

**THE DRAIN CODE OF 1956 (EXCERPT)**  
**Act 40 of 1956**

**280.430 Sanitary sewage; contracts for use of drains; charges; lien; cost included in charges.**

Sec. 430.

(1) Whenever any county or intercounty drain is used for the transportation of sanitary sewage, the county or counties within whose boundaries the drainage district lies may contract under the provisions of Act No. 129 of the Public Acts of 1943, as amended, being sections 123.231 to 123.235 of the Compiled Laws of 1948, or any other applicable act, for the disposal of sewage therefrom, including any storm water necessarily mixed therewith. In such case the drain commissioner or the drainage board may fix and collect charges to cover the cost of the treatment and disposal of sanitary sewage. Such charges shall be approved by the majority vote of the members-elect of the board of supervisors. The charges may be made to each user of the services or may be made to public corporations. Contracts for periods not exceeding 50 years may be made between the county and public corporations to be so served, in respect to sewage disposal services, when approved by the governing bodies of the several parties thereto.

(2) Charges for sewage disposal services furnished to any premises shall be a lien thereon from the date such charges are due and any charges delinquent for 6 months or more shall be certified annually to the proper tax assessing officer or agency who shall enter the same upon the next tax roll against the premises to which such services shall have been rendered, and the charges shall be collected and the lien shall be enforced in the same manner as provided for the collection of taxes assessed upon such roll and the enforcement of the lien therefor. The time and manner of certification and the other details in respect to the collection of such charges and the enforcement of such lien shall be prescribed by the governing body of the public corporation in which the lands are located. The payment of charges for sewage disposal services to any premises may be enforced by discontinuing either the water service or the sewage disposal service to such premises, or both.

(3) The charges for sewage disposal services may also include the cost of the operation and maintenance of any physical structures and any administrative expenses in connection with the transportation, treatment and disposal of sanitary sewage.

**History:** Add. 1959, Act 47, Imd. Eff. June 5, 1959

**Popular Name:** Act 40