MAINTENANCE OF PRIVATE ROADS

Act 139 of 1972

AN ACT authorizing township boards to provide for the maintenance and improvement of private roads by contract and to provide payments by special assessment districts; and to repeal certain acts and parts of acts.

History: 1972, Act 139, Imd. Eff. May 22, 1972

The People of the State of Michigan enact:

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247.391 Contract for maintenance of private roads; special assessment district; petition.

Sec. 1.

In any township, the township board may contract for the maintenance or improvement of any private roads within the township by the creation of a special assessment district. Fifty-one percent of the property owners owning the frontage along a private road shall be required to request the improvement or maintenance by petition to the township board.

History: 1972, Act 139, Imd. Eff. May 22, 1972

247.392 Allocation of costs; notice of public hearings.

Sec. 2.

Upon receiving a petition, the township board of any township may enter into a contract or make any maintenance or improvement with the allocation of cost to be spread against all of the owners in the special assessment district benefiting on a pro rata frontage basis or against each owner equally in the special assessment district benefiting. The maintenance or improvement and assessment of cost must not be completed until the township board has created the special assessment district and assessed the properties with proper notice of public hearings to all of the owners of property within the special assessment district to be benefited.

History: 1972, Act 139, Imd. Eff. May 22, 1972 ;-- Am. 2022, Act 95, Imd. Eff. June 14, 2022

247.393 Procedures and requirements.

Sec. 3.

The making of improvements or the maintenance of private roads and the creation of a special assessment district and the assessments levied to be placed upon the tax roll of the township shall all be in accordance with the procedures and requirements of Act No. 188 of the Public Acts of 1954, as amended, being sections 41.721 to 41.737 of the Compiled Laws of 1948.

History: 1972, Act 139, Imd. Eff. May 22, 1972

247.394 Annual program; duration of program; assessment period.

Sec. 4.

The maintenance or improvement approved by the township board may be an annual maintenance or improvement program not to exceed 5 years in scope and the assessment district shall not be assessed for a period longer than 5 years unless a new district with a new assessment is created to continue the program.

History: 1972, Act 139, Imd. Eff. May 22, 1972

247.395 "Maintenance" defined.

Sec. 5.

Maintenance, as used in this act, is defined as that word applies and has been adopted by the department of state highways manual to cities and villages.

History: 1972, Act 139, Imd. Eff. May 22, 1972

247.396 Contract with board of county road commissioners.

Sec. 6.

The township board may enter into contracts with the board of county road commissioners to provide maintenance or make improvement but such contracts shall include specific terms holding and saving the county free from damages resulting from the maintenance or improvement of private roads.

History: 1972, Act 139, Imd. Eff. May 22, 1972

247.397 Repealed. 1978, Act 108, Imd. Eff. Apr. 13, 1978.

Compiler's Notes: The repealed section pertained to applicability of act to platted private roads.

247.398 Repeal of MCL 247.371 to 247.375.

Sec. 8.

Act No. 234 of the Public Acts of 1968, being sections 247.371 to 247.375 of the Compiled Laws of 1948, is repealed.

History: 1972, Act 139, Imd. Eff. May 22, 1972

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