

PUBLIC HEALTH CODE (EXCERPT)

Act 368 of 1978

PART 12

GENERAL PROVISIONS

333.1201 Delaying promulgation of new rules.

Sec. 1201. When the department is directed to promulgate rules by this code and rules exist on the date the requirement to promulgate takes effect, which rules the department believes adequately cover the matter, the department may delay the promulgation of new rules until the department considers it advisable.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368

333.1203 Approval of certain plans or issuance of certain permits pursuant to code; effect.

Sec. 1203. The approval of plans or the issuance of a permit pursuant to this code which involves the construction, alteration, or renovation of a building, structure, or premises, the use of a site, or the installation or alteration of equipment does not relieve the person receiving the approval or permit from complying with all consistent applicable provisions of building and construction laws, zoning requirements, and other state and local statutes, charters, ordinances, rules, regulations, and orders.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368

333.1205 Contested case hearing; appeal.

Sec. 1205. (1) An applicant, licensee, or other person whose legal rights, duties, or privileges are required by this code to be determined by the department, after an opportunity for a hearing, has the right to a contested case hearing in the matter, which shall be conducted pursuant to the administrative procedures act of 1969 and authorized rules governing the hearing.

(2) The decision, finding, or order of the department entered after the hearing may be appealed as provided by the administrative procedures act of 1969, except where otherwise provided by this code.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368

333.1211 Expired. 1978, Act 368, Eff. Sept. 30, 1981.

Compiler's note: The expired section pertained to transfer of property, personnel, and funds to successor agency.

Popular name: Act 368

333.1212 Members of predecessor agency; continuation in office.

Sec. 1212. When a board, committee, council, or other agency created by or pursuant to this code was preceded by an agency with the same or similar name and functions, members of the predecessor agency shall continue in office for the duration of the terms of office for which they were appointed and with the new members appointed shall constitute the new agency. Members shall be appointed under this code only as terms of the former members expire or vacancies occur. Members of the predecessor agency may be appointed to the new agency to succeed themselves subject to the limits for the total period of service set forth in this code.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368

333.1213 Members of successor agency; increase or decrease in number.

Sec. 1213. (1) When the number of members of a successor agency is increased by this code, additional members shall be appointed to meet the number required for initial terms that will conform to the expiration of terms prescribed by this code. If the code would permit a choice between longer and shorter terms, appointments shall be made for the longer terms.

(2) When the number of members of a successor agency is decreased by this code, appointments shall not be made until the number of members in office falls below the total membership prescribed for the successor agency.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368

333.1214 New agency not succeeding former agency; terms of office.

Sec. 1214. When a new agency created by this code is not a successor to a former agency and the regular terms of office of its members are 4 years, the highest whole number of its initial members resulting from a division of the total number of members by 4 shall be appointed for terms of 1, 2, 3, and 4 years. The terms of office of an excess number of members resulting from a calculation of fourths shall be for, and spread equally over, the longer terms.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368

333.1216 Travel or other expenses; payment.

Sec. 1216. Travel or other expenses, or both, incurred by a public officer, agent, or employee in the performance of official functions authorized by this code which are payable out of appropriations shall be paid pursuant to the latest standardized travel regulations of the department of management and budget.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368

333.1221 Expired. 1978, Act 368, Eff. Sept. 30, 1983.

Compiler's note: The expired section pertained to the extension of outstanding license, registration, certificate, or permit beyond stated expiration date.

Popular name: Act 368

333.1222 Renewals; distribution of work; pro rata fee; waiver.

Sec. 1222. (1) In order to distribute the work of renewals in the interests of administrative efficiency, the appropriate state agency may:

(a) Schedule expirations established under section 16194 or otherwise under law to spread them over each year of a biennium or longer term.

(b) Issue initial licenses in the interim during a normal term to expire on the next normal expiration date or the first normal expiration date thereafter, and prorate the fees therefor.

(2) The issuing agency shall collect, before a renewal is issued under section 1221 or this section, a pro rata fee for the period of the extension granted under section 1221 or this section. However, to save administrative costs, the agency may waive this fee for an extension of not more than 2 months.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368

333.1291 Obstruction of person enforcing health law.

Sec. 1291. A person shall not wilfully oppose or obstruct a department representative, health officer, or any other person charged with enforcement of a health law in the performance of that person's legal duty to enforce that law.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368

333.1299 Violation as misdemeanor; prosecution.

Sec. 1299. (1) A person who violates a provision of this code for which a penalty is not otherwise provided is guilty of a misdemeanor.

(2) A prosecuting attorney having jurisdiction and the attorney general knowing of a violation of this code, a rule promulgated under this code, or a local health department regulation the violation of which is punishable by a criminal penalty may prosecute the violator.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368