

Act No. 285
Public Acts of 2005
Approved by the Governor
December 19, 2005
Filed with the Secretary of State
December 19, 2005
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STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2005

Introduced by Senators Basham, Jelinek, Switalski, Thomas, Jacobs and Clark-Coleman

ENROLLED SENATE BILL No. 253

AN ACT to amend 1943 PA 183, entitled "An act to provide for the establishment in portions of counties lying outside the limits of incorporated cities and villages of zoning districts within which the proper use of land and natural resources may be encouraged or regulated by ordinance, and for which districts provisions may also be adopted designating the location of, the size of, the uses that may be made of, the minimum open spaces, sanitary, safety, and protective measures that are required for, and the maximum number of families that may be housed in dwellings, buildings, and structures that are erected or altered; to designate the use of certain state licensed residential facilities; to provide for a method for the adoption of ordinances and amendments to ordinances; to provide for emergency interim ordinances; to provide by ordinance for the acquisition by purchase, condemnation, or otherwise, of property that does not conform to the requirements of the zoning districts so provided; to provide for the administering of ordinances adopted; to provide for conflicts with other acts, ordinances, or regulations; to provide sanctions for violations; to provide for the assessment, levy, and collection of taxes; to provide for referenda; to provide for appeals; to authorize the purchase of development rights; to authorize the issuance of bonds and notes; to provide for special assessments; and to prescribe penalties and provide remedies," by amending section 9 (MCL 125.209), as amended by 2000 PA 385.

The People of the State of Michigan enact:

Sec. 9. (1) Before submitting its recommendations of a tentative zoning plan to the county board of commissioners, the county zoning commission shall hold at least 1 public hearing. Notice of the hearing shall be given by 2 publications in a newspaper published in the county or, if a newspaper is not published in the county, then in a newspaper published in an adjacent county. The first publication shall be printed not more than 30 days and not less than 20 days, and the second not more than 8 days before the date of the hearing.

(2) Not less than 20 days' notice of the time and place of the hearing shall also be given by mail to each of the following:

(a) Each electric, gas, pipeline, and telephone public utility company, and the airport manager of each airport, that registers the name and mailing address of the company or airport with the county zoning commission for the purpose of receiving the notice of public hearing.

(b) Each railroad within the district or zone affected.

(c) If the hearing involves an amendment to the zoning ordinance, to all owners of property within the affected area. The notice shall include a listing of all existing street addresses within the affected area.

(3) The notices under this section shall include the places and times at which the tentative text and maps of the zoning ordinance may be examined. The county zoning commission shall maintain a file of each affidavit of mailing for each mailing made under this section. If an individual property or several adjacent properties are proposed for rezoning, notice of the proposed rezoning and hearing shall be given to the owners of the property in question at least 20 days before the hearing.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Jay E. Randall

Clerk of the House of Representatives

Approved

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Governor