

## CHAPTER 12

### STREETS, SIDEWALKS, AND ALLEYS

**12.01 OBSTRUCTION IN STREETS.** No person shall obstruct, or place or permit anything to obstruct, the free passage or proper use of any public street, alley, sidewalk or public place, except as may be temporarily permitted by the City Manager, or while loading or unloading goods, merchandise, materials, or persons.

**12.02 MERCHANDISE ON SIDEWALKS.** No person, company or corporation shall use any of the sidewalks within the City excepting Nepessing Street for the storage, keeping or displaying thereon of any goods, wares, merchandise, produce, provisions, vegetables, boxes, barrels, or show cases, except within the distance of three (3) feet from the wall of the building used or occupied by such person, company or corporation in the business portion of the City.

#### **12.03 STREET EXCAVATING.**

- (A) No person, firm, or corporation shall dig or tear up any pavement, sidewalk or crosswalk, or dig any hole, ditch, drain or sewer, in any street, alley or public property, without first obtaining a permit from the City.  
(Effective date of amendment: December 30, 1987)
- (B) It shall be the duty of such person, firm or corporation, upon being granted a permit as herein above required to maintain all traffic control devices and to immediately refill and restore, resurface or repave such street, alley or other public property so that the same will be in as good condition as before, it shall further be the duty of such person, firm or corporation to erect sufficient barrier around any cut, trench or excavation in such manner as to prevent accidents, and to place and keep upon such barrier suitable and sufficient colored lights during the night.
- (C) A separate permit must be obtained for each occasion and such permit shall specify the location of the cut, trench or excavation to be made.

#### **12.04 LITTER.**

An Ordinance prohibiting the throwing or depositing of litter in public places in the City of Lapeer; regulating the distribution of commercial and noncommercial

handbills; controlling the depositing of litter on private premises; and providing a lien for City clearance.

**(A) Definitions.**

For the purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein.

**AIRCRAFT:** Is any contrivance now known or hereafter invented, used or designated for navigation or for flight in the air. The work "aircraft" shall include helicopters and lighter-than air dirigibles and balloons.

**AUTHORIZED PRIVATE RECEPTACLE:** Is a litter storage and collection receptacle as required and authorized by the City of Lapeer.

**COMMERCIAL HANDBILL:** Is any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature:

1. Which advertises for sale any merchandise, product, commodity, or thing; or
2. Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales; or
3. Which directs attention to or advertises any meeting, theatrical performance, exhibition, or event of any kind, for which an admission fee is charged for the purpose of private gain or profit; but the terms of this clause shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition, or event of any kind, when either of the same is held, given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order; provided, that nothing contained in this clause shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition, or event of any kind, without a license, where such license is or may be required by any law of this State, or under any ordinance of this City; or
4. Which while containing reading matter other than advertising matter is predominantly and essentially an advertisement, and is distributed or

circulated for advertising purposes, or for the private benefit and gain of any person so engaged as advertiser or distributor.

**GARBAGE:**

It is putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

**LITTER:**

Is "garbage", "refuse", and "rubbish" as defined herein and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety and welfare.

**NEWSPAPER:**

Is any newspaper of general circulation as defined by general law, any newspaper duly entered with the Post Office Department of the United States, in accordance with Federal Statute or regulation and any newspaper filed and recorded with any recording officer as provided by general law; and in addition thereto, shall mean and include any periodical or current magazine regularly published with not less than four (4) issues per year, and sold to the public.

**NON-COMMERCIAL HANDBILL:**

Is any printed or written matter, any sample, or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature not included in the aforesaid definitions of a commercial handbill or newspaper.

**PARK:**

Is a park, reservation, playground, beach, recreation center or any other public area in the City owned or used by the City and devoted to active or passive recreation.

**PERSON:**

Is any person, firm, partnership, association, corporation, company or organization of any kind.

**PRIVATE PREMISES:**

Is any dwelling, house, building, or other structure, designed or used whether wholly or in part for private residential purposes, whether inhabited or temporarily

or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house building or other structure.

**PUBLIC PLACE:**

Is any and all streets, sidewalks, boulevards, alleys, or other public ways and any and all public parks, squares, spaces, grounds, and buildings.

