

**SPRINGVALE TOWNSHIP**  
**CHAPTER 429 PROCESS HANDOUT FOR ROAD IMPROVEMENT**  
**6/20/12**

A summary of the steps necessary are as follows:

1. The Township receives a request for road or street improvements.
2. The Township Board holds a “Neighborhood Meeting” to explain the 429 process before providing a petition for improvement. The property owners need to recognize the process and its ramifications, namely; that the property owners will be assessed their share, as per individual property, of the cost of the improvements according to state law according to the subsequent rise in property valuation.
3. The property owners get a petition, obtain signatures, and return it to the Township Clerk by the May Monthly meeting to be considered for improvement during that calendar year.
4. The Township Clerk checks the petition to verify that the requisite number of properties and property owners that have signed the petition are valid. For example: all property owners listed on the tax roll of a property must sign to count that property, all signers are on the impacted roadway...etc.
5. The petition is placed on the next Township Board meeting for action. If 35% of benefited properties signed the Petition, the Board will *consider* the petition. The Board does not necessarily have to proceed with the improvements. If 51% of benefited properties signed the Petition, the Board will proceed with the feasibility study and the improvement hearing. *(This statement changes to require the Board to only take the project through the hearing. This is a policy and any Board could also refuse to proceed with this step if there are other factors to consider.)*
6. The Township of Springvale Board of Supervisors, in order to proceed, will, by resolution, accept the petition and order the Township Engineering Firm to proceed with a feasibility study on the improvements requested.<sup>1</sup>
7. The Town Board shall secure from the Township Engineering Firm a feasibility report advising it in a preliminary way as to whether the proposed improvement is necessary, cost-effective and feasible and whether it should best be made as proposed or in connection with some other improvement. The feasibility report shall also provide the anticipated costs of the improvement. The Town Board shall, by resolution, indicate its receipt of the report and schedule the public hearing on the proposed improvement.<sup>2</sup>

---

<sup>1</sup> The Town Board should have prepared a Resolution Declaring Adequacy of Petition and Ordering Preparation of Feasibility Report.

<sup>2</sup> The Town Board should have prepared a Resolution Receiving Report and Calling Hearing on Improvement.

8. The Town Board shall hold a public hearing on the proposed improvement following two publications in the newspaper of a notice stating the time and place of the hearing and the general nature of the improvement, the estimated cost and the area proposed to be assessed. *\*When and if a petition is signed by 100% of the landowners the Town Board may order the improvement without a hearing.*<sup>3</sup>
9. A resolution ordering the improvement and preparation of plans may be adopted at any time within six (6) months after the date of the hearing by vote of the majority of all members of the Town board when the improvement has been petitioned for by property owners of not less than 35%.<sup>4</sup> The Board in this resolution orders the Township Engineering Firm to prepare the plans and specifications, advertise the project and obtain bids for construction.<sup>5</sup>*\*When there has been no petition, the resolution must be adopted by unanimous vote of all Town Board members.*
10. The bids are received, tabulated, and presented to the Township Board. The Board orders, by resolution, the Public Improvement hearing, preparation of the assessment roll, and the assessment hearing.<sup>6</sup>
11. The assessment roll is prepared, mailed and published notices are sent out regarding the date and time of the public hearing on the proposed assessment. The assessment hearing is held.
12. Barring appeal, the Township Board orders, by resolution, that the improvements shall be made.
13. The Board orders by resolution to adopt the assessment of the benefited properties.<sup>7</sup>
14. The improvements are completed and the assessments are levied against the benefited properties.

---

<sup>3</sup> The Town Board should receive a Petition for Local Improvement (100 percent of property owners) and Agreement of Assessment and Waiver of Irregularity and Appeal.

<sup>4</sup> The Town Board should have prepared a Resolution Ordering Improvement and Preparation of Plans.

<sup>5</sup> The Town Board may prepare a separate Resolution Approving the Plans and Specifications and Ordering Advertisement for Bids at the Public Improvement Hearing

<sup>6</sup> the Town Board should have prepared a Resolution Declaring Cost to be Assessed and Ordering of Preparation of Proposed Assessment.

<sup>7</sup> The Town Board should have prepared a Resolution Adopting Assessment.