

Print

Charlotte, MI Code of Ordinances

**ARTICLE I. IN GENERAL**

**§ 58-1 NUISANCES.**

The following acts are hereby declared to be public nuisances: the throwing, placing, depositing or leaving in any street, highway, lane, alley, public place, square or sidewalk or in any private place or premises where such throwing, placing, depositing or leaving is dangerous or detrimental to public health or likely to cause sickness or attract flies, insects, rodents or vermin, by any person, of any animal or vegetable substance, dead animal, fish, shell, tin cans, bottles, glass or other rubbish, dirt, excrement, filth, unclean or nauseous water or fluids, hay, straw, soot, garbage, swill, animal bones, hides or horns, rotten soap, grease or tallow, offal or any other offensive article or substance whatever.

(1993 Code, § 58-1)

**§§ 58-2 – 58-25 RESERVED.**

**ARTICLE II. STREETS**

**DIVISION 1. GENERALLY**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

**DEPARTMENT.** The Department of Public Works.

**DIRECTOR.** The Director of Public Works.

**STREET.** All of the land lying between property lines on either side of all streets, alleys and boulevards in the city and includes lawn extensions and sidewalks and the area reserved therefor where such are not yet constructed.

(1993 Code, § 58-26)

**Cross reference:**

*Definitions and rules of construction generally, see § 1-2*

**§ 58-27 ADDITIONAL REGULATIONS.**

The City Manager may make additional regulations pertaining to openings and excavations in the streets, curb cuts, street obstructions and house moving, which regulations shall be subject to the approval of the City Council. No person shall fail to comply with any such regulations.

(1993 Code, § 58-2)

### **§ 58-28 ERMITS INSURANCE AND DEOSITS.**

(A) *Permits.* Where permits are authorized in this article, they shall be obtained upon application to the Director, upon such forms as he shall prescribe, and there shall be a charge as prescribed by resolution of the City Council from time to time for each such permit, except as otherwise provided by resolution of the Council. Such permit shall be revocable by the Director for failure to comply with this article, rules and regulations adopted pursuant to this article, and the lawful orders of the Director or his duly authorized representative. The permit shall be valid only for the period of time endorsed on the permit. Application for a permit under the provisions of this article shall be deemed an agreement by the applicant to promptly complete the work permitted, observe all pertinent laws and regulations of the city in connection with such work, repair all damage done to the street surface and installations on, over or within such street, including trees, and protect and save harmless the city from all damages or actions at law that may arise or may be brought on account of injury to persons or property resulting from the work done under the permit or in connection therewith.

(B) *Insurance.* Where liability insurance certificates are required to be filed in making application for a permit, they shall be as specified by the City Council. A duplicate executed copy or photostatic copy of the original of such insurance policy, approved as to form by the City Attorney, shall be filed with the City Clerk.

(C) *Cash deposits.* Where cash deposits are required with the application for any permit under the provisions of this article, such deposit shall be in the amount set by resolution of the City Council, except as otherwise specified in this article. Such deposit shall be used to defray all expenses to the city arising out of the granting of the permit and work done under the permit or in connection therewith. Six months after the completion of the work done under the permit, any balance of such cash deposit unexpended shall be refunded. If the deposit does not cover all costs and expenses of the city, the deficit shall be paid by the applicant.

(1993 Code, § 58-28)

### **§ 58-2 MATERIALS OR MERCANDISE ON STREET OR SIDEAL.**

No person shall place any merchandise or material on any sidewalk or any merchandise or material within any street area, except that a reasonable quantity of material may be stored within such area for a period not exceeding 90 days upon permit issued by the Department. At least 5 feet of sidewalk space shall be kept clear for free passage at all times. Such goods or material shall be barricaded in a manner prescribed by the Department, and the granting of such authority shall be conditioned upon obtaining a permit from the Director and posting a cash deposit and filing an insurance certificate as required by § 58-28.