**REFUSE:**

Is all putrescible and nonputrescible solid wastes, (except body wastes) including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and solid market and industrial wastes.

**RUBBISH:**

Is nonputrescible solid wastes consisting of both combustible and non-combustible wastes, such as, paper, wrapping, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

**VEHICLE:**

Is every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationary rails or tracks.

**(B) Litter in Public Places.**

No person shall throw or deposit litter in or upon any street sidewalk or other public places within the City except in public receptacles, in authorized private receptacles for collection, or in official City dumps.

**(C) Placement of Litter in Receptacles so as to Prevent Scattering.**

Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk, or other public places or upon private property.

**(D) Sweeping Litter into Gutters Prohibited.**

No person shall sweep into or deposit in any gutter, street or other public place within the City the accumulation of litter from any building or lot or

from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.

**(E) Merchants' Duty to Keep Sidewalks Free of Litter.**

No person owning or occupying a place of business shall sweep into or deposit in any gutter, street from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying places of business within the City shall keep the sidewalk in front of their business premises free of litter.

**(F) Litter Thrown by Persons in Vehicles.**

No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the City, or upon private property.

**(G) Truck Loads Causing Litter.**

No person shall drive or move any truck or other vehicle within the City unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, alley or other public place. Nor shall any person drive or move any vehicle or truck within the City, the wheels or tires of which carry into or deposit in any street, alley or other public place, mud, dirt, sticky substance, litter or foreign matter of any kind.

**(H) Litter in Parks.**

No person shall throw or deposit litter in any park within the City except in public receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the park or upon any street or other public place. Where public receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere as provided herein.

**(I) Litter in Lakes and Fountains.**

No person shall throw or deposit litter in any fountain, pond, lake, stream, bay or any other body of water in a park or elsewhere within the City.

**(J) Throwing or Distributing Commercial Handbills in Public Places.**

No person shall throw or deposit any commercial or non-commercial handbill in or upon any sidewalk, street or other public place within the City. Nor shall any person hand out or distribute or sell any commercial handbill in any public place. Provided, however, that it shall not be unlawful on any sidewalk, street, or other public place within the City for any person to hand out or distribute, without charge to the receiver thereof, any non-commercial handbill to any person willing to accept it.

**(K) Placing Commercial and Non-Commercial Handbills on Vehicles.**

No person shall throw or deposit any commercial or non-commercial handbill in or upon any vehicle. Provided, however, that it shall be lawful in any public place for a person to hand out or distribute without charge to the receiver thereof, a non-commercial handbill to any occupant of a vehicle who is willing to accept it.

**(L) Depositing Commercial and Non-Commercial Handbills on Uninhabited or Vacant Premises.**

No person shall throw or deposit any commercial or non-commercial handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant.

**(M) Prohibiting Distribution of Handbills Where Properly Posted.**

No person shall throw, deposit or distribute any commercial or non-commercial handbill upon any private premises, if requested by anyone thereon not to do so, or if there is placed on said premises in a conspicuous position near the entrance thereof, a sign bearing the words: "No Trespassing", "No Peddlers or Agents", "No Advertisement", or any similar notice, indicating in any matter that the occupants of said premises do not desire to be molested or have their right of privacy disturbed, or to have any such handbills left upon such premises.

**(N) Distributing Commercial and Non-Commercial Handbills at Inhabited Private Premises.**

No person shall throw, deposit or distribute any commercial or non-commercial handbill in or upon private premises which are inhabited, except by handling or transmitting any such handbill directly to the owner, occupant, or other person then present in or upon such private premises. Provided, however, that in case of inhabited private premises which are

not posted, as provided in this Ordinance, such person, unless requested by anyone upon such premises not to do so, may place or deposit any such handbill in or upon such inhabited private premises, if such handbill is so placed or deposited as to secure or prevent such handbill from being blown or drifted about such premises or sidewalks, streets, or other public places, and except that mailboxes may not be so used when so prohibited by Federal Postal Law or Regulations.

