INTER-COUNTY HIGHWAYS, SUPER-HIGHWAYS, AND LIMITED ACCESS HIGHWAYS

Act 381 of 1925

AN ACT to authorize certain counties to combine for the purpose of planning systems of inter-county highways, super-highways and limited access highways; to define the terms "super-highways" and "limited access highways"; to authorize the establishment of inter-county highway commissions; to prescribe their powers and duties; to provide for the appropriation of funds therefor; and to empower counties to legislate with respect thereto.

History: 1925, Act 381, Eff. Aug. 27, 1925 ;-- Am. 1955, Act 195, Imd. Eff. June 17, 1955

The People of the State of Michigan enact:

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252.1 Inter-county highways, super-highways, limited access highways; inter-county contract, renewal, term.

Sec. 1.

Any 2 or more counties may by their boards of supervisors contract for the purpose of planning a system of inter-county highways, super-highways and limited access highways for such counties, and may bind themselves thereto by resolution adopted by a 2/3 vote of the board of supervisors of each county so combining, for a term of not to exceed 5 years; and when the term of any contract made hereunder shall have expired, such contract may be renewed from time to time for additional terms of not to exceed 5 years subject to the other provisions of this act.

History: 1925, Act 381, Eff. Aug. 27, 1925 ;-- CL 1929, 4468 ;-- CL 1948, 252.1 ;-- Am. 1955, Act 195, Imd. Eff. June 17, 1955

252.2 Inter-county, super and limited access highways; definitions.

Sec. 2.

The term "super-highway" shall include any highway of a width ranging from 120 to 204 feet or more and in special instances of a width of not less than 106 feet and when established shall be deemed a public highway. The term "limited access highway" shall include such highways as are especially designed for through traffic, and over, from or to which owners or occupants of abutting land have no easement or right of light, air or access by reason of such abuttal. Super-highways or limited access highways may be parkways, with or without landscaped roadsides, from which trucks, buses and other commercial vehicles may be excluded; or they may be motorways open to use by all common forms of highway traffic.

History: 1925, Act 381, Eff. Aug. 27, 1925 ;-- CL 1929, 4469 ;-- CL 1948, 252.2 ;-- Am. 1955, Act 195, Imd. Eff. June 17, 1955

252.3 Inter-county highway commission; members.

Sec. 3.

When any 2 or more adjoining counties combine under the terms of this act, they shall establish an inter-county highway commission which shall be composed of the state highway commissioner or his deputy, and 6 members from each of the counties participating, as follows: the 3 county road commissioners, the chairman of the county board of supervisors, and 2 members selected by the board of supervisors who shall be members thereof: Provided, however, That if a roads and bridges committee has been established by said county board of supervisors, the chairman of such committee shall be 1 of the 2 members thus selected: Provided further, That if a regional planning commission, created under the provisions of Act No. 281 of the Public Acts of 1945, as amended, being sections 125.11 to 125.23, inclusive, of the Compiled Laws of 1948, has been or shall be formed in any of the counties participating hereunder, the director of such regional planning commission shall be an ex officio member of the inter-county highway commission.

History: 1925, Act 381, Eff. Aug. 27, 1925 ;-- Am. 1927, Act 255, Eff. Sept. 5, 1927 ;-- CL 1929, 4470 ;-- CL 1948, 252.3 ;-- Am. 1955, Act 195, Imd. Eff. June 17, 1955

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252.4 Inter-county highway commission; plan, recording; plats, buildings, rules.

Sec. 4.

It shall be the duty of said commission to prepare an inter-county highway plan for the participating counties and to designate thereon the proposed highways, their width, the counties through or into which they will run, and if these are existing highways, the additional right-of-way requirements therefor necessary to obtain the width desired. After such plan has been approved by the governing body of each incorporated city and village affected thereby, the commission shall record a copy thereof in the office of the register of deeds in each participating county. After the plan has been recorded as aforesaid, no plat of land in said district shall be accepted which is not in conformity with said plan. No structure shall be built on the land within the lines of any proposed highway except on a permit granted by said commission. The counties may in their contract provide rules and regulations governing the procedure of the said commission.

History: 1925, Act 381, Eff. Aug. 27, 1925 ;-- CL 1929, 4471 ;-- CL 1948, 252.4 ;-- Am. 1955, Act 195, Imd. Eff. June 17, 1955

252.5 Inter-county highway commission; expenses.

Sec. 5.

Members of the commission shall receive actual expenses necessarily incurred in the performance of their duties.

