

HOUSE BILL NO. 4835

June 22, 2023, Introduced by Reps. DeBoyer, BeGole, Outman, Alexander, Aragona, Bezotte, Beson, Kunse, Mueller, Bierlein, DeBoer, Wilson, Johnsen and Mentzer and referred to the Committee on Transportation, Mobility and Infrastructure.

A bill to amend 1909 PA 279, entitled
"The home rule city act,"
(MCL 117.1 to 117.38) by adding section 5/.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5/. (1) The legislative body of a city may, by resolution,
2 authorize the city to contract for the maintenance or improvement
3 of any private road in the city by creating a special assessment
4 district.

5 (2) More than 50% of the property owners owning the frontage

1 along a private road may request, by petition to the legislative
2 body of the city, the maintenance or improvement of the private
3 road in the city. If the legislative body of a city passes a
4 resolution or receives a petition that complies with the
5 requirements of this subsection, the city may enter into a contract
6 for or make the maintenance or improvement of the private road,
7 with the allocation of cost to be spread against all of the owners
8 in the special assessment district on a pro rata frontage basis.
9 The maintenance or improvement of any private road under this
10 section, and the assessment of cost, must not be completed until
11 the legislative body of the city has created a special assessment
12 district and assessed the properties with proper notice of public
13 hearings to all of the owners of property in the special assessment
14 district that will benefit from the maintenance or improvement.

15 (3) The maintenance or improvement of a private road
16 authorized by the legislative body of a city under this section may
17 be an annual maintenance or improvement program not to exceed 5
18 years. The special assessment district must not be assessed for a
19 period longer than 5 years unless a new special assessment district
20 with a new special assessment is created to continue the program.

21 (4) As used in this section, "maintenance" means that term as
22 defined in section 10c of 1951 PA 51, MCL 247.660c.