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Scottville, MI Code of Ordinances

## **CHAPTER 95: STREETS AND SIDEWALKS**

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## STREETS

### § 95.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**MANAGER.** The City Manager or his or her duly authorized assistant or deputy.

**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 the same are not yet constructed.

1993 Code, 95.01

### § 95.02 DAMAGE AND OBSTRUCTION.

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 subchapter. No person shall place any article, thing, or obstruction in any street, except under the conditions and in the manner permitted in this code.

B This section shall not be deemed to prohibit any temporary obstructions as may be incidental to the expeditious movement of articles and things to and from abutting premises, the lawful parking of vehicles within the part of the street reserved for vehicular traffic, or the installation of traffic or directional signs by the city or other authorized governmental agency.

C No person shall occupy any street with any materials or machinery incidental to the construction, demolition, or repair of any building adjacent to the street, or for any other purpose,

without first obtaining a permit from the City Manager. No permit shall be granted until the applicant shall post a cash deposit and file a liability insurance policy as required by §95.03.

1993 Code, §95.02

### **§ 95.0 ERMITS AND BONDS.**

A Where permits are authorized in this chapter, they shall be obtained upon application to the City Manager, upon forms as he or she shall prescribe. This permit shall be revocable by the City Manager for failure to comply with this subchapter, rules and regulations adopted pursuant hereto, and the lawful orders of the City Manager or his or her duly authorized representative, and shall be valid only for the period of time endorsed thereon. Application for a permit under the provisions of this subchapter 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 therewith, repair all damage done to the street surface and installations on, over or within the 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. Where liability insurance policies are required to be filed in making application for a permit, they shall be in not less than the following amounts, except as otherwise specified in this subchapter:

1 On account of injury to, or death of, any person in any one accident, \$50,000

2 On account of any one accident resulting in injury to, or death of, more than one person, \$100,000 and

3 On account of damage to property in any one accident, \$5,000.

B A duplicate executed copy or photostatic copy of the original of the insurance policy shall be filed with the City Clerk. Where cash deposits are required with the application for any permit hereunder, the deposit shall be in the amount of \$50, except as otherwise specified in this subchapter, and the deposit shall be used to defray all expenses to the city arising out of the granting of the permit and the work done under the permit or in connection therewith. Six months after the completion of the work done under the permit, any balance of the cash deposit unexpended, shall be refunded. In any case where the deposit does not cover all costs and expenses of the city, the deficit shall be paid by the applicant.

1993 Code, §95.03

### **§ 95.0 STREET OPENINGS.**

No person shall make any excavation or opening in or under any street without first obtaining a written permit from the City Manager. No permit shall be granted until the applicant shall post a cash deposit and file a liability insurance policy as required by §95.03.

1993 Code, §95.04 Penalty, see §95.99

### **§ 95.05 EMERGENCY OPENINGS.**

The City Manager may, if the public safety requires immediate action, grant permission to make a necessary street opening in an emergency, provided that a permit shall be obtained on the following business day and the provisions of this subchapter shall be complied with.

□1993 Code, □95.05□Penalty, see □95.99

### **§ 95.0 BACFIING.**

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 subchapter. Any settlement shall be corrected within four hours after notification to do so.

□1993 Code, □95.06□Penalty, see □95.99

### **§ 95.0 UTIT OES.**

Utility poles may be placed in streets as the City Manager shall prescribe and shall be located thereon in accordance with the directions of the City Manager. The poles shall be removed or relocated as the City Manager shall from time to time direct.

□1993 Code, □95.07□Penalty, see □95.99

### **§ 95.0 MAINTENANCE OF INSTAATIONS IN STREETS.**

Every owner of, and every person in control of, any estate hereafter maintaining 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 or her estate, shall do so only on condition that the maintenance shall be considered as an agreement on his or her part with the city to keep the same and the covers thereof, and any gas and electric boxes and tubes thereon, in good repair and condition at all times during his or her ownership or control thereof, and to indemnify and save harmless the city against all damages or actions at law that may arise or be brought by reason of the excavation or structure being under, over, in, or upon the street, or being unfastened, out of repair, or defective during the ownership and control.

□1993 Code, □95.08□Penalty, see □95.99

### **§ 95.09 CURB CUTS.**

□A□ No opening in or through any curb of any street shall be made without first obtaining a written permit from the City Manager.

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

□□ No single curb cut shall exceed 25 feet nor be less than ten feet□

2 The minimum distance between any curb cut and a public crosswalk shall be five feet

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

4 The maximum number of lineal feet of sidewalk driveway crossing permitted for any lot, parcel of land, business, or enterprise shall be 45 of the total abutting street frontage up to and including 200 lineal feet of street frontage, plus 20 of the lineal feet of street frontage in excess of 200 feet

5 The necessary adjustment 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 and

6 All construction shall be in accordance with plans and specifications approved by the City Manager.

1993 Code, 95.09 Penalty, see 95.99

### **§ 95.10 PEDESTRIAN PASSAGE.**

At least six feet of sidewalk space shall be kept clean and clear for the free passage of pedestrians and if the building operations are such that free passageway is impracticable, a temporary plank sidewalk with substantial railings or sidewalk shelter shall be provided around the obstruction.

1993 Code, 95.10 Penalty, see 95.99

### **§ 95.11 SAFEGUARDS.**

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

1993 Code, 95.11 Penalty, see 95.99

### **§ 95.12 OPENING EXCAVATIONS.**

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

1993 Code, 95.12 Penalty, see 95.99

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