

Print

Mount Pleasant, Michigan City Code

CHAPTER 98: STREETS AND SIDEWALKS

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STREETS AND PUBLIC WORKS

§ 98.01 STREET DEFINED.

For the purpose of this chapter, the word **STREET** shall mean and include any public highway, alley and right-of-way in the city without regard to how such highway, alley, or right-of-way may be designated or named, and shall be construed to mean the entire width of such highway, alley or right-of-way thereof unless the context shall indicate that a lesser portion of such highway is intended.

Ord. 772, passed 8-28-95

§ 98.02 EXCAVATIONS.

No person shall make any opening or excavation in or under any street nor construct or change any driveway approach or do any work under or within the limits of any street without first obtaining a permit from the Director of Public Works. No permit shall be granted until the plans and specifications for the work proposed to be done shall have been approved by the Director of Public Works. In case of emergency occurring after office hours, at night, or on a Sunday or legal holiday, when immediate excavation may be necessary for the protection of public or private property, the Director of Public Works shall be notified and requested to grant

permission to make the necessary excavation upon the express condition that an application be made for a permit on or before noon of the next business day.

Any public utility operating under the jurisdiction of the Michigan Public Service Commission, upon written application and upon filing a certificate of insurance and payment of an annual fee as provided, may be granted a permit for the installation, replacement or repair of any underground facilities in a public street for a period of one year. Any public utility which has not procured an annual permit may be issued permits and shall pay the regular permit fee.

The issuance of a permit under this section shall be contingent upon fulfillment of the following conditions:

1 During the duration of the operations, the applicant shall agree to keep the operations barricaded, lighted at night, and otherwise protected as required by the Director of Public Works to secure the safety of the public and property. If operations take place in a street, all barricading and signing shall be in accordance with the Michigan Manual of Uniform Traffic Control Devices.

2 The application shall be accompanied by the fee to reimburse the city for the costs of inspection and supervision.

3 The applicant shall agree to complete operations within the time specified in the permit.

4 Before any permit is issued, the Director of Public Works shall require from all applicants, such public liability and property damage insurance as shall protect the applicant and the city from claims for damages for personal injury, including wrongful death, as well as claims for property damage. The policy shall name the city as an additional insured. A copy of the certificate of insurance shall be provided to the city. Amounts of such insurance shall be established by resolution of the Commission. Any person other than utility companies doing excavation work in any city street shall provide the city with a surety bond in the amount of \$5,000, guaranteeing that the contractor will complete the work in accordance with all ordinances and the plans and specifications as approved by the Director of Public Works.

5 Each contractor making an excavation shall be required to give all utilities four hours advance notice before beginning work.

6 All excavations shall be guaranteed for a period of two years from the time of completion against failure, settlement, poor workmanship, or failure to meet specifications or terms of the permit. Repairs shall be at the permittee's expense.

7 All excavations made in either a paved or unpaved street, unless specifically exempted by the Director of Public Works, shall be backfilled and compacted to city specifications. Any settlement of the completed work, within a two year period, must be repaired at the permittee's expense.

Ord. 772, passed 8-28-95

§ 98.0 APPLICATION FOR PERMIT FEES.

Application for a permit shall be made to the Division of Public Works in such form and detail as prescribed and accompanied with the payment of such charges as may be determined by resolution of the Commission.

Ord. 772, passed 8-28-95

§ 98.0 OSTRCTIONS RESTRICTIONS.

A No person shall, in performing any work authorized by permit, obstruct more than one-half of the traveled portion of any street without permission of the Director of Public Works. Persons working in the street must provide adequate signing, barricades, flag persons, and the like, to adequately protect vehicles and pedestrians using the street and adjacent sidewalk. Before any person shall totally block any street he/she shall first notify Division of Public Works and obtain permission from the Director of Public Works.

It shall be unlawful for any pedestrian to impede or obstruct the free passage or flow of motor vehicle traffic on any street in the city.

Ord. 772, passed 8-28-95; Am. Ord. 925, passed 3-12-07 Penalty, see §98.99A

§ 98.0 SENSION REVOCATION OF ERMITS.

A The Director of Public Works shall inspect, or cause to be inspected, all work done under any permit issued pursuant to the provisions of this subchapter, and he/she shall suspend any permit when the terms thereof, or any provisions of this subchapter, shall be violated. No person shall perform any work authorized by any permit while the permit is suspended.

All work done pursuant to any permit shall be inspected or cause to be inspected by the Director of Public Works, and he/she may suspend or revoke any permit so granted where either the workmanship or materials used do not conform to the plans and specifications approved or required upon issuance of the permit, or when the terms of any permit or of this subchapter are violated. No person shall perform any work authorized by any permit, or cause any such work to be performed, while that permit is suspended or revoked.

