

Act No. 172  
Public Acts of 1995  
Approved by the Governor  
October 9, 1995  
Filed with the Secretary of State  
October 9, 1995

**STATE OF MICHIGAN  
88TH LEGISLATURE  
REGULAR SESSION OF 1995**

Introduced by Rep. Bobier

# **ENROLLED HOUSE BILL No. 4865**

AN ACT to amend section 117 of Act No. 288 of the Public Acts of 1967, entitled as amended "An act to regulate the subdivision of land; to promote the public health, safety, and general welfare; to further the orderly layout and use of land; to require that the land be suitable for building sites and public improvements and that there be adequate drainage of the land; to provide for proper ingress and egress to lots; to promote proper surveying and monumenting of land subdivided and conveyed by accurate legal descriptions; to provide for the approvals to be obtained by subdividers prior to the recording and filing of plats; to provide for the establishment of special assessment districts and for the imposition of special assessments to defray the cost of the operation and maintenance of retention basins for land within a final plat; to establish the procedure for vacating, correcting, and revising plats; to control residential building development within floodplain areas; to provide for reserving easements for utilities in vacated streets and alleys; to provide for the filing of amended plats; to provide for the making of assessors plats; to provide penalties for the violation of the provisions of this act; to repeal certain parts of this act on specific dates; and to repeal certain acts and parts of acts," as amended by Act No. 150 of the Public Acts of 1993, being section 560.117 of the Michigan Compiled Laws.

*The People of the State of Michigan enact:*

Section 1. Section 117 of Act No. 288 of the Public Acts of 1967, as amended by Act No. 150 of the Public Acts of 1993, being section 560.117 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 117. (1) The proprietor shall submit 2 copies of the preliminary plat to the department of natural resources, if any of the subdivision lies wholly or in part within the floodplain of a river, stream, creek, or lake. The department of natural resources, within 30 days of receipt of the preliminary plat, shall approve it and note its approval on the copy to be returned to the proprietor, or reject it. If rejected, the reasons for rejection and requirements for approval shall be given in writing to the proprietor. The determination of a floodplain area shall be based on rules specified in section 105(f).

(2) Until October 1, 1999, the preliminary plat submittal to the department of natural resources under subsection (1) shall be accompanied by a fee of \$500.00 to cover the administrative cost of the department's preliminary plat review. If the department of natural resources determines that engineering computations are required to establish the limits of the floodplain on a preliminary plat, the department shall assess an additional fee of \$1,500.00 to cover the department's cost of establishing those limits.

(3) The department of natural resources 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 30113 of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being section 324.30113 of the Michigan Compiled Laws.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved -----

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Governor.