

Act No. 154  
Public Acts of 1993  
Approved by the Governor  
August 18, 1993  
Filed with the Secretary of State  
August 19, 1993

**STATE OF MICHIGAN  
87TH LEGISLATURE  
REGULAR SESSION OF 1993**

Introduced by Senator Ehlers

# **ENROLLED SENATE BILL No. 246**

AN ACT to amend the title and section 11 of Act No. 245 of the Public Acts of 1970, entitled "An act to provide for the protection and management of shorelands; to provide for zoning and zoning ordinances; to provide certain powers and duties; to authorize certain studies; to provide for development of certain plans; to promulgate rules; and to provide for certain remedies for violations of rules," being section 281.641 of the Michigan Compiled Laws.

*The People of the State of Michigan enact:*

Section 1. The title and section 11 of Act No. 245 of the Public Acts of 1970, being section 281.641 of the Michigan Compiled Laws, are amended to read as follows:

## **TITLE**

An act to provide for the protection and management of shorelands; to provide for zoning and zoning ordinances; to provide certain powers and duties; to authorize certain studies; to provide for development of certain plans; to promulgate rules; to provide for certain fees; and to provide for certain remedies for violations of rules.

Sec. 11. (1) The commission, in order to regulate the uses and development of high risk areas, flood risk areas, and environmental areas and to implement the purposes of this act, shall promulgate rules pursuant to the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.328 of the Michigan Compiled Laws. Until October 1, 1995, if permits are required pursuant to rules promulgated under this act, a fee of \$500.00 shall be submitted to the department with each application for a commercial or multi-family residential project, a fee of \$100.00 shall be submitted with each application for a single family home construction, and a fee of \$50.00 shall be submitted with each application for an addition to an existing single family home or for a project that has a minor impact on fish and wildlife resources in environmental areas as determined by the department.

(2) A project that requires review and approval under this act and 1 or more of the following acts is subject to only the single highest permit fee required under this act or the following acts:

(a) The Goemaere-Anderson wetland protection act, Act No. 203 of the Public Acts of 1979, being sections 281.701 to 281.722 of the Michigan Compiled Laws.

(b) The Great Lakes submerged lands act, Act No. 247 of the Public Acts of 1955, being sections 322.701 to 322.715 of the Michigan Compiled Laws.

(c) The inland lakes and streams act of 1972, Act No. 346 of the Public Acts of 1972, being sections 281.951 to 281.965 of the Michigan Compiled Laws.

(d) Section 2a of Act No. 245 of the Public Acts of 1929, being section 323.2a of the Michigan Compiled Laws.

(3) The department shall forward fees collected under this section to the state treasurer for deposit in the land and water management permit fee fund created in section 16 of Act No. 346 of the Public Acts of 1972, being section 281.966 of the Michigan Compiled Laws.

(4) A circuit court upon petition and a showing by the commission that a violation of a rule promulgated under subsection (1) exists, shall issue any necessary *order to the defendant* to correct the violation or to restrain the defendant from further violation of the rule.

Section 2. This amendatory act shall not take effect unless Senate Bill No. 238 of the 87th Legislature is enacted into law.

This act is ordered to take immediate effect.

-----  
Secretary of the Senate.

-----  
Co-Clerk of the House of Representatives.

Approved -----

-----  
Governor.