History: 1925, Act 381, Eff. Aug. 27, 1925 ;-- CL 1929, 4472 ;-- CL 1948, 252.5 ;-- Am. 1955, Act 195, Imd. Eff. June 17, 1955

252.6 Inter-county highway commission; officers; employees; records; warrants; reports; depositories; interest; secured deposits; limitation on acceptable assets; “financial institution” defined.

Sec. 6.

(1) Within the limits of the funds provided by participating counties, the commission shall name its officers from its membership, except as otherwise provided in this act, and shall

appoint engineers, attorneys, officers, agents, and other employees as may be necessary to carry out its duties.

(2) The commission shall keep a record of its proceedings and designate 2 or more of its members to sign and countersign all warrants, drafts, checks, and orders for the payment of money.

(3) The commission shall make an annual report to each county in the district of money received and expended and shall designate a financial institution as the depository of its funds and arrange for interest on daily balances.

(4) Assets acceptable for pledging to secure deposits of commission funds are limited to any of the following:

(a) Assets considered acceptable to the state treasurer under section 3 of 1855 PA 105, MCL 21.143, to secure deposits of state surplus funds.

(b) Any of the following:

(i) Securities issued by the federal home loan mortgage corporation.

(ii) Securities issued by the federal national mortgage association.

(iii) Securities issued by the government national mortgage association.

(c) Other securities considered acceptable to the commission and the financial institution.

(5) As used in this section, "financial institution" means a state or nationally chartered bank or a state or federally chartered savings and loan association, savings bank, or credit union whose deposits are insured by an agency of the United States government and which maintains a principal office or branch office located in this state under the laws of this state or the United States.

History: 1925, Act 381, Eff. Aug. 27, 1925 ;-- CL 1929, 4473 ;-- CL 1948, 252.6 ;-- Am. 1955, Act 195, Imd. Eff. June 17, 1955 ;-- Am. 1997, Act 38, Imd. Eff. June 30, 1997

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252.7 Inter-county highway commission; treasurer, compensation, bond; moneys, payments on warrants and orders.

Sec. 7.

The commission shall appoint the county treasurer of 1 of the participating counties in the district as the treasurer of said commission, for all funds of the commission. He shall serve without compensation for this service and shall under his bond be responsible for the safe keeping of said money, and shall pay out said money only on warrants and orders signed and countersigned as said commission under the terms hereof may determine.

History: 1925, Act 381, Eff. Aug. 27, 1925 ;-- CL 1929, 4474 ;-- CL 1948, 252.7 ;-- Am. 1955, Act 195, Imd. Eff. June 17, 1955

252.8 Inter-county highway fund; creation, disbursement.

Sec. 8.

Each participating county shall pay annually into the treasury of said commission such sums as shall have been agreed upon under contract executed pursuant to section 1 hereof, and such additional sums as may from time to time be approved by a majority vote of the members elect of the board of supervisors of each county. The sums of money so received shall together constitute the inter-county highway fund which shall be disbursed as said commission may determine.

History: 1925, Act 381, Eff. Aug. 27, 1925 ;-- Am. 1927, Act 255, Eff. Sept. 5, 1927 ;-- CL 1929, 4475 ;-- CL 1948, 252.8 ;-- Am. 1955, Act 195, Imd. Eff. June 17, 1955

252.9 Repealed. 1955, Act 195, Imd. Eff. June 17, 1955.

Compiler's Notes: The repealed section pertained to donations, dedications, purchase and condemnation of property and railroad right of way.

252.10 Inter-county highway contract; obligations.

Sec. 10.

After contracting to participate for the purposes hereof, no act or happening shall excuse any county from its obligations hereunder.

History: 1925, Act 381, Eff. Aug. 27, 1925 ;-- CL 1929, 4477 ;-- CL 1948, 252.10 ;-- Am. 1955, Act 195, Imd. Eff. June 17, 1955

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252.11 Inter-county highway; ordinances; rights-of-way.

Sec. 11.

The board of supervisors of each county participating hereunder, shall have power to pass all ordinances which shall be necessary and proper for carrying into execution the foregoing powers, and may by ordinance regulate and control the rights-of-way established under any inter-county highway developed hereunder until such rights-of-way are acquired as provided by law.

History: 1925, Act 381, Eff. Aug. 27, 1925 ;-- CL 1929, 4478 ;-- CL 1948, 252.11 ;-- Am. 1955, Act 195, Imd. Eff. June 17, 1955

252.12 Jurisdiction retained by state highway department.

Sec. 12.

Nothing herein shall be construed to take from the state highway department any jurisdiction that it may have over any state trunk line highway now or hereafter established.

History: 1925, Act 381, Eff. Aug. 27, 1925 ;-- CL 1929, 4479 ;-- CL 1948, 252.12