

HOUSE BILL No. 4494

April 9, 2013, Introduced by Reps. Graves, Price, Jenkins and Victory and referred to the Committee on Local Government.

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 12755.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 12755. (1) SUBJECT TO SECTION 12756, IF A GOVERNMENTAL
2 ENTITY CHARGES A TAP-IN FEE FOR CONNECTION OF A STRUCTURE TO AN
3 AVAILABLE PUBLIC SANITARY SEWER SYSTEM, THE GOVERNMENTAL ENTITY
4 SHALL CHARGE THE TAP-IN FEE TO THE OWNER OF THE PROPERTY ON WHICH
5 THE STRUCTURE LIES NOT LATER THAN 2 YEARS AFTER THE DATE OF 1 OF
6 THE FOLLOWING, WHICHEVER OCCURS LAST:

7 (A) THE PUBLICATION DATE OF A NOTICE BY THE GOVERNMENTAL
8 ENTITY THAT OPERATES THE PUBLIC SANITARY SEWER SYSTEM OF
9 AVAILABILITY OF THE PUBLIC SANITARY SEWER SYSTEM IN A NEWSPAPER OF
10 GENERAL CIRCULATION IN THE GOVERNMENTAL ENTITY IN WHICH THE

1 STRUCTURE IS LOCATED.

2 (B) THE APPROVAL DATE OF A BUILDING PERMIT FOR A STRUCTURE IN
3 WHICH SANITARY SEWAGE ORIGINATES.

4 (C) THE APPROVAL DATE OF A BUILDING PERMIT FOR THE
5 MODIFICATION OF A STRUCTURE SO AS TO BECOME A STRUCTURE IN WHICH
6 SANITARY SEWAGE ORIGINATES.

7 (2) IF A GOVERNMENTAL ENTITY FAILS TO COMPLY WITH SUBSECTION
8 (1), THE GOVERNMENTAL ENTITY IS PROHIBITED FROM CHARGING THE OWNER
9 OF THE PROPERTY FOR A TAP-IN FEE.

10 (3) AS USED IN THIS SECTION, "GOVERNMENTAL ENTITY" INCLUDES,
11 BUT IS NOT LIMITED TO, A CITY, VILLAGE, TOWNSHIP, OR AUTHORITY.