be deemed to mean the state of Michigan.
- (b) The term "public corporation" shall be deemed to include the state of Michigan, counties, cities, villages, townships, metropolitan districts and authorities created by or pursuant to state statutes.
- (c) The term "agencies" shall be deemed to include those officers, boards, commissions and other bodies created by public corporations or by the federal government, which are authorized to act in their own names.
- (d) The term "director of agriculture" shall be deemed to mean the director of agriculture of the state of Michigan.
- (e) The term "project" shall be deemed to mean any flood control or drainage project petitioned for or undertaken under the provisions of this chapter in any water management district or subdistrict. The term shall be deemed to include any alteration of streams, rivers, drains, lakes, reservoirs, ponds, swamps, marshes, or any other waters, and any of the watersheds thereof. The term shall also include any dike, dam, reservoir, pumping station or other works involved in such alteration.
- (f) The term "water management district" shall be deemed to mean the area comprising all or part of 3 or more contiguous counties within a single drainage basin in which a project is petitioned for or undertaken under the provisions of this chapter, and shall include such counties and all public corporations within such area as shall be subject to assessment for the cost of such project.
- (g) The term "subdistrict" shall be deemed to mean the area comprising that portion of a water management district in which a project is petitioned for under the provisions of this chapter, which project benefits only 1 or more public corporations within the water management district. The term shall include only the public corporations or corporations so specially benefited by the project.
- (h) The term "commission" shall be deemed to mean the water management commission of a water management district.
- (i) The term "board" shall be deemed to mean the water management board of a water management district.
- (j) The term "benefit" or "benefits" shall be deemed to mean advantages resulting from a project to public corporations, the inhabitants of public corporations, and property within public corporations. The term shall be limited to benefits which result from the drainage and control of water, and shall include such factors as: elimination of flood damage; elimination of water conditions which jeopardize the public health or safety; increase of the value or use of lands and property arising from improved drainage and elimination of floods; and the advantageous use to which water may be directed as a result of the project, and incidental thereto, for agricultural, conservation and recreational purposes.

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

Popular name: Act 40