

# HOUSE BILL No. 5474

February 14, 1990, Introduced by Reps. Hickner and DeMars and referred to the Committee on Towns and Counties.

A bill to amend section 102 of Act No. 288 of the Public Acts of 1967, entitled as amended  
"Subdivision control act of 1967,"  
being section 560.102 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1     Section 1. Section 102 of Act No. 288 of the Public Acts of  
2 1967, being section 560.102 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4     Sec. 102. As used in this act:

5     (a) "Plat" means a map or chart of a subdivision of land.

6     (b) "Land" means all land areas occupied by real property.

7     (c) "Preliminary plat" means a map showing the salient fea-  
8 tures of a proposed subdivision submitted to an approving  
9 authority for purposes of preliminary consideration.

1 (d) "Subdivide" or "subdivision" means the partitioning or  
2 dividing of a parcel or tract of land by the proprietor thereof  
3 or by his OR HER heirs, executors, administrators, legal repre-  
4 sentatives, successors or assigns for the purpose of sale, or  
5 lease of more than ~~one~~ 1 year, or of building development,  
6 where the act of division creates 5 or more parcels of land each  
7 of which is 10 acres or less in area; or 5 or more parcels of  
8 land each of which is 10 acres or less in area are created by  
9 successive divisions within a period of 10 years. IN THE CASE OF  
10 ABANDONED RAILROAD PROPERTY, "SUBDIVIDE" OR "SUBDIVISION" DOES  
11 NOT INCLUDE A PROPERTY TRANSFER BETWEEN 2 OR MORE ADJACENT PAR-  
12 CELS, IF THE PROPERTY TAKEN FROM 1 PARCEL IS ADDED TO AN ADJACENT  
13 PARCEL; AND ANY RESULTING PARCEL SHALL NOT BE CONSIDERED A BUILD-  
14 ING SITE UNLESS THE PARCEL CONFORMS TO THE REQUIREMENTS OF THIS  
15 ACT OR THE REQUIREMENTS OF AN APPLICABLE LOCAL ORDINANCE.

16 (e) "Parcel" or "tract" means a continuous area or acreage  
17 of land which can be described as provided for in this act.

18 (f) "Lot" means a measured portion of a parcel or tract of  
19 land, which is described and fixed in a recorded plat.

20 (g) "Outlot", when included within the boundary of a  
21 recorded plat, means a lot set aside for purposes other than a  
22 building site, park, or other land dedicated to public use or  
23 reserved to private use.

24 (h) "Proprietor" means a natural person, firm, association,  
25 partnership, corporation, or combination of any of them which may  
26 hold any ownership interest in land whether recorded or not.

1 (i) "Governing body" means the legislative body of a city or  
2 village or the township board of a township.

3 (j) "Municipality" means a township, city, or village.

4 (k) "County plat board" means the register of deeds, who  
5 shall act as ~~chairman~~ CHAIRPERSON, the county clerk, who shall  
6 act as secretary, and the county treasurer. If the offices of  
7 county clerk and register of deeds have been combined, the  
8 ~~chairman~~ CHAIRPERSON of the board of supervisors shall be a  
9 member of the plat board and shall act as ~~chairman~~  
10 CHAIRPERSON. In a county where a board of auditors is authorized  
11 by law such board may elect to serve on the county plat board by  
12 adopting a resolution so ordering. A copy of the recorded reso-  
13 lution shall be sent to the state treasurer.

14 (l) "Public utility" means all persons, firms, corporations,  
15 copartnerships, or municipal or other public authority providing  
16 gas, electricity, water, steam, telephone, sewer, or other serv-  
17 ices of a similar nature.

18 (m) "Caption" means the name by which the plat is legally  
19 and commonly known.

20 (n) "Replat" means the process of changing, or the map or  
21 plat which changes, the boundaries of a recorded subdivision plat  
22 or part thereof. The legal dividing of an outlot within a  
23 recorded subdivision plat without changing the exterior bounda-  
24 ries of the outlot is not a replat.

25 (o) "Surveyor" means either a land surveyor who is regis-  
26 tered in this state as a registered land surveyor or a civil

1 engineer who is registered in the state as a registered  
2 professional engineer.

3 (p) "Government survey" means the land surveyed, subdivided  
4 and monumented by the United States public land survey.

5 (q) "Michigan coordinate system" means the system defined in  
6 Act No. 9 of the Public Acts of 1964, being sections 54.231 to  
7 54.239 of the MICHIGAN Compiled Laws. ~~of 1948.~~

8 (r) "Alley" means a public or private right of way shown on  
9 a plat which provides secondary access to a lot, block, or parcel  
10 of land.

11 (s) "Health department" means the state, city, county, or  
12 district health department having jurisdiction.

13 (t) "Public sewer" means a sewerage system as defined in  
14 SECTION 2 OF Act No. 98 of the Public Acts of 1913, as amended,  
15 being ~~sections 325.201 to 325.214~~ SECTION 325.202 of the  
16 MICHIGAN Compiled Laws. ~~of 1948.~~

17 (u) "Public water" means a ~~water works system, as defined~~  
18 ~~in Act No. 98 of the Public Acts of 1913, as amended~~ SYSTEM OF  
19 PIPES AND STRUCTURES THROUGH WHICH WATER IS OBTAINED AND DISTRIB-  
20 UTED TO THE PUBLIC, INCLUDING WELLS AND WELL STRUCTURES, INTAKES,  
21 AND CRIBS, PUMPING STATIONS, TREATMENT PLANTS, RESERVOIRS, STOR-  
22 AGE TANKS AND APPURTENANCES, COLLECTIVELY OR SEVERALLY, ACTUALLY  
23 USED OR INTENDED FOR USE FOR THE PURPOSE OF FURNISHING WATER TO  
24 THE PUBLIC FOR HOUSEHOLD OR DRINKING PURPOSES.

25 (v) "Topographical map" means a map showing existing physi-  
26 cal characteristics, with contour lines at sufficient intervals  
27 to permit determination of proposed grades and drainage.

1       (w) "Flood plain" means that area of land adjoining the  
2 channel of a river, stream, water course, lake, or other similar  
3 body of water which will be inundated by a flood which can rea-  
4 sonably be expected for that region.