

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

280.558 Water management board; hearing of objections; notice of hearing; preliminary order of determination; eliminating or adding public corporation.

Sec. 558. The water management board shall fix a time, date, and place it will meet to hear objections to the proposed project, the petition for the project, and to the assessments of costs as contained in the tentative determination of the commission. Notice of the hearing shall be published twice in each county involved by inserting the notice in at least 1 newspaper designated by the board and published and circulated in the county. The first publication shall be not less than 20 days before the time of hearing. Notice shall also be sent by registered mail to the clerk or secretary of each public corporation proposed to be assessed, except that a notice to the state shall be sent to the state highway director and the director of the department of natural resources and a notice to a county shall be sent to both the county clerk and the county road commission. The mailing shall be made not less than 20 days before the time of the hearing. The notice shall be signed by the secretary of the board and proof of the publication and mailing of the notice shall be filed with the secretary. The board may provide a form to be substantially followed in the giving of the notice. After the hearing, the board shall make a preliminary determination as to the sufficiency of the petition, the necessity and practicability of the project, whether the project should be undertaken, the public corporations to be assessed, and shall issue a preliminary order accordingly. The order shall be known as the preliminary order of determination. A public corporation shall not be eliminated from, or added to, those tentatively determined to be assessed without a rehearing after notice, except as provided in section 559.

History: 1956, Act 40, Imd. Eff. Mar. 28, 1956;—Am. 1978, Act 235, Imd. Eff. June 15, 1978.

Compiler's note: In the third sentence from the end of this section, "the board shall made" evidently should read "the board shall make."

Popular name: Act 40