

## **GUIDE FOR DRAINAGE IMPROVEMENTS PETITION**

The legal process the Drain Commissioner's Office must follow upon receipt of a petition for "clean-out or improvement of a County drain " is dictated by the Michigan Drain Code (Act 40 of 1956). The steps are as follows:

1. A Petition must be signed by five or more landowners in the drainage district liable for assessment and submitted to the Drain Commissioner. (Signatures can include a husband and wife if both appear on the deed of the property)
2. The signatures of petitioners are verified by the Drain Commissioner's Office to ensure they are properties within the district.
3. The Treasures office verifies that the taxes of the petitioners are current.
4. A notice is sent to all property owners in the district and published in the paper of general circulation notifying drainage district residents of a Board of Determination Hearing.
5. A public hearing is held where a three-member Board of Determination (appointed by the Drain Commissioner) will listen to testimony from landowners in the Drainage District and make a determination, based on that testimony, as to whether the project is necessary and should proceed or not. Detailed cost estimates will not be available at this time due to the limited funding available to expend prior to determining if a project is necessary. If the project is determined necessary, engineering, design and scope of project will be completed. If the project is determined unnecessary, another petition cannot be submitted for a period of one year and the petition process ends.
6. If the project is deemed necessary the Drain Commissioner will proceed to bid the engineering work for the project. After the receipt of engineering study, the Drain Commissioner will hold an informational meeting with landowners in the Drainage District, to discuss the proposed project and answer any questions that residents may have. The Drain Commissioner will then proceed to bidding the project for construction.
7. Drainage district residents will receive a notice of Bid Letting and a Day of Review, where landowners may come into the Drain Commissioner's Office to discuss their apportionment of the Drainage District. Apportionments may be appealed to the Probate Court within ten (10) days of the Day of Review.
8. If the Drain Commissioner determines that the cost of the project is reasonable, project will then continue and costs incurred will be assessed against the Drainage District.

The above information is a general guide for persons interested in the petition process for drainage improvement projects. If you have questions or need any further information, please call the Drain Commissioner's Field Office at (734) 326-4500.

**PETITION FOR CLEANING OUT, RELOCATING, WIDENING,  
DEEPENING, STRAIGHTENING, TILING, EXTENDING, OR RELOCATING  
ALONG A HIGHWAY FOR A COUNTY DRAIN**

TO THE COUNTY DRAIN COMMISSIONER OF THE COUNTY OF WAYNE\_

Petitioners hereby petition for cleaning out, relocating, widening, deepening, straightening, tiling, extending or relocating along a highway and or adding one or more branches of the drain as a result of

\_\_\_\_\_ and as may be determined necessary, of the drain known and designated as the \_\_\_\_\_ Drain, located and established in the Municipality or Township of \_\_\_\_\_, in the County of Wayne, State of Michigan.

Petitioners further show that they constitute at least five freeholders of land in the \_\_\_\_\_ Drainage District who are owners of land liable for an assessment for benefits for such proposed work.

Your petitioner further show that the said drain needs\* \_\_\_\_\_

\_\_\_\_\_ and the above improvements of the drain are necessary and conducive to the public health, convenience or welfare of \_\_\_\_\_ (Municipality or Township).

Dated: \_\_\_\_\_, 20\_\_\_\_\_

Signatures of Freeholders	Address Township	Tax Code Number

\*Insert as the facts may require “cleaning out”, “relocating”, “widening”, “deepening”, “straightening”, “tiling”, “extending”, or “relocating along a highway” or “adding one or more branches”.

**AFFIDAVIT OF CIRCULATOR OF PETITION**

*I Hereby Certify* that I did personally circulate this petition and the signatures to same were made in my presence and are the genuine signatures of those whose names are affixed.

\_\_\_\_\_  
Name of Circulator

Dated: \_\_\_\_\_, 20\_\_\_\_\_.

STATE OF MICHIGAN            )  
  )ss.  
COUNTY OF \_\_\_\_\_)

On \_\_\_\_\_, 20\_\_\_\_\_, before me, a Notary Public in and for said County, personally appeared \_\_\_\_\_ to me known to be the person \_\_\_\_\_ described in and who circulated the foregoing petition dated \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_,  
Notary Public  
\_\_\_\_\_, County, Michigan

My commission expires, \_\_\_\_\_

**GUIDE TO FILLING OUT A DRAIN PETITION**  
**PETITION FOR CLEANING OUT, RELOCATING, WIDENING,**  
**DEEPENING, STRAIGHTENING, TILING, EXTENDING, OR RELOCATING**  
**ALONG A HIGHWAY FOR A COUNTY DRAIN**

TO THE COUNTY DRAIN COMMISSIONER OF THE COUNTY OF WAYNE\_

Petitioners hereby petition for cleaning out, relocating, widening, deepening, straightening, tiling, extending or relocating along a highway and or adding one or more branches of the drain as a result of :**(Insert in this section, what the problems are with the drain causing you to petition for improvements. I.e. flooding, failed infrastructure, erosion, standing water, heavy vegetation)** \_\_\_\_\_ and as may be determined necessary, of the drain known and designated as the \_\_\_\_\_ Drain, located and established in the Municipality or Township of \_\_\_\_\_, in the County of Wayne, State of Michigan.

Petitioners further show that they constitute at least five freeholders of land in the **(Insert name of drainage district here)** \_\_\_\_\_ Drainage District who are owners of land liable for an assessment for benefits for such proposed work.

Your petitioner further show that the said drain needs\* **(See \* below and insert all that apply)**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

and the above improvements of the drain are necessary and conducive to the public health, convenience or welfare of \_\_\_\_\_ (Municipality or Township).

Dated: \_\_\_\_\_, 20\_\_\_\_\_

Signatures of Freeholders	Address Township	Tax Code Number

\*Insert as the facts may require “cleaning out”, “relocating”, “widening”, “deepening”, “straightening”, “tiling”, “extending”, or “relocating along a highway” or “adding one or more branches”.