

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.34136 Operating and maintaining property of irrigation district; fixing and collecting water charges; approval of charges; charges for water services as lien on affected lands; certification of delinquent charges; entering charges on tax roll; enforcement; exaction of other charges; future expenses; assessment; notice of hearing.

Sec. 34136. (1) The irrigation board shall operate and maintain the property of the irrigation district.

(2) The irrigation board may fix and collect water charges to cover the cost of the operation and maintenance of physical structures and administrative expenses of the district in connection with the transportation, impoundment, and utilization of water for irrigation purposes. The charges shall be approved by the majority vote of the irrigation board and shall be made to each user of water.

(3) Charges for water services furnished to a user or to a landowner shall be a lien on the affected lands from the date the charges are due. Charges delinquent for 6 months or more shall be certified annually to the proper tax assessing officer or agency, who shall enter the charges upon the next tax roll against the premises to which the services have been rendered, and the charges shall be collected and the lien shall be enforced in the same manner as provided for the collection of taxes assessed upon the tax roll and the enforcement of the lien. The time and manner of certification and other procedures regarding the collection of the charges and the enforcement of the lien shall be prescribed by the irrigation board in cooperation with the governing bodies of the public corporations in which the lands are located. Instead of or in addition to levying water charges for the operation and maintenance of the properties of the irrigation district, the irrigation board, under the same conditions and for the same purpose, may exact connection, readiness to serve, availability, or service charges to be paid by the users or owners of land utilizing irrigation water for irrigation purposes.

(4) Future necessary expenses incurred in the administration and operation of the district and its properties may be assessed not less than once every 3 years on the basis of benefits derived after notice of the hearing on the maintenance assessment roll is given in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws, and Act No. 162 of the Public Acts of 1962, being sections 211.741 to 211.746 of the Michigan Compiled Laws.

History: Add. 1995, Act 59, Imd. Eff. May 24, 1995.

Popular name: Act 451

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