

LAND DIVISION ACT (EXCERPT)
Act 288 of 1967

560.183 Final plat; highways, streets, and alleys; private roads; county road commission requirements; "county road commission" defined.

Sec. 183.

(1) The county road commission may require the following as a condition of approval of final plat for all highways, streets, and alleys in its jurisdiction or to come under its jurisdiction and also for all private roads in unincorporated areas:

(a) Conformance to the general plan, width, and location requirements that the board may have adopted and published.

(b) Adequate provision for traffic safety in laying out drives which enter county roads and streets, as provided in the board's current published construction standards.

(c) Proper drainage, grading, and construction of approved materials of a thickness and width provided in its current published construction standards.

(d) Submission of complete plans for grading, drainage, and construction, to be prepared and sealed by a civil engineer registered in this state.

(e) Installation of bridges, culverts, and drainage structures where the board considers necessary.

The board may regulate cul-de-sacs and may approve or deny cul-de-sacs on an individual basis, but shall not adopt a policy or rule prohibiting cul-de-sacs.

(2) If all improvements required under subsection (1) are not made before the final plat is submitted to the board for approval, the board nonetheless shall promptly approve the final plat if the final plat otherwise meets the requirements of this act and if the proprietor posts a deposit with the board in an amount that the board determines to be sufficient to ensure performance of the proprietor's obligation to make the required improvements within the time specified. Regardless of the deposit amount, the actual cost to complete all of the improvements remains the responsibility of the proprietor or its surety agent.

(3) The deposit required under subsection (2) shall be in the form of cash, a certified check which the board shall promptly convert to cash, or an irrevocable letter of credit, as selected by the proprietor, or a surety bond as prequalified by the state transportation department and acceptable to the board. Any surety bond shall be underwritten by a surety acceptable to the board.

(4) The board shall rebate to the proprietor, as the work progresses, amounts of any cash deposits equal to the ratio of the work completed to the entire project.

(5) The board shall reject a final plat isolating other lands of the proprietor within or adjoining the plat from existing public streets or roads unless the proprietor provides suitable access by easement or suitable access dedicated to public use.

(6) As used in this section, "county road commission" means the board of county road commissioners elected or appointed pursuant to section 6 of chapter IV of 1909 PA 283, MCL 224.6, or, in the case of a charter county with a population of 2,000,000 or more with an elected county executive that does not have a board of county road commissioners, the county executive for ministerial functions and the county commission provided for in section 14(1)(d) of 1966 PA 293, MCL 45.514, for legislative functions.

History: 1967, Act 288, Eff. Jan. 1, 1968 ;-- Am. 2004, Act 122, Imd. Eff. May 28, 2004 ;-- Am. 2006, Act 336, Imd. Eff. Aug. 15, 2006

Popular Name: Plat Act

Popular Name: Subdivision Control