

Sidewalk Sample Ordinance
Mackinaw City

30.000 SIDEWALK AND CROSSWALK CONSTRUCTION
VILLAGE OF MACKINAW CITY, MICHIGAN

ord. no. 12 eff. June 24, 1901

Relative to the Construction of Sidewalks and Crosswalks. (As amended by Ordinances
22 and 24.)

THE VILLAGE OF MACKINAW CITY ORDAINS:

30.001 Sec. 1. CONSTRUCTION PETITION; RESOLUTION BY COUNCIL.

Whenever it shall appear to the Council by petition or otherwise that a side or crosswalk should be built, constructed, repaired upon either side of or across any of the streets, lanes, or alleys within the corporate limits of the village, they may order by resolution the construction or repair thereof; and such walk shall be constructed or repaired as hereinafter provided, unless the Council shall expressly direct its construction to different.

(ord. no. 12 eff. June 24, 1901)

30.002 Sec. 2. CONSTRUCTION MATERIAL.

That all sidewalks in said Village shall be constructed of concrete, artificial stone or vitrified brick and of nothing else.

(ord. no. 12 eff. June 24, 1901)

30.003 Sec. 3. INTENTION TO CONSTRUCT; NOTIFICATION OF COMMITTEE.

That all persons proposing to construct sidewalks shall notify the Committee on Streets and Sidewalks of the common council of the said Village of such intention and that said sidewalks shall be constructed under the direct supervision of said committee.

(ord. no. 12 eff. June 24, 1901)

30.004 Sec. 4. SPECIFICATIONS FOR BUILDING.

That all sidewalks shall be built to a grade established by the said Village of Mackinaw City and that said sidewalks shall be built as follows: the foundation of said walks shall be upon solid earth upon which shall be placed at least three and one-half (3 2) inches of concrete made of No. 1 Portland Cement and clean gravel and sand in proportions of one part cement and not more than six parts sand and gravel the same to be well tamped down and shall be thoroughly divided into blocks, except that if any walks be built on heavy clay soil there shall be placed a foundation of coarse gravel to a depth of at least four (4) inches well tamped down.

(ord. no. 12 eff. June 24, 1901)

30.005 Sec. 5. TOP DRESSING SPECIFICATIONS.

That the top dressing of all sidewalks shall be made of No. 1 Portland Cement and clean sharp sand in proportions of one part cement and two parts sand, the same to be not less than one-half (2) inch in thickness and creased to correspond with said Cracks in foundation layers.

(ord. no. 12 eff. June 24, 1901)

30.006 Sec. 6. WIDTH OF DESIGNATED SIDEWALKS

That said walks on business streets shall be 12 feet in The common council of said Village shall designate said business streets, All other sidewalks shall be five feet in width, and be constructed one foot from the lot line.

(ord. no. 12 eff. June 24, 1901)

30.007 Sec. 7. DRIVEWAYS CROSSING SIDEWALKS:

That all driveways across said sidewalks shall be constructed in the same manner as sidewalks except instead of the foundation being three and one-half (3 2) inches in thickness said foundation shall be five and one-half (5 2) inches in thickness, the top dressing to be not less than one (1) inch in thickness and to be creased sufficiently to prevent horses feet from slipping and with slanting approaches of equal thickness.

(ord. no. 12 eff. June 24, 1901)

30.008 Sec. 8. TOP DRESSING APPEARANCE.

That the top dressing of all sidewalks shall be smoothed down in a neat and workmanlike manner.

(ord. no. 12 eff. June 24, 1901)

30.009 Sec. 9. CROSSWALKS; CONSTRUCTION DIRECTED BY COUNCIL.

The crosswalks shall be built by direction of the Council.

(ord. no. 12 eff. June 24, 1901)

30.010 Sec. 10. NOTIFICATION TO BUILD; NEGLIGENCE OR REFUSAL TO COMPLY.

Whenever the Council shall order any sidewalk to be built, it shall be the duty of the Street Commissioner to notify the owner, agent, or occupant of the lot or premises in front of or adjacent to which such walk is to be constructed, to build the same as the Council may direct within twenty days of date of the notice, the Council having previously established the grade. If any such owner, agent, or occupant shall neglect or refuse to build the said walk in the time specified in said notice, it shall be the duty of the Street Commissioner to cause the same to be built in the manner herein provided, and the expenses thereof shall be a lien upon the lots or premises in front of or adjacent to which such walk is required to be built. The Street Commissioner shall file with the Clerk of the Village copies of all such notices served by him with a certificate endorsed thereon, signed by him showing date and mode of service.

