ORDINANCE NUMBER [illegible]

AN ORDINANCE TO REGULATE THE CONSTRUCTION AND REPAIR OF SIDEWALKS IN THE VILLAGE OF NORTHPORT: TO ADOPT DETAILED SPECIFICATIONS PERTAINING TO SAME: TO PROVIDE FOR THE METHOD OF PAYMENT: TO PROVIDE PENALTIES FOR VIOLATIONS, AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

THE VILLAGE OF NORTHPORT ORDAINS:

Section 1. It shall be the duty of every owner, agent or occupant of any lot or parcel of land situated within the Village of Northport to keep and maintain good and sufficient sidewalks along all streets and avenues in front of or adjacent thereto and who shall bear all of the cost thereof except as hereinafter provided.

Section 2. The Village Council shall determine by resolution the necessity for the construction, reconstruction or repair of any sidewalk in any street in said village and said resolution shall provide that proper notice shall be given to the abutting property owners.

Section 3. All sidewalks and approaches hereinafter constructed or repaired within the Village of Northport, shall be constructed or repaired according to the following specifications:

General

All sidewalks shall be upon such grade and location as the Sidewalk Committee and the Village Council may direct, and shall be not less than five feet in width.

All sidewalks shall be constructed of cement concrete.

Construction

Sidewalks constructed, reconstructed, rebuilt or repaired in the village streets shall be composed of properly proportioned, clean fine and course aggregate, Portland cement or its equivalent, and water. New construction shall be of vibrated cement concrete. Such sidewalks shall in addition, meet the following minimum requirements:

1. No sidewalk shall be less than four inches in thickness and no sidewalk which crosses existing or proposed driveways or roadways shall be less than six inches in thickness.

2. All aggregates shall consist of uniformly graded, clean, hard particles of natural sand or rock or fragments of stone or gravel, free from soft stone, coated or non-durable substances. All water shall be free from injurious amounts of deterious substances. Cement shall be of a good durable and useable quality.

3. The quantity of cement used shall be not less than one part cement to five parts aggregates.

4. All sidewalks shall be constructed in a thorough and workmanlike manner. It shall have a neat appearance and a wearing surface equal in roughness to troweling smooth and brushing lightly with a stiff brush or broom.

5. All sidewalks shall be laid on a firm, well-compacted, sub-grade free from vegetable matter or refuse.

6. Expansion joints one-half (½) inch in thickness, composed of some suitable inert material thoroughly impregnated with a bituminous or asphaltic

compound, shall be placed between walks and curbs at all places where they meet and in intermediate joints at distances not exceeding 25 feet and shall extend from the finished sidewalk surface for the full depth of the walk.

Removal of Trees

All trees which are on the line of the sidewalk work, or which interfere with the proper placing of the sidewalk, and which require moving, will be removed by the Village at the expense of the adjacent landowner and the village under the same terms and conditions under which the sidewalk expense is to be proportioned as hereinafter stated.

Laws and Regulations

Section 4. Any person, firm or corporation performing any work in the construction, reconstruction or repair of sidewalks in a public street will be required to observe all Village ordinances and state statutes in relation to obstructing highways and streets and keeping open passage ways and protecting the same where exposed, maintaining sufficient guards, lights and barriers to keep the street where such work is being constructed, reconstructed or repaired in a condition reasonably safe and fit for public travel, providing for the convenience of the public and of the residents along the street, as far as practicable, cleaning up rubbish and other things accumulated during the performance of the work.

Village's Participation in Cost

Section 5. In every case where sidewalks are constructed, reconstructed or repaired, and the Village Council shall determine by resolution the necessity of the same, the Village Council shall, upon presentation to it of a certificate from the Sidewalk Committee, certifying the sidewalk has been built according to grade, alignment and specifications and is approved for payment by said committee, shall pay the same to the sidewalk builder and assess the abutting landowner one-half (½) the cost thereof together with one-half (½) the cost of removing any trees therefrom, if any. The Village Council, by resolution, may make arrangements to have the landowners proportionate share of the cost of such construction, reconstruction or repairs spread over a definite period of time.

Assessment

Section 6. Upon completion of construction, reconstruction or repair, and proper notice of necessity of construction, reconstruction or repair was issued to the abutting or adjacent landowner, and his failure to pay his proportionate share, the Village Council is hereby authorized to direct the Village assessor to make and provide special assessment rolls which shall be designated "Sidewalk Assessment Rolls" and which shall contain the description of each lot or parcel of land in front of or adjacent to which the Village has constructed, reconstructed or repaired any sidewalk or approach provided, the names of the owners of such lots or parcels of land, together with the total cost of constructing, reconstructing or repairing the same as in this ordinance provided to be assessed and the said Assessor shall levy as a Special Assessment on each description of land appearing on said rolls, its proportion of said cost. Said assessment shall be collected and given effect as provided for special assessments in other cases.

Violations

Section 7. Any person who shall construct, reconstruct or repair or cause or permit to be constructed, reconstructed or repaired in front of or adjacent to any lot or parcel of land owned or occupied by him, any sidewalk or approach of different specifications or of different width or to a different line or grade than herein specified, shall be deemed a violation of this ordinance.

Penalty

Section 8. Any person violating any of the provisions of Sections number 1, 3, 4, and/or 7 of this ordinance, shall upon conviction thereof before a court of competent jurisdiction, be punished by a fine of not more than one hundred ($100) dollars or by imprisonment in the County jail for Leelanau County, Michigan, for not more than thirty days or by both such fine and imprisonment in the discretion of the court trying the offender.

Section 9. This ordinance repeals all ordinances and parts of ordinances inconsistent or in conflict herewith.

Section 10. This ordinance and the various parts, sections and clauses thereof are hereby declared to be separable. If any part, section or clause is adjudged unconstitutional or invalid, it is intended that the balance of the ordinance shall not be affected thereby.

Section 11. This ordinance shall take effect immediately upon the passage and publication thereof.

We, the Village President and Clerk of the Village of Northport, hereby certify that the foregoing ordinance was approved the 5th day of July, 1957.

Village President

Village Clerk