**1. Exemption for mail and newspapers.**

The provisions of this Section 12.04 shall not apply to the distribution of mail by the United States, no to newspapers (as defined herein) except that newspapers shall be placed on private property in such a manner as to prevent their being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

**(O) Dropping Litter From Aircraft.**

No person in an aircraft shall throw out, drop or deposit within the City any litter, handbill or any other object.

**(P) Posting Notices Prohibited.**

No person shall post or affix any notice, poster or other paper or device, calculated to attract the attention of the public, to any lamp post, public utility pole or shade tree, or upon any public structure or building, except as may be authorized or required by law.

**(Q) Litter on Occupied Private Property.**

No person shall throw or deposit litter on any occupied private property within the City, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property.

**(R) Owner to Maintain Premises Free of Litter.**

The owner or person in control of any private property shall, at all times, maintain the premises free of litter. Provided, however, that this Section

12.04 shall not prohibit the storage of litter in authorized private receptacles for collection.

**(S) Litter on Vacant Lots.**

No person shall throw or deposit litter on any open or vacant private property within the City whether owned by such person or not.

**(T) Clearing of Litter from Open Private Property by City.**

**1. Notice to Remove.**

The Chief of Police is hereby authorized and empowered to notify the owner of any open or vacant private property within the City or the agent of such owner to properly dispose of litter located on such owner's property which is dangerous to public health, safety or welfare. Such notice shall be by regular mail, addressed to said owner at his last known address.

**2. Action Upon Non-Compliance.**

Upon the failure, neglect or refusal of any owner or agent so notified, to properly dispose of litter dangerous to public health, safety or welfare within five (5) days after receipt of written notice, provided for in Subsection 1 above, or within three (3) days after the date of such notice, in the event the same is returned to the City Post Office Department because of its inability to make delivery thereof, provided the same was properly addressed to the last known address of such owner, or agent, the Chief of Police is hereby authorized and empowered to pay for the disposing of such litter, or to order its disposal by the City.

**3. Charge Included in Tax Bill.**

When the City has effected the removal of such dangerous litter or has paid for its removal, the actual cost thereof, plus accrued interest, at the rate of six per cent (6%) per annum from the date of the completion of the work, if not paid by such owner prior thereto, shall be charged to the owner of such property on the next regular tax bill forwarded to such owner by the City, and said charge shall be due and payable by said owner at the time of payment of such bill.

**4. Recorded Statement Constitutes Lien.**

Where the full amount due the City is not paid by such owner within twenty (20) days after the disposal of such litter, as provided for in Subsections 1 and 2 above, then and in that case, the Chief of Police shall cause to be recorded in the Office of the City Clerk a sworn statement shall constitute a lien and privilege on the property, and shall remain in full force and effect for the amount due in principal and interest, plus costs of court, if any, for collection until final payment has been made. Said costs and expenses shall be collected in the manner fixed by law for the collection of taxes and, further, shall be subject to a delinquent penalty of seven per cent (7%) in the event same is not paid in full on or before the date the tax bill upon which said charge appears becomes delinquent. Sworn statements recorded in accordance with the provisions hereof shall be prima facie evidence that all legal formalities have been complied with and that the work has been done properly and satisfactorily, and full notice shall be given to every person concerned that the amount of the statement, plus interest, constitutes a charge against the property designated or described in the statement and that the same is due and collectible as provided by law.

**(U) Effective Date.**

This amendment shall become effective at 12:01 p.m. on the first (1st) day of October, 1972.

**12.05 SIGNS, AWNINGS AND CANOPIES**

- (A)** No person, company, or corporation shall put up, erect, keep, use or maintain on or in any sidewalk in the City, any post or fixture for the support of any sign, awning, canopy, or advertisement or for any other purpose without having first obtained permission of the City Manager.
  
- (B)** No person, company or corporation shall put up, erect, keep, maintain or use any awning or canopy on or over any sidewalk in the City extending a greater distance than eight feet (8') from the wall or the side of the building to which the same is attached, or coming nearer than seven feet five inches (7'5") of the sidewalk underneath it, nor shall any curtain, fringe or other appendage be attached or be maintained, on any awning or canopy so that any part of it shall be within six feet five inches (6'5") of the sidewalk underneath it.