(ord. no. 12 eff. June 24, 1901)

30.011 Sec. 11. DUTIES OF STREET COMMISSIONER.

If any sidewalk shall be built by the Street Commissioner under this ordinance, he shall keep an accurate account of the costs of the same, and after such walk shall have been built, he shall present to the owner or agent, if any thereof may be found, of the lot or premises in front of and adjacent to which such walk shall have been built, a copy of the bill of such costs and demand payment of 66%% thereof; and in case such owner shall neglect or refuse to pay the same for thirty days from the time of such demand, it shall be the duty of the Street Commissioner to report the fact of such neglect or refusal to the Council and he shall make return thereof duly sworn to by him, and file same in the office of the Village Clerk and the amount of the said expenses shall be assessed as a tax upon the said land or premises adjacent to or abutting upon said walk, and such tax shall be levied upon said lands or premises and collected in a manner as specified and in accordance with the provisions of Section Ten, Chapter Seven of the General Incorporation Act of Villages. (MSA 5,1294)

(ord. no. 12 eff. June 24, 1901)

Sec. 12. REPAIRS; RESPONSIBILITY OF OWNER.

30.012 All sidewalks in the Village of Mackinaw City shall be kept in good repair by the owner, agent, or occupant of the house, lot, or premises adjacent to or in front of such walk and whenever any sidewalk within the limits of said Village shall need repairing, it shall be the duty of the Street Commissioner of the Village, whenever directed by the Council or the Committee on Streets and Sidewalks to notify the owner, agent, or occupant of such lot or other premises adjacent to or fronting on such part of said walk, needing such repair, to repair the same forthwith and if the person thus notified shall refuse or neglect to comply with the exigency of such notice, then the said Street Commissioner shall cause such repairs to be made and shall report the making of the same, together with a detailed statement of the costs of making such repairs to the Council, and on receiving such report from the Street Commissioner, it shall be the duty of the Village Clerk to deliver the same to the Village Assessor, whose duty it shall be to assess the expense of said repairs upon said lot or premises in the same manner and in the same end as herein before provided for in constructing and collecting for sidewalks. (SIC)

(ord. no. 12 eff. June 24, 1901)

30.013 Sec. 13. POSTING NOTICE; UNOCCUPIED PREMISES.

If any lot or premises in front of or adjacent to which any sidewalk is ordered to be built or repaired, shall be unoccupied and the owner or agent thereof cannot be found in the Village of Mackinaw City, said Street Commissioner may serve said notice by posting the same in some conspicuous position upon said lot or premises.

(ord. no. 12 eff. June 24, 1901)

30.014 Sec. 14. REMOVAL OF SNOW, ICE, RUBBISH OR OTHER NUISANCES.

No person shall suffer or permit any snow, ice, barrels, stones, brush, rubbish, or nuisance of any kind to remain upon any sidewalk adjoining, fronting, or abutting upon any lot or premise within the limits of said Village, but such owner, agent, or occupant shall remove same within twenty-four hours after being notified so to do by either the

Marshal, Street Commissioner, or any member of the Council, and in case such owner, agent, or occupant shall neglect or refuse to remove the same or cannot be found within the limits of said Village then and in that case it shall be the duty of the Street Commissioner to cause the same to be removed and the expenses of such removal shall be a lien upon said lot or premises and shall be reported and collected the same as expenses incurred in the construction or repairs of sidewalks heretofore provided in sections eleven [30.011] and twelve [30.012] of this ordinance.

(ord. no. 12 eff. June 24, 1901)

30.015 Sec. 15. APPLICABILITY OF ORDINANCE.

No person shall build, construct, or repair any sidewalk within the Village in any other manner or of any other material or on any different grade than is provided for in this ordinance. No person shall raise, lower, or alter the grade or position of any sidewalk or any part thereof within the Village without the consent of the Council nor shall any person destroy or injure any sidewalk or the grade or position thereof. The provisions of this ordinance shall apply to any sidewalks already constructed as well as those that may hereafter be built.

