

LAND DIVISION ACT (EXCERPT)
Act 288 of 1967

560.192a Operation and maintenance of retention basins; annual appropriation; creation of special assessment district; establishment of boundaries; hearing on creation of district; duties of governing body creating district; hearing on objections to cost, roll, or spreading of assessment; manner and time assessments due, collected, and returned; notice of hearing; exclusion.

Sec. 192a. (1) If approval of the final plat was conditioned pursuant to section 192 upon the operation and maintenance of retention basins for all or a portion of the area encompassed by the final plat, the cost of which may be defrayed by special assessments against the property benefited by the retention basins, the municipality in which this area is located may provide annually for the appropriation of funds for this purpose and create a special assessment district pursuant to subsection (2).

(2) The governing body of a municipality electing to defray the cost of operating and maintaining a retention basin by means of a special assessment shall establish, by resolution, the boundaries of the special assessment district and fix a day for a hearing on the question of creation of the special assessment district and on defraying the cost of operating and maintaining a retention basin by special assessment on the property benefited thereby.

(3) If, after the hearing conducted pursuant to subsection (2), a special assessment district is created, the governing body creating the district shall determine the annual cost of the operation and maintenance of the retention basin, determine the annual special assessment levy, prepare a special assessment roll, and direct the spread of the assessment levy on all property in the district. Before approval of the special assessment roll the governing body shall hold a hearing on objections to the cost, roll, or spreading of the special assessment on the roll. After the hearing, the governing body, at the same or a subsequent meeting, shall confirm or amend, or revise and then confirm, the cost projections on which the roll was developed and the spread of special assessments pursuant to this cost, and the special assessment roll.

(4) Special assessments imposed pursuant to this section shall become due, be collected, and be returned for nonpayment in the same manner and at the same time as ad valorem property tax levies of the municipality imposing the special assessment.

(5) Notice for any hearing held or required pursuant to this act shall be given pursuant to Act No. 162 of the Public Acts of 1962, being sections 211.741 to 211.745 of the Michigan Compiled Laws.

(6) Any property encompassed by the final plat for which adequate storm water facilities have been provided or extended to include, shall be excluded from a special assessment district created under this act.

History: Add. 1982, Act 529, Eff. Mar. 30, 1983.

Popular name: Plat Act

Popular name: Subdivision Control