**12.06 SIDEWALKS.**

**(A) SIDEWALK DEFINED.**

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

**(B) CONSTRUCTION AND REPAIR; PERMIT REQUIRED.**

No person shall construct, rebuild or repair any sidewalk, except in accordance with the line, grade, slope and specifications established by the City for such sidewalk, and without first obtaining a written permit from the City.

**(C) LINE AND GRADE STAKES.**

Line and grade stakes shall be utilized and subject to the approval of the City Engineer.

**(D) SIDEWALK MAINTENANCE.**

All sidewalks within the City shall be kept and maintained in good repair by the owner of the land adjacent to and abutting upon the same; and if any owner shall neglect to keep and maintain the sidewalk along the front, rear or side of the land so owned in good repair and safe for the use of the public, the said owner shall be liable to the City for any damages recovered against the City sustained by any person by reason of said sidewalk being unsafe and out of repair.

**(E) FAILURE TO MAINTAIN.**

If the owner of any lot or premises shall fail to rebuild, repair, and maintain any sidewalk as required in this Ordinance, the City, after first giving reasonable notice to the owner of said failure, may rebuild, repair, and otherwise maintain the sidewalk and charge the expense therefore to the said owner.

**(F) SIDEWALKS TO BE CLEARED.**

The owner and occupant of every lot or parcel of land adjoining any sidewalk shall be responsible for removing all ice and snow from

sidewalks adjoining such lot or parcel of land within the time herein specified.

1. Snow shall be removed from sidewalks in all business districts within the City within four (4) business hours after the cessation of any fall of snow or by 9:00 a.m. the next business day following such fall, whichever period is shorter.
2. Snow shall be removed from all other sidewalks within the City within twenty-four (24) hours after the cessation of any fall of snow.
3. Ice shall be removed from sidewalks by the owner and occupant of the lot or parcel of land adjoining such sidewalk immediately upon its accumulation.
4. If, because of weather conditions, the immediate removal of ice from sidewalks is impossible, the owner and occupant shall immediately cause ice melt or mild salt to be spread upon the ice in such manner and in such quantities as to prevent the sidewalk from being slippery and dangerous to pedestrians until such time as the weather permits the removal of ice.

**(G) FAILURE TO CLEAR.**

In addition to any criminal penalties imposed by this Ordinance, if any occupant or owner shall fail or neglect to clear ice or snow from the sidewalk specified herein, or if either of them shall otherwise permit ice or snow to accumulate on such sidewalk, the City may cause such ice or snow to be cleared and the expense of removal shall become a debt of both the owner and the occupant of said property to the City and may be collected in any manner permitted by law. Further, the City shall have a lien upon the land abutting such sidewalk for the cost of such work plus a 10% administrative fee, such lien to be enforced in the manner prescribed by the laws of the state providing for the enforcement of real property tax liens.

**(H) PENALTY.**

Any person who violates subsection (F) shall be deemed responsible for a civil infraction and upon a finding of responsibility by the court shall be obligated to pay civil fines and costs up to the maximum allowed for state, traffic civil infractions.

### **12.07 BARRICADES.**

It shall be unlawful for any person to remove any barricade, fence, railing, barrier or other obstruction erected to protect persons passing in or along the streets or alleys of the City of Lapeer, at or near any crosswalk, pavement, sewer or other City improvement which has been constructed, or which is in the course of being constructed or repaired, or to remove or extinguish any light at or near the place or places where any such improvements are being made, or at or near any obstruction or dangerous place in the streets or alleys of the City of Lapeer.

### **12.08 FAULTY STRUCTURE.**

No person shall permit any building, fence or chimney or other structure adjacent to or adjoining any street, alley or public place to be unsafe, or dangerous to the right of public travel in any street, alley or public place.

### **12.09 DEFACING AND OBSCENE WRITING.**

No person shall deface or place any obscene advertisement, picture, word or symbol upon any street, alley, sidewalk, lamp-post, hydrant, tree, park or other public places.

### **12.10 CURB CUTS AND DRIVEWAY APPROACHES.**

Deleted from said Ordinance and added to Chapter 7, Article 7.17.V.  
EFFECTIVE DATE OF DELETION: May 17, 2007.

