

# UNDERSTANDING DRAIN ASSESSMENT IN MICHIGAN

Property owners and municipalities in a **drainage district** are legally obligated to pay **drain assessments** when **drain projects** are necessary to establish, improve or maintain a county drain. The assessment amount is based on **project costs** and the **apportionment**. Project costs and drain assessments may change from year to year without notification, but advertisement and notice of **Day of Review** are required by law when changes are made to an apportionment.

## Definition of Terms

**Apportionment** is the distribution or allotment of project costs. It is based on the benefit an individual parcel or municipality receives from the drain relative to other parcels or municipalities in the drainage district. Apportionment is expressed as a percentage, which can be calculated using a variety of factors including parcel size, location, tax class, land cover, topography and even the management practices used on the property.

**Day of Review** is the time property owners and municipalities in a drainage district are invited to review drain maintenance or establish efforts and costs. This is also a time to discuss the apportionment of costs and request adjustments or clarification. A Day of Review is required by law when apportionment changes are made, the district boundaries are modified, or a new drainage district is created.

**Drain assessments** are special fees landowners and municipalities in a drainage district are legally obligated to pay to cover the cost of maintaining, improving or establishing a designated county drainage system. Special assessments are levied against private properties, local municipalities, the County and the County Road Commission, railroads and state highways that benefit from the construction and/or maintenance of a county drain.

**Drainage districts** are legally established areas of land draining to a common outlet. Their boundaries may not follow property lines because they are primarily determined by topography. Drainage districts should be similar to watersheds or drainage basins.

**Drain projects** are efforts to establish, maintain or improve a county drain designed to prevent flooding, decrease soil erosion and provide better drainage for agricultural, residential or other developed lands. These projects can include sediment excavation, bank stabilization, engineering studies and project management among other things.

**Project costs** are based on the type and amount of work required to establish or maintain a drainage district. Routine maintenance is necessary to ensure proper function. The maximum drain maintenance repair amount per mile is established every year and can be found here:

<https://www.michigan.gov/mdard/environment/intercounty-drains>

Any projects exceeding the maximum limit per mile will need a petition. Either property owners or a local municipality can petition the Drain Commissioner.