

COPPER AND IRON MINE INSPECTORS (EXCERPT)
Act 163 of 1911

425.108 Inspector of mines; duties; idle or abandoned mine; notice; erection of fences or railings; verification of return and statement; audit and payment of expenses; certification, assessment, collection, and disposition of expense amount.

Sec. 8.

The duties of the mine inspector shall be to visit all the mines of his or her county once in every 60 days, and more often if in his or her judgment necessary, and closely inspect the mines so visited, and condemn all such places where he or she shall find that the employees are in danger from any cause, whether resulting from careless mining or defective machinery or appliances or improper or unsafe methods of any nature. The mine inspector shall compel the erection of a partition between all shafts where hoisting of ore is performed and where there are ladder ways, where persons must ascend and descend going to and from their work. If the mine inspector shall find that a place is dangerous from any cause as aforesaid, the mine inspector shall immediately order the persons engaged in work at that place to quit work, and shall notify the superintendent, agent, or person in charge to secure the place from the existing danger, which notification or order shall be in writing and shall clearly define the limits of the dangerous place and specify the work to be done or change to be made to render the same secure, ordinary mine risks excepted. The mine inspector shall also command the person, persons, or corporation working any mine, or the agent, superintendent, foreman, or other person having immediate charge of the working of any mine, to furnish all shafts and open pits of the mine with some secure safeguard at the top of the shaft or open pit so as to guard against accident by persons falling therein or by material falling down the mine, also a covering on all the carriages on which persons ascend or descend up and down the shaft, if in the inspector's judgment it shall be practicable and necessary for the purpose of safety. If a mine is idle or abandoned, the mine inspector shall notify the person, persons, or corporation owning the land on which the mine is situated, or the agent of such owner or owners, to erect and maintain around all the shafts and open pits of the mine a fence or railing suitable to prevent persons or domestic animals from accidentally falling into the shafts or open pits. This notice shall be in writing and shall be served upon the owner, owners, or agent, personally or by leaving a copy at the residence of the owner or agent, if they or any of them reside in the county where the mine is situated, and if the owner, owners, or agents are none of them residents of the county the notice may be given by publication in 1 or more newspapers printed and circulated in the county if there be one, and by registered letter, and if a newspaper is not published in the county then in a newspaper published in some adjoining county for a period of 3 consecutive weeks. If the owner, owners, or agent shall not, within 30 days after receiving such notice or within 30 days after the completion of publication, erect suitable fences or railings as provided in this section, the mine inspector shall cause such suitable fences or railings to be erected and make a return of his or her doings in the case, with the description of the land or lands on which the shafts and open pits are located, together with an itemized statement of the actual expenses incurred in the case on each description of land, to the county clerk of the county, which return and statement shall be verified by the affidavit of the mine inspector. All expenses incurred under this section shall be audited by the county board of commissioners of the county, and all sums allowed by the board for such expenses shall be paid from the general fund of the county. The county clerk shall certify to the county board of commissioners at its annual meeting in each year the amount of expense incurred under this section during the preceding year and the amount belonging to each and every description of land on which any such mines are situated, and that amount shall be certified to the supervisors of the proper townships in the same manner as county taxes are certified to those supervisors, and the amount of the expense incurred as above on each description shall be assessed by the supervisors upon the description upon their assessment rolls for that year in a separate column, and shall be collected in the same manner as county taxes, and when so collected paid into the general fund of the county.

History: 1911, Act 163, Eff. Aug. 1, 1911 ;-- CL 1915, 5509 ;-- CL 1929, 8529 ;-- CL 1948, 425.108 ;-- Am. 1984, Act 116, Imd. Eff. May 29, 1984