### **12.11 TREE REGULATIONS** including sub-paragraphs (A) through (G), deleted from said Ordinance.

EFFECTIVE DATE OF DELETION: April 15, 1992

### **12.12 STREET WIDTHS OF CALHOUN, MONROE, MADISON, WASHINGTON AND MAIN**

**(A)** The quarter line running north and south through Section Five (5) in the City of Lapeer be and the same is hereby fixed and established as a base line from which to measure all distances west in the said City; and the east and west boundaries of all lots and streets west of said quarter line shall be determined by measurement from said base line.

- (B) The width of Calhoun, Monroe, Madison, and Washington Streets situate between said quarter line and Main Street are hereby fixed and established at fifty-five (55) feet each in width.
- (C) There shall be taken from the east side of Main Street thirteen (13) feet, and that said Main Street after taking said thirteen (13) feet from the east side thereof, shall be and the same is fixed and established to be eighty-six (86) feet wide.

### **12.13 STREET NAME CHANGING**

#### **(A) Who may apply**

The City Commission on its own motion, or the City Planning Commission by resolution from that body, or twenty-five (25) electors-at-large of the City of Lapeer by petition, or an owner of or party in interest of any real estate abutting the street, alley, or thoroughfare in question may petition the City Commission to change the name of a street, alley, or thoroughfare within the corporate limits of the City of Lapeer.

#### **(B) Contents of Petition**

The petition shall contain the name of the street, alley or thoroughfare as it is presently entitled and called and the name the petitioner would like the street, alley or thoroughfare renamed; the approximate length of the section of the street, alley, or thoroughfare to be renamed and the approximate direction or directions in which it runs; the intersecting cross streets at each end of the section of the street, alley or thoroughfare to be renamed together with the names of any intermediate intersecting streets; and the character of the property abutting each side of that section of the street, alley or thoroughfare to be renamed. If a petition is submitted by the City Planning Commission it must be in resolution form and certified by the clerk of the Planning Commission. If a petition is submitted by twenty-five (25) electors-at-large of the City of Lapeer it must contain their signatures and residence addresses. If the petition is submitted by an owner of or party in interest of real estate abutting that section of the street, alley or thoroughfare to be renamed the petition must also contain the description of the petitioner's property abutting such street, alley, or thoroughfare together with his signature and residence address.

#### **(C) Notice**

Upon the appropriate motion by the City Commission or upon receipt of a proper petition as aforesaid the City Commission shall cause a notice of hearing on the change of name of such street, alley, or thoroughfare to be published in a newspaper of general circulation in the City of Lapeer once a week for two (2) consecutive weeks and shall mail a copy of such notice to each owner of or party in interest of real estate abutting that section of the street, alley or thoroughfare which name is proposed to be changed, by mailing by first class mail, addressed to such owner or party at the address shown on the last assessment roll for ad valorem tax purposes which has been reviewed by the City Board of Review, as supplemented by any subsequent changes in the names or addresses as such owners or parties listed thereon, at least ten (10) days before the date set for hearing, and which notice of hearing shall be in substantially the following form:

**NOTICE OF HEARING OF CHANGE OF  
NAME OF \_\_\_\_\_ STREET**

A public hearing will be held before the Lapeer City Commission on \_\_\_\_\_, at \_\_\_\_\_ .m., in \_\_\_\_\_, Lapeer, Michigan, on the \_\_\_\_\_ (Petition or Motion) of Street, which street is located between \_\_\_\_\_ Street and Street, and which street travels in a \_\_\_\_\_ direction. Objections to such remaining may be filed in writing with the City Clerk before said hearing.

**(D) Public Hearing and Determination**

At such public hearing and any adjournment thereof, the City Commission shall hear and consider all matters pertaining to the change of name of the street, alley, or thoroughfare in question and shall hear all interested parties therein. Objections to said change of name may be filed in writing with the City Clerk before said hearing. At the conclusion of said hearing or any determination as to whether or not it is in the best interests of the public to change the name of the street, alley, or thoroughfare as requested.

