

CITY OF WEST BRANCH SIDEWALKS ORDINANCES:

SIDEWALKS

§ 94.20 WIDTH OF SIDEWALKS.

(A) All sidewalks in the City shall be of the width as herein provided:

(1) On Houghton Avenue from First Street to Fifth Street, 16 feet, however, the City Manager may approve sidewalk width of less than 16 feet if the length of said reconstruction is such that lesser widths would be more in keeping with the natural symmetry of existing sidewalks.

(2) On Houghton Avenue from Fifth Street west to City limits, eight feet, however, the City Manager may approve sidewalk width of less than eight feet if the length of said reconstruction is such that lesser widths would be more in keeping with the natural symmetry of existing sidewalks.

(3) On Fourth Street, one block north and one block south of Houghton Avenue, eight feet, however, the City Manager may approve sidewalk width of less than eight feet if the length of said reconstruction is such that lesser widths would be more in keeping with the natural symmetry of existing sidewalks.

(4) On Fifth and Seventh Streets, one block north and one block south of Houghton Avenue; on Second, Third, Sixth and Eighth Street, one block north and one block south of Houghton Avenue; on First Street from Houghton Avenue north to State Street; on State Street, six feet, however, the City Manager may approve sidewalk width of less than six feet if the length of said reconstruction is such that lesser widths would be more in keeping with the natural symmetry of existing sidewalks.

(B) On all other avenues, streets and alleys, five feet, however, the City Manager must approve all sidewalk reconstruction plans and may approve sidewalk width of less than five feet if the length of said reconstruction is such that lesser widths would be more in keeping with the natural symmetry of existing sidewalks.

(Ord. 52, passed 8-9-37; Am. Ord. 112, passed 10-15-73; Am. Ord. 11-04, passed 5-16-2011) Penalty, see § 94.99

§ 94.21 CONSTRUCTION STANDARDS.

(A) The inside line of all sidewalks shall be one foot distant from the lot adjoining, except in business districts the inside line of all sidewalks may be extended to the line of said adjoining lot.

(B) Sidewalks constructed on either side of and adjacent to a corner lot shall be continued past the corner of such lot to the intersection of the outer line of the sidewalk as established on the intersecting avenue or street, and the expense of constructing or reconstructing same shall be paid in the same manner as sidewalks adjoining the lot.

(C) All sidewalks shall be laid to conform as near as practical to the grade of the avenue or street as established for paving the same, and all other sidewalks shall be laid to such grade and line as may be fixed by the City DPW Superintendent, as approved by the City Council.

(D) All sidewalks in the public avenues, streets and alleys in the City shall be constructed as follows:

- (1) Foundation. If soil is sandy or wheel drained, excavation shall be made four inches in depth, then wetted and thoroughly rammed to insure a solid base.
 - (2) If soil retains water, an excavation shall be made 12 inches in depth, filled with eight inches of cinders, then wetted and thoroughly rammed to insure a solid base, and drainage therefrom provided.
 - (3) All tree roots shall be removed to sufficient depth to prevent injury to sidewalks.
 - (4) Forms. Forms for construction at least two inches wide and to depth and length of sidewalks shall be set in place and securely staked.
 - (5) Material. All sidewalks, except as herein provided, shall be constructed of one course at least four inches in depth when finished of a uniform concrete mixture of one part good portland cement and four parts of gravel and sand, free from clay, soil, sticks or roots, properly mixed, placed in the forms, with complete separation into slabs four feet square, except in sidewalks six feet in width, in which slabs shall be three feet wide and four feet long, all tamped, leveled and surface finished.
 - (6) That portion of sidewalk used as a driveway shall be constructed of one course of said concrete mixture, at least eight inches in depth, the full width of driveway and the full width of approaches two feet each side of sidewalk in driveway.
 - (7) Expansion joints of asphalt felt at least one-fourth inch in width shall be placed every 24 feet between slabs, and between all slabs and cement curb, when sidewalk connects with such curb.
 - (8) The sidewalk so constructed shall be protected by cover or sprinkling to prevent too rapid drying.
 - (9) No material shall be used until inspected and approved by the City DPW Director, and no forms shall be removed until such sidewalk is inspected and finally accepted by City DPW Director.
- (B) All sidewalks shall be built with a pitch of $\frac{1}{4}$ inch to the foot from inside to outside of same.
(Ord. 52, passed 8-9-37) Penalty, see § 94.99

§ 94.22 SUBDRAINAGE FOR MAINTENANCE OF PERMANENT SIDEWALK.

