

CODIFIED ORDINANCES OF FRANKLIN

PART TEN - STREETS, UTILITIES AND PUBLIC SERVICES CODE

TITLE TWO - Street and Sidewalk Areas

- Chap. 1020. Street Construction.
- Chap. 1022. Culverts, Laterals, Catch Basins and Driveways.
- Chap. 1024. Trees.
- Chap. 1026. Telecommunications and Public Rights-of-Way.

TITLE FOUR - Utilities

- Chap. 1040. Waste Water Management District.
- Chap. 1042. Sewer Use and User Charges.
- Chap. 1044. Electricity.
- Chap. 1046. Gas.

TITLE SIX - Other Public Services

- Chap. 1060. Alarm Systems.

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CHAPTER 1020
Street Construction

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| 1020.01 Authority of Council required. | 1020.06 Construction standards. |
| 1020.02 Hard surfacing required. | 1020.07 Effect of plat approval. |
| 1020.03 Guarantee deposits. | 1020.08 Authority of Council preserved. |
| 1020.04 Permit required; insurance. | 1020.09 Violations. |
| 1020.05 Permit fee; plans; maintenance bond. | 1020.99 Penalty. |

CROSS REFERENCES

- Streets generally - see CHTR. Ch. XI
 Use of streets by utilities for wires, poles, etc. - see CHTR.
 Ch. XII, §5
 Construction of streets in subdivisions - see P. & Z. 1225.06
 Zoning of streets - see P. & Z. 1268.01
 Street name signs - see B. & H. 1474.16(a)(3)

1020.01 AUTHORITY OF COUNCIL REQUIRED.

Except as otherwise provided in Sections 1020.02 et seq., no person or group of persons, in any way or by any means, shall change, alter, repair or attempt to service, or hire, contract for or authorize the change, alteration, repair or service of, any Village road or street, or part thereof, without first being authorized to do so by Council. (Ord. 6. Passed 4-19-56.)

1020.02 HARD SURFACING REQUIRED.

After the effective date of this chapter, no person or organization shall plat land or improve existing platted roads without making provisions to hard surface all such public roads therein in accordance with the provisions of this chapter. (Ord. 20. Passed 6-16-64.)

1020.03 GUARANTEE DEPOSITS.

At any time of approval of a plat of land, or prior to the start of roadway construction on a presently platted area, there shall be presented to Council a security deposit for construction of the road and a maintenance bond for maintaining the road for a twelve-month period after acceptance of completed construction, as follows:

- (a) The security deposit and maintenance bond shall be in the form of a cash deposit, a certified check or an acceptable and binding surety bond equal to 100 percent of the estimated contract price as determined by the Village Engineer for the complete construction, including, but not limited to, site preparation, grading, ditching, road bed preparation, finished hard surfacing and the inspections thereof.
- (b) Said security deposit shall be made to the Village Treasurer to guarantee the completion of the construction in compliance with all requirements of this chapter and shall remain in force for a period of twelve months after acceptance of completed construction.
- (c) When the construction is complete as to construction details, a refund of the security deposit or a reduction of surety bond requirements equal to forty percent of the value of the security deposit will be made, provided that the Village Engineer certifies that the construction has been inspected and was made to comply with construction standards.

Final release of the security deposits shall be made upon final review and acceptance of the roads by Council after reviewing the written reports of the Village Engineer and the Road Administrator pertaining to said construction.

Acceptance of said roads shall be made within the twelve-month period after the construction completion date.

- (d) If the road construction is not acceptable at the termination of the twelve-month period after the construction completion date, the owner and/or bonding organization shall be directed forthwith to make the necessary corrections to comply with all construction requirements or forfeit the security deposit on demand. (Ord. 20. Passed 6-16-64.)

1020.04 PERMIT REQUIRED; INSURANCE.

Prior to the start of any construction on any road or street in an approved subdivision, the owner or contractor shall request a road construction permit from the Village Clerk. To obtain the same, the contractor shall present to the Road Administrator and the Village Engineer certificates of proper and acceptable insurance covering worker's compensation, employers liability insurance and public liability and property damage insurance in adequate amounts and which agree to save harmless the Village from any action, claims or court proceedings arising out of or in connection with the performance of the contractor's work or alleged negligence of the contractor's employees, the owner or the agents thereof. Insurance coverage limits shall be determined by Council standards for the construction project under consideration. (Ord. 20. Passed 6-16-64.)

1020.05 PERMIT FEE; PLANS; MAINTENANCE BOND.

Three sets of completed plans shall be filed for approval by the Village Engineer, together with a certified check payable to the Village of Franklin. Said check shall be in an amount equal to three and one-half percent of the cost of the project as estimated by the Village Engineer and shall constitute the permit fee. Said fee shall be used to defray the cost of checking plans and the cost of initial inspection of construction by the Village. A maintenance bond shall guarantee payment of all reinspections plus twenty-five percent. The maintenance bond will be released twelve months after acceptance of the road. (Ord. 20. Passed 6-16-64.)

1020.06 CONSTRUCTION STANDARDS.

(a) All road construction shall conform to the current issue of Village of Franklin, Michigan, Minimum Requirements for Roadway Construction, or such other standards as may be established from time to time by Council or by State law or regulation, and shall coincide with the complete plans as finally approved by the Village Engineer.

Variations from these requirements can only be granted with the written consent of both the Village Engineer and the Road Administrator. Such variations shall be noted on the completed plans prior to proceeding with the variation.

(b) Hard-surface construction placed upon the road bed construction shall be equivalent in analysis, capacity and method of application to the latest approved specification used for hard-surface roads in the Village.

(c) All hard surfaces shall be applied to conform to Michigan Department of Transportation standards of construction and shall be applied only by contractors who are currently pre-qualified by such Department for the required type of construction. (Ord. 20. Passed 6-16-64.)

1020.07 EFFECT OF PLAT APPROVAL.

Approval of a plat shall not be deemed to constitute or effect an acceptance by the public of any street or other open space shown upon the plat. Further, compliance with this chapter shall not relieve an owner and/or contractor from the responsibility of complying with all applicable provisions of these Codified Ordinances or of any ordinance of the Village. (Ord. 20. Passed 6-16-64.)

1020.08 AUTHORITY OF COUNCIL PRESERVED.

Nothing in this chapter shall be construed to impair the authority of Council to control the public roads. (Ord. 20. Passed 6-16-64.)

1020.09 VIOLATIONS.

A refusal to comply with this chapter shall be deemed to exist if the alleged violator has not complied with this chapter within ten days of the time a registered or certified letter, notifying him or her of the violation, has been mailed to him or her at his or her last known address. (Ord. 20. Passed 6-16-64.)

1020.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)