

SENATE BILL NO. 440

March 16, 1999, Introduced by Senators MC COTTER and BENNETT and referred to the Committee on Local, Urban and State Affairs.

A bill to amend 1967 PA 288, entitled
"Land division act,"
by amending section 113 (MCL 560.113).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 113. (1) The proprietor shall submit 3 copies of the
2 preliminary plat to the engineer or ~~chairman~~ CHAIRPERSON of the
3 county road commission if the proposed subdivision includes or
4 abuts roads under the commission's jurisdiction.

5 (2) The county road commission may also require to be sub-
6 mitted with the preliminary plat a topographic map showing direc-
7 tion of drainage and proposed widths of roads under its jurisdic-
8 tion or to come under its jurisdiction and private roads in unin-
9 corporated areas.

10 (3) The county road commission, within 30 days of receipt of
11 the preliminary plat, shall approve it and note its approval on

1 the copy to be returned to the proprietor, or reject it. If
2 rejected, the reasons for rejection and requirements for approval
3 shall be given the proprietor in writing.

4 (4) A TOWNSHIP MAY ADOPT AN ORDINANCE TO ASSUME THE POWERS
5 AND DUTIES OF THE COUNTY ROAD COMMISSION UNDER THIS ACT WITH
6 RESPECT TO REVIEW AND APPROVAL OF THE FOLLOWING:

7 (A) THE CONNECTION OF PROPOSED ROADS WITHIN A PROPOSED SUB-
8 DIVISION TO EXISTING ABUTTING PUBLIC RIGHTS OF WAY.

9 (B) PROVISION FOR ROADS EXTENDING TO THE BOUNDARIES OF THE
10 PROPOSED SUBDIVISION TO MAKE FUTURE ROAD CONNECTIONS.

11 (C) THE NUMBER OF PUBLIC ROAD ACCESS POINTS TO A PROPOSED
12 SUBDIVISION OR A PORTION OF A PROPOSED SUBDIVISION.

13 (5) AN ORDINANCE ADOPTED UNDER SUBSECTION (4) SHALL PROVIDE
14 FOR THE TOWNSHIP'S INDEMNIFICATION OF THE COUNTY ROAD COMMISSION
15 AGAINST CLAIMS ARISING OUT OF THE TOWNSHIP'S PERFORMANCE OF THE
16 FUNCTIONS LISTED IN SUBSECTION (4). AN ORDINANCE ADOPTED UNDER
17 SUBSECTION (4) DOES NOT SUPERSEDE THE POWERS AND DUTIES OF THE
18 COUNTY ROAD COMMISSION UNDER 1909 PA 283, MCL 220.1 TO 239.6, OR
19 1969 PA 200, MCL 247.321 TO 247.329.