

## Chapter 32

### STREETS, SIDEWALKS AND OTHER PUBLIC PLACES\*

#### Article I. In General

Secs. 32-1 – 32-30. Reserved.

#### Article II. Sidewalks

Sec. 32-31.	Definitions.
Sec. 32-32.	Location; width; materials.
Sec. 32-33.	Duties of abutting property owners.
Sec. 32-34.	Order to build.
Sec. 32-35.	Construction permit.
Sec. 32-36.	Supervision of construction.
Sec. 32-37.	Snow, ice, obstructions and rubbish.
Sec. 32-38.	Sidewalk replacement program.

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\* **Cross references** – Any ordinance dedicating, establishing, naming, locating, relocating, opening, paving, widening, repairing or vacating any streets, sidewalk or alley saved from repeal; § 1-11(a)(11); any ordinance establishing the grade of any street or sidewalk saved from repeal, § 1-11(a)(12); buildings and building regulations, ch. 6; community development, ch. 10; environment, ch. 12; land divisions and subdivisions, ch. 16; parks and recreation, ch. 22; peddlers and solicitors, ch. 24; planning, ch. 26; special assessments, ch. 30; telecommunications, ch. 34; traffic and vehicles, ch. 36; utilities, ch. 38; franchises, app. A.

**State law references** – City control of highways, Mich. Const. art. VII, § 29; city authority to acquire and establish and maintain boulevards, Mich. Const. art. VII, § 23; obstructions and encroachments on public highways, MCL 247.171 et seq.; closing of highway for repairs, MCL 247.291 et seq.; driveways, banners, events and parades, MCL 247.321 et seq.; liability of local government for injury of not keeping highway in reasonable repair, MCL 691.1402.

POTTERVILLE CODE

**ARTICLE I. IN GENERAL**

**Secs. 32-1 – 32-30. Reserved.**

**ARTICLE II. SIDEWALKS**

**Sec. 30-31. Definitions.**

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* means the department of public works of the city.

*Sidewalk* means the paved portion of the street right-of-way designed for pedestrian travel.

(Ord. No. 160, § 34.1, 5-13-1996)

**Cross reference** – Definitions generally, § 1-2.

**Sec. 32-32. Location; width; materials.**

All sidewalks in the city shall be laid so that the inner edge of each sidewalk shall be a distance of two feet from the nearest parallel right-of-way line, or such distance as the department shall prescribe, and shall be such width and of such materials as the regulations of the department shall specify.

(Ord. No. 160, § 34.2, 5-13-1996)

**Sec. 32-33. Duties of abutting property owners.**

It shall, in all cases, be the duty of the owner of every lot or parcel of land in the city to build sidewalks in front of or adjoining his premises when so ordered by the council, and to maintain such walks in good repair and to keep them free from all obstructions.

(Ord. No. 160, § 34.3, 5-13-1996)

**Sec. 32-34. Order to build.**

If any owner shall fail or neglect to construct any sidewalk adjoining his lot or parcel of

land within such time as the council shall by resolution determine, which time shall not be less than 20 days after the same shall have been ordered by the council, or shall fail to keep the sidewalk in good repair, the council may, without further notice, cause the same to be done, and the cost of such construction or repair may be paid out of the contingent fund of the city and the council may access such expense as a special assessment against such a lot or parcel of land in the next general assessment roll of the city. Such special assessment shall be collected and enforced in the same manner as general city taxes and special assessments.

(Ord. No. 160, § 34.4, 5-13-1996)

**Sec. 32-35. Construction permit.**

Whenever the owner of any land in the city shall desire to construct a sidewalk in front of or adjoining his premises, he shall obtain a permit for such construction from the building official, which permit, when granted, shall contain full specifications as to the kind of material, width, and manner of construction of the walk, and it shall be the duty of the superintendent of public works to establish the grade line of such sidewalk.

(Ord. No. 160, § 34.5, 5-13-1996)

**Sec. 32-36. Supervision of construction.**

It shall be the duty of the superintendent of public works to superintend the construction and repair of all sidewalks in the city and see that they are constructed and repaired with the materials and in the manner specified.

(Ord. No. 160, § 34.6, 5-13-1996)

**Sec. 32-37. Snow, ice, obstructions or rubbish.**

(1) No person having the care, either as owner or occupant, of any house, building, or lot shall permit any snow, ice, rubbish, including broken bottles and glass, filth, obstruction, or other nuisance to remain upon the sidewalks in front of the house, building, or lot for longer than 24 hours.

