

# HOUSE BILL No. 5279

November 13, 1989, Introduced by Reps. Ostling, Niederstadt, Profit and Kosteva and referred to the Committee on Appropriations.

A bill to amend the title and sections 169 and 241 of Act No. 288 of the Public Acts of 1967, entitled as amended "Subdivision control act of 1967," being sections 560.169 and 560.241 of the Michigan Compiled Laws; to add sections 169a and 241a; and to repeal certain parts of the act on specific dates.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. The title and sections 169 and 241 of Act  
2 No. 288 of the Public Acts of 1967, being sections 560.169 and  
3 560.241 of the Michigan Compiled Laws, are amended and sections  
4 169a and 241a are added to read as follows:

### TITLE

5  
6       An act to regulate the subdivision of land; to promote the  
7 public health, safety, and general welfare; to further the  
8 orderly layout and use of land; to require that the land be

1 suitable for building sites and public improvements ~~—~~ and that  
2 there be adequate drainage ~~thereof~~ OF THE LAND; to provide for  
3 proper ingress and egress to lots; to promote proper surveying  
4 and monumenting of land subdivided and conveyed by accurate legal  
5 descriptions; to provide for the approvals to be obtained by sub-  
6 dividers prior to the recording and filing of plats; to provide  
7 for the establishment of special assessment districts and for the  
8 imposition of special assessments to defray the cost of the oper-  
9 ation and maintenance of retention basins for land within ~~all or~~  
10 ~~a part of~~ the final plat; to establish the procedure for vacat-  
11 ing, correcting, and revising plats; to control residential  
12 building development within floodplain areas; to provide for  
13 reserving easements for utilities in vacated streets and alleys;  
14 to provide for the filing of amended plats; to provide for the  
15 making of assessors plats; to provide penalties for the violation  
16 of the provisions of this act; TO REPEAL CERTAIN PARTS OF THIS  
17 ACT ON SPECIFIC DATES; and to repeal certain acts and parts of  
18 acts.

19       Sec. 169. ~~When~~ BEGINNING UPON THE EXPIRATION OF 2 YEARS  
20 AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED  
21 SECTION 169A, WHEN THE PLAT IS approved by a majority of the  
22 county plat board, the clerk of the board shall secure a warrant  
23 from the county treasurer for 1/2 the filing and recording fee  
24 required by section 241 and forward it with all copies of the  
25 plat to the state. ~~—treasurer.~~

1 SEC. 169A. (1) WHEN THE PLAT IS APPROVED BY A MAJORITY OF  
2 THE COUNTY PLAT BOARD, THE CLERK OF THE BOARD SHALL FORWARD IT  
3 WITH ALL COPIES OF THE PLAT TO THE STATE.

4 (2) THIS SECTION IS REPEALED EFFECTIVE UPON THE EXPIRATION  
5 OF 2 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT  
6 ADDED THIS SECTION.

7 Sec. 241. (1) ~~When~~ BEGINNING UPON THE EXPIRATION OF 2  
8 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED  
9 SECTION 241A, WHEN the final plat is submitted to the clerk of  
10 the governing body of the municipality, the proprietor shall  
11 deposit with the plat a fee of \$20.00, which shall be known as  
12 the filing and recording fee and shall be in addition to any fee  
13 the municipality may charge under the provisions of ~~the~~ THIS  
14 act.

15 (2) On approval of the plat by the governing body, the clerk  
16 shall send the \$20.00 fee ~~when sending~~ WITH the plat to the  
17 clerk of the county plat board.

18 (3) The clerk of the county plat board shall deposit the fee  
19 in the county trust and agency fund for subsequent payments by  
20 county warrant from this fund to:

21 (a) The state, in the amount of \$10.00, upon the approval of  
22 the plat by the county plat board.

23 (b) The county register of deeds in the amount of \$10.00,  
24 upon submission of proof to the clerk of the county plat board  
25 that the plat has been duly recorded in the office of the county  
26 register of deeds.

1 (4) The state treasurer shall deposit the state's portion of  
2 the fee in the state general fund.

3 (5) The state ~~treasurer~~ ADMINISTRATOR may also charge an  
4 additional \$10.00 fee if he OR SHE is of the opinion that the  
5 review time is ~~of an~~ extraordinary. ~~nature.~~

6 SEC. 241A. (1) WHEN THE FINAL PLAT IS SUBMITTED TO THE  
7 CLERK OF THE GOVERNING BODY OF THE MUNICIPALITY, THE PROPRIETOR  
8 SHALL DEPOSIT WITH THE PLAT BOTH OF THE FOLLOWING:

9 (A) A FEE OF \$20.00, WHICH SHALL BE KNOWN AS THE FILING AND  
10 RECORDING FEE AND SHALL BE IN ADDITION TO ANY FEE THE MUNICIPAL-  
11 ITY MAY CHARGE UNDER THE PROVISIONS OF THIS ACT.

12 (B) A FEE OF \$300.00 PLUS \$30.00 FOR EACH LOT OVER 4 LOTS  
13 INCLUDED IN THE PLAT. THIS FEE SHALL BE PAID BY CHECK OR MONEY  
14 ORDER PAYABLE TO THE STATE OF MICHIGAN AND SHALL BE KNOWN AS THE  
15 STATE PLAT REVIEW FEE.

16 (2) ON APPROVAL OF THE PLAT BY THE GOVERNING BODY, THE CLERK  
17 SHALL SEND WITH THE PLAT TO THE CLERK OF THE COUNTY PLAT BOARD  
18 THE FILING AND RECORDING FEE AND THE STATE PLAT REVIEW FEE.

19 (3) THE CLERK OF THE COUNTY PLAT BOARD SHALL DEPOSIT THE  
20 FILING AND RECORDING FEE IN THE COUNTY TRUST AND AGENCY FUND FOR  
21 SUBSEQUENT PAYMENT BY COUNTY WARRANT FROM THIS FUND TO THE COUNTY  
22 REGISTER OF DEEDS IN THE AMOUNT OF \$20.00, UPON SUBMISSION OF  
23 PROOF TO THE CLERK OF THE COUNTY PLAT BOARD THAT THE PLAT HAS  
24 BEEN DULY RECORDED IN THE OFFICE OF THE COUNTY REGISTER OF  
25 DEEDS.

1 (4) WHEN A FINAL PLAT IS FORWARDED TO THE STATE, THE CLERK  
2 OF THE COUNTY PLAT BOARD SHALL FORWARD WITH THE PLAT THE STATE  
3 PLAT REVIEW FEE.

4 (5) A STATE PLAT REVIEW FEE COLLECTED BY THE STATE SHALL BE  
5 DEPOSITED IN THE STATE TREASURY FOR USE IN THE ADMINISTRATION OF  
6 THIS ACT. A FUND IS CREATED IN THE STATE TREASURY FOR STATE PLAT  
7 REVIEW FEES. THE FUND ESTABLISHED IS A REVOLVING FUND, AND MONEY  
8 REMAINING IN THE FUND AT THE END OF THE FISCAL YEAR SHALL BE CAR-  
9 RIED OVER IN THE FUND TO THE NEXT AND SUCCEEDING FISCAL YEARS FOR  
10 USE IN THE ADMINISTRATION OF THIS ACT.

11 (6) THIS SECTION IS REPEALED EFFECTIVE UPON THE EXPIRATION  
12 OF 2 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT  
13 ADDED THIS SECTION.