Ord. 772, passed 8-28-95 Penalty, see §98.99

§ 98.0 ADDITIONA CONSTRUCTION REATIONS.

The Division of Public Works may make such additional rules and regulations, subject to the approval of the Commission, pertaining to the making of openings or excavations in streets as are necessary to secure the health and safety of the public and for the protection of property, and such rules and regulations shall constitute the standards upon which the permit hereinabove required shall be issued. Such rules and regulations are incorporated herein by reference with the same force and effect as though set forth herein fully and at length. No work shall be done by any permittee except in accordance with the specifications and directions contained in the permit.

Ord. 772, passed 8-28-95 Penalty, see §98.99

§ 98.0 TAMERIN IT STREET SINS OR ARRICADES.

☐☐ No unauthorized person shall move, alter, deface, injure or destroy any part or accessory of any street sign or barricade erected or placed to protect, warn or guide the public.

☐☐☐ It shall be unlawful for any person to destroy, damage or remove any barrier erected to protect any excavation or obstruction in any street, or any light placed as a warning of such excavation or obstruction; or any street sign placed to designate the name of the street; or any street lamp, light post, pole or any of the parts or attachments thereto, or any telephone pole or any wire or appliances thereof, or any device erected by the authority of the city, or any public property whatsoever.

☐Ord. 772, passed 8-28-95☐Penalty, see ☐98.99

§ 98.08 MOVIN IDINS.

No person shall move, or cause to be removed, any building into, along or across any street or public way without first procuring a permit as required by the building code of the city.

☐Ord. 772, passed 8-28-95☐Penalty, see ☐98.99

§ 98.09 OSTIN NOTICES.

It shall be unlawful for any person to post any handbill, notice, advertisement, sign, any other advertising device or matter, on any telephone or electric light pole in any street, or other public place in the city, except signs by any government authority.

☐Ord. 772, passed 8-28-95☐Penalty, see ☐98.99

§ 98.10 SINS AND SINOSTS.

☐☐ No person shall place or cause to be placed any sign or signpost upon any street in the city, except traffic-control devices and street markers installed and maintained by the city or state, and except signs of churches and other non-profit organizations, approved by the City Manager and installed and maintained under the supervision and control of the Director of Public Works.

☐☐☐ Removal, destruction or damage of any regulatory sign shall be prohibited.

☐Ord. 772, passed 8-28-95☐Penalty, see ☐98.99

§ 98.11 ERECTION OF TIIT OES IRES.

☐☐ No person shall erect any telephone or electric light pole or wire within any street of the city without first obtaining an annual permit and site approval for each project from the Division of Public Works.

§ 98.12 DEPOSITING MATERIALS ON STREETS PROHIBITED.

§ 98.13 DISTRIBUTING ADVERTISING MATTER.

§ 98.1 LIABILITY TO IT OR LOSS OR DAMAGE.

§ 98.1 TRU ROUTES.

TRUCK.

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§ 98.1 TRU IDENTIFICATION.

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§ 98.21 DEFINITIONS.

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TRANSPORTATION PROJECT.

TRANSPORTATION PROJECT

§ 98.22 IMPLEMENTATION AND APPLICABILITY.

§ 98.23 REVIEW OF TRANSPORTATION PROJECTS.

SIDEWALKS

§ 98.25 SIDEWALK CONSTRUCTION OR REPAIR, PERMIT REQUIRED.

§ 98.26 DANGEROUS AND UNSAFE CONDITIONS PROHIBITED.

§ 98.27 NOTICE TO REPAIR; WORK DONE BY CITY.

**§ 98.28 PERMIT REQUIRED FOR WORK ON CROSSWALKS, DRIVEWAY APRONS,
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§ 98.29 UNSAFE DRIVEWAYS AND CROSSWALKS.

§ 98. APPROVAL OF PLANS AND SPECIFICATIONS REQUIRED.

§ 98. PUBLIC LIABILITY INSURANCE REQUIRED.

§ 98.2 APPEAL FROM DENIAL OF PERMIT.

§ 98. REVOCATION OR SUSPENSION OF PERMIT.

§ 98. ADDITIONAL CONSTRUCTION REGULATIONS.

§ 98.5 REMOVAL OF MATERIALS; SUSPENSION OF OBJECTS.

§ 98.6 DRIVING ON SIDEWALKS PROHIBITED.

§ 98.7 SNOW AND ICE REMOVAL FROM SIDEWALKS.

§ 98.8 DEPOSITING SNOW AND ICE RESTRICTED.

§ 98.99 PENALTY.

Municipal civil infraction.

Criminal misdemeanor.

Cross-reference:

Municipal civil infractions, see Chapter 36