

VILLAGE OF NORTHPORT
Leelanau County, Michigan
ORDINANCE 91
DRAFT

PURPOSE

AN ORDINANCE REGULATING AND PROHIBITING ANY ADVERSE IMPACT TO ROADWAYS WITHIN THE PUBLIC RIGHT-OF-WAY THAT IS DEEMED ASSOCIATED WITH THE DEVELOPMENT AND ALL RELATED CONSTRUCTION OF ANY RESIDENTIAL, COMMERCIAL OR INDUSTRIAL PROPERTY WITHIN THE VILLAGE OF NORTHPORT:

THE VILLAGE OF NORTHPORT ORDAINS:

Section I DEFINITIONS

All work in the road right-of-way including but not limited to; driveway curb cut, sidewalk, tree planting, communications, irrigation system, natural gas, sign/awning, sanitary sewer, or water tap shall do such development and construction in a manner that has no adverse impact to the existing roadways, culverts and ditches within the Public Road-Right-of-Way. These roadways and ditches are considered public that provide ingress/egress to privately owned property.

Section II REGULATIONS-AUTHORIZATION

A permit application is required for ALL work in the road right-of-way, accompanied by payment of a designated fee. This permit is authorized by the street administrator. It is the permit holder's responsibility to contact MISS DIG before any construction begins.

Section III PHOTOS BEFORE

A photo of said right-of-way will be taken by the Street Administrator or his/her designee prior to the commencement of construction. The adverse impact would constitute damage that is not considered the normal traffic wear. Any damage would be determined by the D.P.W. Superintendent and Street Administrator for the Village. This damage would be the direct result of any and all activity

associated with the development and construction on the owner's property. Normal traffic wear on the roadways, as a result of the development would be taken in to consideration.

Section IV PROPERTY OWNER RESPONSIBILITY

It shall be the responsibility of the property owner and all contractors associated with development to assure minimum and normal impact to roadways during the development and construction phase of the property. The permit holder agrees to restore the road right-of-way to a condition equal to or better than its condition before the work began.

Section V ENFORCEMENT

The property owner shall be held responsible for any damage determined to be the result of the development and any and all associated construction activities on the property; and the owner would be required to correct damage at the owner's expense. Any damage and all action deemed necessary to correct damage will be determined by DPW Superintendent and Village Officials when necessary.

Section VI VIOLATION

Any Permittee who violates any provision of this ordinance could be responsible for a municipal civil infraction, and shall be subject to fines not to exceed \$500 dollars per occurrence.

Adopted September 19, 2022



John L. Scott, Clerk