(1993 Code, § 58-29) (Ord. passed 5-10-200)

### **§ 58- UTILIT OLES.**

Utility poles may be placed in such streets as the Director shall prescribe and shall be located thereon in accordance with the directions of the Director. Such poles shall be removed or relocated as the Director shall from time to time direct. Where utility easements exist at the rear of lots, poles shall be located in such easements, if feasible in the opinion of the Director.

(1993 Code, § 58-30)

#### **§ 58-1 MAINTENANCE O INSTALLATIONS.**

Every owner and every person in control of any estate who maintains a sidewalk vault, coal hole, manhole or any other excavation or any post, pole, sign, awning, wire, pipe, conduit or other structure in, under, over or upon any street which is adjacent to or a part of his estate shall do so only on condition that such maintenance shall be considered as an agreement on his part with the city to keep the excavation or structure and the covers thereof and any gas and electric boxes and tubes thereon in good repair and condition at all times during his ownership or control thereof. Every such owner or person shall indemnify and save harmless the city against all damages or actions at law that may arise or be brought by reason of such excavation or structure being under, over, in or upon the street or being unfastened, out of repair or defective during such ownership or control.

(1993 Code, § 58-31)

#### **§ 58-2 SEEINGS.**

No person shall sweep or cause to be swept any dirt or litter of any kind or type whatsoever out of or off of any building or private property and into any public sidewalk, parkway, alley or roadway of the city.

(1993 Code, § 58-32)

#### **§ 58- DEOSITS ROITED.**

No person shall place or cause to be placed in or on any public sidewalk or on any pavement, gutter, drain, ditch, alley or roadway in the city any grass clippings, leaves, lawn rakings, tree or bush trimmings, tree trunks, stumps, ashes, soil, dirt or household debris, unless specifically approved by the Director.

(1993 Code, § 58-33)

#### **§ 58- VEICLE LOAD SECURIT.**

No person shall drop, leave or scatter on any sidewalk, park, alley or roadway within the city any coal, sand, dirt, gravel, brick, scrap materials or any other material or substance that is being hauled or carried about in a truck, trailer, wagon or cart or any other vehicle.

(1993 Code, § 58-3)

**§ 58-5 TEMPORAR STREET CLOSINGS.**

The Director shall have authority to temporarily close any street or portion thereof when he shall deem such street to be unsafe or temporarily unsuitable for use for any reason. He shall cause suitable barriers and signs to be erected on the street, indicating that the street is closed to public travel. When any street or portion thereof shall have been closed to public travel, no person shall drive any vehicle upon or over the street, except as may be necessary and incidental to any street repair or construction work being done in the area closed to public travel. No person shall move or interfere with any sign or barrier erected pursuant to this section without authority from the Director.

(1993 Code, § 58-35)

**§ 58- CUR CUTS.**

(A) No opening in or through any curb or any street shall be made without first obtaining a written permit from the Director.

(B) Curb cuts and sidewalk driveway crossings to provide access to private property shall comply with the following:

(1) No single curb cut shall be less than 10 feet

(2) The minimum distance between any curb cut and a public crosswalk shall be 5 feet

(3) The minimum distance between curb cuts, except those serving residential property, shall be 25 feet

(4) The necessary adjustments to utility poles, light standards, fire hydrants, catch basins, street or railway signs, signals or other public improvements or installations shall be accomplished without cost to the city

(5) Complete curb sections shall be removed to the nearest joint.

(1993 Code, § 58-36)

**§§ 58-7 – 58-5 RESERVED.*****DIVISION 2. EXCAVATIONS AND OBSTRUCTIONS*****§ 58- ECAVATIONS AND OSTRUCTIONS RESTRICTED.**

(A) No person shall make any excavation in or cause any damage to any street in the city, except under the conditions and in the manner permitted in this article.

(B) No person shall place any article, thing or obstruction in any street, except under the conditions and in the manner permitted in this article. This subsection shall not be deemed to prohibit such temporary obstructions as may be incidental to the expeditious movement of articles and things to and from abutting premises, to the lawful parking of vehicles within the

part of the street reserved for vehicular traffic, nor to any sign or other material object erected or maintained for public health and safety purposes by the city.