**(E) Recording the Change of Name**

If the City Commission finds such change of name of any street, alley, or thoroughfare within the corporate limits of the City of Lapeer to be in the public interest, it shall record the same by resolution. A certified copy of this resolution shall thereupon be sent by the City Clerk to the Auditor General of the State of Michigan and be recorded with the Lapeer County Register of Deeds. The City Manager shall make such changes and corrections on the City records as are appropriate with such change of name of the street, alley, or thoroughfare.

#### **12.14 VACATION OF STREETS**

- (A)** The term VACATE shall mean one or more of the following: to vacate, discontinue, abolish, or abandon any road, street, or alley, or any part thereof.
- (B)** The City Commission may be petitioned to VACATE by one or more abutting property owners or by City staff. Petitions to VACATE are on file in the City Clerk's office. The petitioner is required to pay all costs associated with the VACATE request as outlined in CHAPTER 12 (Streets, Sidewalks and Alleys) Fee Schedule.
- (C)** Whenever the City Commission shall deem it advisable to hold a public hearing, it shall so declare by resolution with a roll call vote. In the same resolution, the City Commission shall appoint a time when it will meet and hear comments regarding the VACATE request. The City Commission, although not required, may request the Planning Commission to review any VACATE request and provide a recommendation.
- (D)** Notice of such meeting to hear objections shall be published in a newspaper of general circulation for four (4) consecutive weeks before the time appointed for such meeting. Notice shall also be given by first class mail to the owners of all property abutting such highway, street, or alley, as shown upon the assessment rolls of the city.
- (E)** If after such hearing the City Commission shall determine to VACATE, it shall so declare by resolution with a roll call vote. The Commission may reserve an easement for public or private utility purposes within the right-of-way of the VACATE request, and may, by resolution, extinguish any such easement whenever such easement ceases to be used for such utility purposes.

- (F) Following the adoption of any resolution to VACATE, the City Clerk shall cause to be recorded by the Lapeer County Register of Deeds a certified copy of the VACATE resolution. Upon receipt of the recorded VACATE resolution from the Lapeer County Register of Deeds, a copy shall be sent to the state treasurer, office of the secretary of state, and recorded in the book of street records
  
- (G) Notwithstanding the above sections, a road, street, or alley, or any part thereof dedicated for use by the public or a part thereof which is within twenty-five meters of a lake or general course of a stream, shall not be vacated, discontinued, abolished, or abandoned except by order of the Circuit Court for Lapeer County.

EFFECTIVE DATE OF AMENDMENT: March 15, 2007      Section 12.14 added.

### **12.15 RULES AND REGULATIONS**

The City Manager is hereby authorized to make such rules and regulations as from time to time appear to him or her to be necessary to carry out the intent of this chapter, provided that such rules are not in conflict with this or any other law of the City or other appropriate governmental unit, and provided further that such rules are approved by the City Commission. Failure to observe any approved rule or regulation shall be a violation of this chapter. Such rules and regulations shall be published and available for distribution at the City Clerk's Office.

EFFECTIVE DATE OF AMENDMENT: March 15, 2007.

### **12.16 PERMITS AND BONDS**

Applications for permits required by this Ordinance shall be made upon forms prescribed by the City. Such permits may be revoked by the City for failure to comply with this Ordinance, including the rules and regulations adopted pursuant to this Ordinance. Application for a permit under the provisions of this Ordinance shall be deemed as agreement by the applicant to promptly complete any work permitted, observe all pertinent laws and regulations of the City in connection therewith, repair all damage done to the public right-of-way and protect and save harmless the City from all damages or actions at law that may arise or may be brought on account of injury to persons or property resulting from the work done under the permit or in connection therewith.

EFFECTIVE DATE OF AMENDMENT: December 30, 1987

EFFECTIVE DATE OF AMENDMENT: March 15, 2007

## **12.17 PERFORMANCE BOND**

A performance bond, certified check, or cash deposit shall be provided by the recipient of any permit granted pursuant to this Ordinance in an amount sufficient to provide security for the proper completion of any work to be done under the permit.

EFFECTIVE DATE OF AMENDMENT: December 30, 1987.

EFFECTIVE DATE OF AMENDMENT: March 15, 2007.