

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

280.557 Water management commission; temporary secretary, by-laws, tentative determination, amendment of petition, notice of adjourned meeting; dismissal of petition; name of district; board; tentative determination; preliminary plans.

Sec. 557. The commission shall elect a temporary secretary, and may adopt rules of procedure or by-laws, not inconsistent with the provisions of this chapter. The commission shall also consider the petition for the project, and shall make a tentative determination as to the sufficiency of the petition and the necessity and practicability of the proposed project. If the commission shall determine that the petition is insufficient, it may enter an order amending or supplementing such petition, which order shall be deemed to constitute a part of the petition. If such order shall result in the inclusion of any additional public corporation which is entitled to designate a member to the commission, the commission shall adjourn the meeting and shall notify the clerk of such public corporation of the time and place of the adjourned meeting, which notice shall be given in conformity with the requirements of the notice provided for in section 556 of this act. If the commission shall at any time determine that the project is not necessary or practicable, it shall order the petition dismissed, and proceedings under such petition shall be thereby terminated. Where a petition for a project has been dismissed, such project shall not be petitioned for again under this act for a period of 1 year. If the commission shall find the project necessary and practicable and the petition, in original form or as amended by order of the commission, sufficient, it shall proceed forthwith to select a name for the district, elect a water management board, and make a tentative determination of the public corporations to be assessed for the costs of the project. The commission shall procure preliminary plans which include an estimate of costs of the project, benefits which will result therefrom to the various public corporations comprising the district, and the extent to which each public corporation contributes to the conditions which make the project necessary. The commission shall make a tentative determination, based upon such plans, of the percentage of costs to be assessed to each public corporation comprising the district, and shall transmit a written copy of such determination, together with the petition, any orders amendatory and supplementary thereto, and the preliminary plan to the water management board.

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

Popular name: Act 40