Whenever the City Council by resolution requires subdrainage for the maintenance of a permanent sidewalk, the same shall be considered a part of the sidewalk and its foundation, and upon that subdrainage being laid, the cost and expense thereof shall be assessed against property provided in § 95.26.
(Ord. 52, passed 8-9-37)

§ 94.23 AUTHORITY TO TAKE UP AND REMOVE SIDEWALKS.

After notice is served upon the owner, occupant or agent of owner, to take up and remove any sidewalk in the City not reasonably safe and fit for public travel, or not laid and constructed according to width, line, grade or specifications herein contained, City Council, may by resolution authorize and direct the City Manager to take up and remove any such sidewalk.
(Ord. 52, passed 8-9-37)

§ 94.24 CONSTRUCTION OR RECONSTRUCTION OF SIDEWALKS.

When the City Council shall declare the construction or reconstruction of a sidewalk a necessary public improvement, by resolution therein describing the property in front of which such construction or reconstruction is ordered, by lots, blocks or parcels of land, it shall be the duty of the City Clerk to prepare and sign in the name of the City, a notice of the adoption of such resolution, and such notice shall further order the owner to construct or reconstruct the sidewalk within ten days from date of service on the owner, occupant or agent of owner, of the notice, and that in default thereof, the sidewalk shall be constructed or reconstructed by the City, and that 75% of all material, labor and expenses incurred by the City therefore shall be assessed against the lot, block or parcel of land in front of which the sidewalk is to be constructed or reconstructed, to be served on the owner, occupant or agent of owner, of the lot, block or parcel of land in front of which said sidewalk is to be constructed or reconstructed. The owners of lots to be so charged may elect to contract with private concerns to construct or reconstruct sidewalks in accordance with this subchapter and the City shall reimburse said owner up to 25% of the City contract price for moneys so expended.

The above listed cost allocations may be altered, indexed, waived or paid by installment as provided by City Council resolution.

(Ord. 52, passed 8-9-37; Am. Ord. 112, passed 10-15-73; Am. Ord. 249, passed 8-18-97)

§ 94.25 PROOF OF SERVICE OF NOTICE.

(A) Proof of service of a notice for construction or reconstruction of sidewalks may be made by affidavit of any person of legal age showing personal service upon either of the owner, occupant or agent of owner, of the premises described in the notice, or by posting the same conspicuously upon or in front of the premises described in the notice, or by mailing the notice to the owner's last known address; and the proof of service shall be filed in the office of the City Clerk.

(B) After expiration of the time stated in the notice, after the owner, occupant, or agent of owner, has been served as aforesaid, the City Council by its officers and employees shall proceed without further delay to construct the sidewalk to be constructed or reconstructed in accordance with resolution relating thereto, and in the manner required by this subchapter.

(Ord. 52, passed 8-9-37)

§ 94.26 COSTS INVOLVED; SPECIAL ASSESSMENT.

(A) Upon approval by City Council of an account of the labor performed, services rendered, and material used, in the grading, foundation, subdrainage, removal of said sidewalk or obstructions for which expenses were incurred in the construction or reconstruction of said sidewalk, verified under oath by the officer or person having charge of the performance of the said labor or services, and the furnishing of such material, with a description of the lot, block or premises in front of or adjacent to which the sidewalk is located, and in respect to which such expenses were incurred, and the name of the owner, if known, chargeable therewith, the City Council shall determine therefrom the amount of such material, labor and expenses chargeable, the person if known, against whom, and the premises upon which the same shall be levied as a special assessment, and order the City Clerk to certify and report the amount so determined, the lot, block or premises, and the persons chargeable therewith, respectively, to the City Assessor for special assessment upon that property.

(B) Such special assessment shall be made, levied, reviewed, certified and collected, in the manner provided in and according to M.C.L.A. §§ 2030 through 2059, and amendments thereto, insofar as same applies.

(Ord. 52, passed 8-9-37)

§ 94.27 DUTIES OF AUTHORIZED OFFICIALS.

(A) It shall be the duty of the City DPW Director when any sidewalk is to be constructed or reconstructed, to determine and establish the grade and line thereof.

(B) The City Manager is hereby authorized to perform all duties and services to be performed by the City DPW Director, as in this subchapter provided.

(Ord. 52, passed 8-9-37)

§ 94.28 STREET TRAFFIC.

No person shall deposit in or upon any street, or alley, or sidewalk, or upon private premises from which may be carried into or upon any street, alley, or sidewalk, any glass, glass bottle, wire, tin cans, nails, paper, paper cartons, boxes, crating, meats, bones, vegetables, fruits, ashes, cinders, or other refuse.