(C) No person shall suspend anything above any sidewalk or street area unless expressly authorized by this Code, provided that the City Council, when in its opinion public safety requires, may authorize the erection of fire escapes or similar devices by resolution. This subsection shall not apply to awnings or marquees when no part thereof is less than feet above the sidewalk grade.

(1993 Code, § 58-6)

#### **§ 58-7 ERMIT REUIRED OR ECAVATION.**

No person shall make any excavation or opening in or under any street without first obtaining a written permit from the Director. No permit shall be granted until the applicant shall post a cash deposit and file a liability certificate as required by § 58-28.

(1993 Code, § 58-)

#### **§ 58-8 ARRICADES AND ARNING LIGTS.**

All openings, excavations and obstructions in streets shall be properly and substantially barricaded and railed off and at night shall be provided with prescribed warning lights. Warning lights perpendicular to the flow of traffic shall not be more than 3 feet apart and parallel to the flow of traffic not over 15 feet apart.

(1993 Code, § 58-8)

#### **§ 58- SORING ECAVATIONS.**

All openings and excavations in streets shall, where necessary, be properly and substantially sheeted and braced as a safeguard to workers and to prevent cave-ins or washouts that would tend to injure the thoroughfare or subsurface structure of the street.

(1993 Code, § 58-9)

#### **§ 58-5 ACILLING.**

All trenches in a public street or other public place, except by special permission, shall be backfilled in accordance with regulations adopted pursuant to this article. Any settlement shall be corrected within hours after notification to do so.

(1993 Code, § 58-50)

#### **§ 58-51 REMOVAL O ENCROACMENT AND OSTRUCTIONS REILLING ECAVATIONS.**

**§ 58-52 EMERGENCY OPENINGS.**

**§§ 58-53 – 58-75 RESERVED.**

**ARTICLE III. SIDEWALKS**

**DIVISION 1. GENERALLY**

***SIDEWALK***

***Cross reference:***

*Definitions and rules of construction generally, see § 1-2*

**§ 58-77 PROHIBITED SURFACES.**

**§ 58-78 PEDESTRIAN PASSAGE.**

**§§ 58-7 – 58- RESERVED.**

*DIVISION 2. CONSTRUCTION AND REPAIR*

**§ 58- AUTHORITY TO ORDER CONSTRUCTION SUPERVISION.**

**§ 58-2 INE AND GRADE.**

**§ 58-3 SPECIFICATIONS.**





**§ 58- DEFAULT BY CONTRACTOR.**

**§ 58-7 RESERVED.**

***Editor's note:***

*Ord. of 9-14-99(1) repealed § 58-97 in its entirety. Former § 58-97 pertained to the determination of cost of new construction or repair and derived from the Code of 1979, § 4.68.*

**§ 58-8 COMPLIANCE WITH SPECIFICATIONS.**

**§ 58- AGREEMENT BETWEEN CITY AND PROPERTY OWNER.**

**§ 58- NOTICE TO CONSTRUCT.**

**§ 58- RESERVED.**

***Editor's note:***

*Ord. of 9-14-99(1) repealed § 58-101 in its entirety. Former § 58-101 pertained to construction by the city and derived from the Code of 1979, § 4.72.*

**§ 58-2 RESERVED.**

***Editor's note:***

*Ord. of 9-14-99(1) repealed § 58-102 in its entirety. Former § 58-102 pertained to the maintenance of lien and derived from the Code of 1979, § 4.73.*

**§§ 58-3 – 58-5 RESERVED.**

**DIVISION 3. SNOW AND ICE REMOVAL**

**§ 58- CLEARING OF SIDEAS.**

**§ 58-117 TIME LIMITS FOR CLEARING.**

**§ 58-118 CLEARING BY CITY.**

**§ 58-7 DEFINITIONS.**

**§ 58- DEFINITIONS.**