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Official Asks Lawmakers For Statute Change To Allow Local Private Road Repairs

Enabling cities to form special assessment districts requested by residents living along private roads would remove a barrier in improving aging local infrastructure, a local official told lawmakers.

The [Senate Local Government Committee](#) took up [SB 896](#) for testimony only. The bill would allow communities to contract the maintenance or improvement of private roads through the creation of a special assessment district.

Most property owners with frontage along private roads would be able to petition their local leaders for the creation of a special assessment district.

Algonac City Manager Denice Gerstenberg told the committee there are numerous private roads in the community plotted in the late 1800s and early 1900s.

The idea for the bill stemmed from residents approaching the city about forming a special assessment district.

She said the Home Rule City Act prevents cities from creating a special assessment district for such roads but stated that townships can.

"They're supposed to be maintained by the adjacent residents," Gerstenberg said. "The city cannot use public tax dollars to maintain them. ... In my research and talking with people, no one has been able to explain why such a distinction was made between the city and the township."

Gerstenberg said the matter is nonpartisan and that she would like to have the state remove what she called a barrier to local improvement.

[Sen. Michele Hoyenga](#) (R-Manton) asked what is currently being done to maintain such roads.

Gerstenberg said the roads are typically not maintained since the adjacent residents cannot afford to conduct the engineering and planning to coordinate and make repairs.

Also before the panel for testimony only was [HB 5557](#) , which would require city officials to consider housing needs while developing their master plan.

[Rep. Kristian Grant](#) (D-Grand Rapids) said with a statewide housing crisis, it is important for all communities to plan for addressing the problem.

"While I'm sure that the housing crisis is not lost on our local planning committees, the lack of an explicit state requirement to account for these needs exacerbates the problem," Grant said.

Economic development, public safety, recreation and public utilities are among the items in law surrounding master plans. Housing is not listed.

The bill would require master plans to include an assessment of the community's existing and potential future housing demands, as well as strategies for meeting those demands.

Grant said her hope is that the proposed change would ensure communities are being proactive in looking at their housing needs and planning accordingly. With more focus on planning, communities could eventually get in front of the housing shortage.

Local leaders told the panel communities already consider housing in the master planning process, but the proposed law change would serve as a clean-up of statute to ensure it is a key focus in planning.

– By Nick Smith

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