

COUNTY ZONING ACT (EXCERPT)
Act 183 of 1943

***** 125.216f THIS SECTION IS REPEALED BY ACT 110 OF 2006 EFFECTIVE JULY 1, 2006 *****

125.216f Improvements; deposit of performance guarantee.

Sec. 16f. (1) As used in this section, "improvement" means a feature or action associated with a project which is considered necessary by the body or official granting zoning approval, to protect natural resources or the health, safety, and welfare of the residents of a county and future users or inhabitants of the proposed project or project area including, but not limited to roadways, lighting, utilities, sidewalks, screening, and drainage. The term "improvements" shall not be construed to mean the entire project which is the subject of zoning approval.

(2) To insure compliance with a zoning ordinance and conditions imposed under a zoning ordinance, a county may require that a cash deposit, certified check, irrevocable bank letter of credit, or surety bond acceptable to the county covering the estimated cost of improvements associated with a project for which site plan approval is sought, be deposited with the clerk of the county to insure faithful completion of the improvements. The performance guarantee shall be deposited at the time of the issuance of the permit authorizing the activity or project. The county may not require the deposit of the performance guarantee until the county is prepared to issue the permit. The county shall establish procedures by which a rebate of cash deposits in reasonable proportion to the ratio of work completed on the required improvements shall be made as work progresses.

(3) This section shall not be applicable to improvements for which a cash deposit, certified check, irrevocable bank letter of credit, or surety bond has been deposited pursuant to Act No. 288 of the Public Acts of 1967, as amended, being sections 560.101 to 560.293 of the Michigan Compiled Laws.

History: Add. 1978, Act 640, Eff. Apr. 12, 1979.