



# Rochester Hills Master Report

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**File Number: 2005-0451**

<b>File Number:</b> 2005-0451	<b>File Type:</b> Administration	<b>Status:</b> To Council
<b>Version:</b> 1	<b>Reference:</b>	<b>Controlling Body:</b> City Council
<b>Requester:</b>	<b>Cost:</b>	<b>Introduced:</b> 06/27/2005
<b>File Name:</b> Resolution of Opposition - Senate Bill 522	<b>Final Action:</b>	

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

**Notes:**

**Code Sections:**

**Agenda Date:**

**Indexes:** Transportation, Roads

**Agenda Number:**

**Sponsors:**

**Enactment Date:**

**Attachments:** Agenda Summary.pdf, SB 522 Analysis.pdf, SB 0522.pdf

**Enactment Number:**

## History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File 2005-0451

..Title

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

..Body

**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 responsibly 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 the final passage of 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 copies of this Resolution of Opposition be conveyed to the appropriate elected and appointed officials of the State government.