RELOCATION OF PERSONS DISPLACED BY HIGHWAY PROJECTS

Act 347 of 1966

AN ACT requiring the department of state highways to prepare plans relative to the displacement of persons due to highway construction; to delay the letting of construction contracts; and to require cooperation with political units of government in relocating such persons.

History: 1966, Act 347, Eff. July 1, 1967 ;-- Am. 1967, Act 275, Imd. Eff. July 20, 1967

The People of the State of Michigan enact:

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252.131 Relocation of persons displaced by certain highway projects; costs.

Sec. 1.

When the department of state highways acquires real property for the construction or relocation of an interstate or trunk line highway project in a city or incorporated village which will involve the displacement from their residences of families or individuals occupying 15 or more dwelling units, the state department of highways, with the cooperation of the governing body of the city or incorporated village shall submit to the state administrative board, for its approval, a written plan for the relocation of such families and individuals in suitable housing which is deemed to be housing that is not substandard as defined in Act No. 167 of the Public Acts of 1917, as amended, being sections 125.401 to 125.519 of the Compiled Laws of 1948 or, in cases where the local unit of government has established housing standards, suitable housing shall be defined to mean housing that is not substandard according to the minimum standards of building and health codes of the respective local units of government. The plan shall include an estimate of persons to be displaced by the project, and a summary of suitable housing reasonably expected to be available to house such persons to be displaced by construction or relocation of such highways. The chief executive officer of the city or incorporated village in which the highway is to be constructed, in consultation with existing community organizations in the area, shall establish a citizens advisory council that to the maximum feasible extent is representative of the persons who are to be displaced because of a highway construction project. The department of state highways shall consult with and cooperate with the citizens advisory council regarding the procedures involved in the acquisition of homes and businesses and in the relocation and displacement of residents and businesses in the area. In preparing the plan, the department of state highways shall cooperate with a local governmental agency designated by the governing body of the city or incorporated village and may contract with such local agency or governing body for the preparation of the plan. The costs incurred in preparing the plan shall be considered as part of the cost of construction of the project.

History: 1966, Act 347, Eff. July 1, 1967 ;-- Am. 1967, Act 275, Imd. Eff. July 20, 1967

252.132 Relocation of persons; hearings and approval by state administrative or hearing board.

Sec. 2.

Upon request, the state administrative board or a hearing board of 3 of its members or their deputies designated by it, shall hear representatives of the department of state highways, of the city or incorporated village, of the neighborhood advisory council, and any person to be displaced by the project. Before approving the plan the state administrative board shall satisfy itself that the plan provides a feasible method for relocation of displaced families and individuals without undue hardship.

History: 1966, Act 347, Eff. July 1, 1967 ;-- Am. 1967, Act 275, Imd. Eff. July 20, 1967

252.133 Demolition of residential dwellings; certificate of relocation; failure to file, effect, procedure.

Sec. 3.

Before the department of state highways evicts families or individuals from residential property or orders the demolition of a residential dwelling acquired for such highway purpose, it shall obtain a written certification that the occupants of such dwelling have relocated to suitable housing or have been offered suitable housing. Such certification shall be provided by the designated local governmental agency except that if the occupants have relocated to suitable housing outside the boundaries of the city or incorporated village or have been offered suitable housing outside of but in reasonable proximity to such boundaries, the certification shall be provided by the department of state highways. If the occupants relocate outside the boundaries of this state, or if after persons have been offered assistance in relocating to suitable housing but refuse or fail to accept assistance, certification of such facts by the department of state highways shall be sufficient.

If the governing body of the city or incorporated village does not supply such written certification within 30 days of a written request by the department of state highways, the department of state highways may file a petition with the state administrative board asking for a determination that the provisions of this section have been met. The determination of the state administrative board shall be reduced to writing and if it is that the occupants of such dwelling have been relocated in suitable housing or that such occupants who refuse to relocate have been offered suitable housing in accordance with the provisions of this act then the determination of the state administrative board shall take the place of the certification required by this section.

History: 1966, Act 347, Eff. July 1, 1967 ;-- Am. 1967, Act 275, Imd. Eff. July 20, 1967

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252.134 Construction contracts; letting; approval; administrative board resolutions.

Sec. 4.

The department of state highways shall not let for bid any contract for the construction or relocation of any interstate or trunk line highway project until the provisions of sections 1 and 2 have been met. The state administrative board shall not approve any construction contracts, except utility relocation construction contracts, for such highways until it adopts a resolution finding that the provisions of sections 1 and 2 have been met. No construction work shall proceed on any parcel of land until the provisions of section 3 have been met with respect to tenants on such parcel of land.

History: 1966, Act 347, Eff. July 1, 1967 ;-- Am. 1967, Act 275, Imd. Eff. July 20, 1967

252.135 Effective date of act.

Sec. 5.

This act shall become effective July 1, 1967.

History: 1966, Act 347, Eff. July 1, 1967