



Legislation Text

File #: 2005-0451, **Version:** 1

Adoption of Resolution of Opposition - Senate Bill 522 to Amend Public Act 368 of 1925, which governs highway obstructions and encroachments

Whereas, passage of Michigan Senate Bill (SB) 522 would prevent local governments from having any say on whether any utilities are sited within the rights of ways of limited access highways running through their jurisdictions; and

Whereas, passage of SB 522 would reverse the Michigan Supreme Court decision affirming local control in such matters, effectively shifting local authority to oil and utility companies; and

Whereas, local officials have the primary responsibility and obligation to protect the health, safety and welfare of citizens in their communities.

Be It Resolved that the Rochester Hills City Council hereby Opposes Michigan Senate Bill 522 to Amend Public Act 368 of 1925, which governs highway obstructions and encroachments, wherein the bill specifies that a utility may enter upon, construct, and maintain longitudinally within a limited access highway right-of-way, and would allow utility lines and structures under any public road that intersected a limited access highway at a different grade. The bill further states that the utility would not have to obtain the consent of the governing body of the city, village, or township.

Be It Further Resolved that the City of Rochester Hills requests that Michigan Governor Jennifer Granholm veto Michigan Senate Bill 522.