

TOWNSHIP BOARD
CHARTER TOWNSHIP OF ALPINE
KENT COUNTY, MICHIGAN

Boardmember Chase, supported by Boardmember Heinbeck, moved the adoption of the following ordinance:

ORDINANCE NO. 94-5

**AN ORDINANCE TO PROVIDE FOR THE REPAIR AND MAINTENANCE OF
SIDEWALKS WITHIN THE CHARTER TOWNSHIP OF ALPINE**

THE CHARTER TOWNSHIP OF ALPINE ORDAINS:

Section 1. Necessity. It is hereby declared necessary for the protection of the health, safety and welfare of the people of the Charter Township of Alpine that the Township adopt an ordinance to provide for the repair and maintenance of sidewalks in the Township.

Section 2. Sidewalk Maintenance. The owner of every parcel of real property shall repair and maintain all sidewalks abutting or adjacent to their property so that the sidewalk does not fall into a state of disrepair, become unsafe or become unfit for travel. In accordance with state law, and upon receipt of written notice from the Township, the owner shall make necessary repairs or replacement within 60 days of receiving the notice. The Township may extend the 60 day period if weather conditions prevent such repair or replacement.

Section 3. Failure To Repair or Maintain. If an owner of property fails to make repairs in accordance with Section 2 of this Ordinance the Township may, as permitted by state law, order that the repairs be performed and assess its costs to the property. Any amount so assessed shall become a lien on the property and added to the tax roll or otherwise collected in the manner permitted by law.

Section 4. Owner Responsibility. The owner of every parcel of real property shall keep all sidewalks abutting or adjacent to their property free and clear from snow, ice, encroachments, debris or other obstructions which will impair or impede travel.

Section 5. Snow Depth Accumulation; Free Passage; Removal. Any accumulation of three or more inches of snow shall be considered sufficient to impair or impede free passage. Such

accumulation must be removed within 12 hours of the cessation of snowfall; however, if snowfall ends between 6:00 p.m. and sunrise, the snow must be removed by 9:00 p.m.

Section 6. Use of Snow Removal Equipment. No person shall use any mechanical vehicle or machine for the removal of snow from sidewalks in the Township which, by virtue of its use, damages any sidewalk.

Section 7. Driveway; Street; Obstruction of Vision. A property owner or occupant who cleans his or her driveway of snow shall not permit such snow to be left on the traveled portion of a street, or an abutting or adjacent sidewalk, or to be piled to such a height as to obstruct vision between a driveway and street.

Snow removed by a property owner or occupant must be returned to the property from which it was removed unless permission to deposit the snow on another's property has been received by the owner of that property.

Section 8. Violations. A person who violates any provision of this ordinance may be fined not more than Five Hundred Dollars (\$500), imprisoned not more than ninety (90) days, or both, and be ordered to pay court costs. Each day on which a violation occurs or continues shall be deemed a separate offense.

Section 9. Severability. The phrases, sentences, sections, subsections and provisions of this ordinance are severable; and the finding that any portion thereof is unconstitutional or otherwise unenforceable shall not detract from, or effect the enforceability of, the remainder of this ordinance.

Section 10. Effective Date. This ordinance shall take effect upon its publication.

YEAS: F. BRECHTING, J. BRECHTING, CHASE, HEINBECK, ROTH, SCHWEITZER,
AND STEFFENS

NAYS: NONE

ABSENT: NONE

ORDINANCE NO. 94-5 DECLARED ADOPTED.

Sharon Steffens
Sharon Steffens, Supervisor

Cynthia Heinbeck
Cynthia Heinbeck, Clerk

I hereby certify the foregoing to be a true copy of an ordinance duly adopted at a regular meeting of the Alpine Charter Township Board of Trustees held on December 19, 1994.

Cynthia Heinbeck
Cynthia Heinbeck, Clerk

Introduced: Nov. 14, 1994
Adopted: Dec. 19, 1994
Published: Dec. 28, 1994