(ord. no. 12 eff. June 24, 1901)

30.016 Sec. 16. REBATE.

The Village of Mackinaw City further ordains that for all side-walks so constructed strictly according to said specifications it will rebate to the proper person or persons thirty-three and one-third (33 1/3) % of the actual cost of construction, out of the General Highway Fund of said Village upon the certificate of the Committee on Streets and Sidewalks that any and all such sidewalks have been constructed according to the foregoing ordinance and as to the actual and proper cost thereof.

(ord. no. 12 eff. June 24, 1901)

30.017 Sec. 17. PENALTY.

Any violations of the provisions of the preceding sections shall be punished by a fine not exceeding twenty-five dollars and costs of prosecution or by imprisonment not exceeding thirty days.

(ord. no. 12 eff. June 24, 1901)

Adopted: June 3rd, 1901

30.050 STREETS AND SIDEWALKS; USE

VILLAGE OF MACKINAW CITY, MICHIGAN

ord. no. 13 eff. June 24, 1901

Relative to the use of streets and sidewalks.

THE VILLAGE OF MACKINAW CITY ORDAINS:

30.051 Sec. 1. OBSTRUCTION; EXCEPTION.

That no person shall obstruct or encumber any public street or alley or other public space within the Village of Mackinaw City with any article or thing whatsoever; provided this provision shall not be construed to prohibit merchants and other business persons, moving goods, wares, or merchandise across any sidewalk in the way of trade.

(ord. no. 13 eff. June 24, 1901)

30.052 Sec. 2. USE OF WAGON, CARRIAGE OR OTHER VEHICLE.

No person shall have any wagon, cart, carriage, sleigh, or other vehicle standing in any street or public place without the same in actual use at the time.

(ord. no. 13 eff. June 24, 1901)

30.053 Sec. 3. PLACEMENT OF MATERIAL FOR BUILDING OR REPAIRING; CONSENT.

No person shall by himself or another place any stone, brick, timber, lumber, plank, boards, or other material in or upon any sidewalk, street, alley, or public place, except for the purposes of building or repairing, and in such cases such material shall not be allowed to remain in such street, alley, or public place for a longer period than one week, without first having obtained consent therefor from the President or Council; nor for a longer period than four months; and the same shall not occupy and obstruct more than one-half of any street or alley; and after such building has been completed all building material, dirt, and rubbish arising therefrom shall be removed.

(ord. no. 13 eff. June 24, 1901)

30.054 Sec. 4. AWNING RESTRICTIONS.

No awning or cloth or canvas used as an awning shall be permitted to hang within seven feet of any sidewalk.

(ord. no. 13 eff. June 24, 1901)

30.055 Sec. 5. USE OF ANIMALS OR TEAMS.

No person shall drive back or lead any horse, mule, ox, or cow or other animal or team on any sidewalk within the Village limits; and no person shall halt any wagon, cart, carriage, sleigh or other vehicle on any crosswalk or footway.

(ord. no. 13 eff. June 24, 1901 }

30.056 Sec. 6. REMOVING BUILDINGS; PERMISSION REQUIRED.

No person shall remove or cause to be removed or aid or assist in removing any building into or along or across any street, alley, or public place without permission obtained from the President or Council and such building or bulky article, while in transit shall be removed so as least to obstruct the street.

(ord. no. 13 eff. June 24, 1901)

30.057 Sec. 7. RIDING BICYCLE OR TRICYCLE ON SIDEWALK.

No person shall ride any bicycle or tricycle upon any sidewalk within the limits of the Village.

(ord. no. 13 eff. June 24, 1901)

30.058 Sec. 8. COLLECTION OF CROWDS; PLACES OF PUBLIC WORSHIP.

Persons shall not stand or collect in crowds in front of any church or place of public worship, during service or the gathering or departing of the congregations. (ord. no. 13 eff. June 24, 1901)

30.059 Sec. 9. COLLECTION OF CROWDS; SIDEWALKS OR FOOTWALKS.

Persons shall not stand or collect in crowds upon the sidewalks or footwalks on any public street or highway within the limits of said Village.

(ord. no. 13 eff. June 24, 1901)

30.060 Sec. 10. PENALTY.

Any violations of the provisions of this Ordinance shall be punished by a fine not exceeding twenty-five dollars and costs of prosecution or by imprisonment not exceeding thirty days.

(ord. no. 13 eff. June 24, 1901)

30.061 Sec. 11. EFFECTIVE DATE.

This Ordinance shall take effect on and after June 24th, 1901.

(ord. no. 13 eff. June 24, 1901)

Adopted: June 3, 1901