

STATE TRUNK LINE HIGHWAY SYSTEM (EXCERPT)
Act 51 of 1951

247.655a Seasonal county road system.

Sec. 5a.

(1) The board of county road commissioners of each county may establish a system of seasonal county roads, which may be part of either the county primary road system, the county local road system, or both systems. A board of county road commissioners in establishing a system of seasonal county roads, may declare a road under the jurisdiction of the board to not be open to public travel during the months of November through April, which road shall then not be open to public travel.

(2) The seasonal county road system shall include any road under the jurisdiction of the board of county road commissioners which that board determines shall not be open to public travel each year for a period of less than 12 months. The system of seasonal county roads shall be selected on the basis of seasonal use of the roads and in accordance with rules promulgated by the state transportation department. A board of county road commissioners may include or exclude roads in the seasonal county road system upon adoption of a proper resolution but only after holding a public hearing. Notice of the public hearing shall be given to the clerk of the county and of each city, village, or township in which the roads are situated and published at least twice in a newspaper of general circulation in that county, the first notice to be not less than 30 days before the hearing and the second notice not less than 7 days before the hearing. The notice shall contain the date, time, and place of the hearing and shall describe in general terms the action proposed to be taken by the board, the roads to be affected, and the period of time that the roads shall not be open to public travel. The business which the board may perform at the public hearing shall be conducted at a hearing held in compliance with Act No. 267 of the Public Acts of 1976, as amended, being sections 15.261 to 15.275 of the Michigan Compiled Laws. In addition to the other notices required by this subsection, public notice of the time, date, and place of the hearing shall be given in the manner required by Act No. 267 of the Public Acts of 1976, as amended. If at the hearing an objection is made to the designation of a road as a part of the seasonal county road system by a person occupying a structure located upon or along the road as the person's principal residence, the commissioners shall not designate that road as a part of the seasonal county road system unless the commissioners provide that person with immediate access to a road which is not a part of the seasonal county road system.

(3) Within 30 days after final adoption of a resolution establishing a seasonal county road system, the board of county road commissioners shall file with the state transportation department and each city, village, or township in which the roads are situated a full record of its determination.

(4) The designation of a road as part of the seasonal county road system shall not affect the certification of the road under this act, but if the road is not open to public travel during the months of December to April, the road shall be excluded for purposes of the distribution of snow removal funds under section 12a.

(5) A road included as part of the seasonal county road system shall be excluded for the purposes of determining the distribution of funds under sections 12(4) and 12b for each year in which the road is part of the seasonal county road system.

(6) A map shall be maintained and on display in the office of each board of county road commissioners which has established a seasonal county roads system which shall also inform the public of the dates the road or road shall not open to public travel.

(7) The board shall place and maintain signs on all roads designated as seasonal county roads, which signs shall describe the roads as seasonal county roads.

History: Add. 1981, Act 184, Imd. Eff. Dec. 23, 1981

Compiler's Notes: In the last sentence of subsection (2), the word "system" at the end of the sentence should evidently read "system."

Popular Name: McNitt Act

Popular Name: Michigan Transportation Fund Act

Admin Rule: R 247.651 et seq. of the Michigan Administrative Code.