

**22.375 STREETS
CITY OF GAYLORD, MICHIGAN**

THE CITY OF GAYLORD ORDAINS:

22.376 Sec. 5201. RESTRICTION ON USAGE.

No person shall excavate in any sidewalk, street or alley, break or remove any pavement or sidewalk, pile any dirt, rubbish or other material on any street, sidewalk, or alley, or obstruct any sidewalk, street or alley without first obtaining a permit from the City Clerk.

22.377 Sec. 5201.1. MERCHANDISE ON SIDEWALK.

No person shall place any merchandise on any sidewalk, street or alley for the purpose of offering the same for sale or for advertising or displaying the same to the public without first obtaining a permit from the Clerk as hereinafter provided.

22.378 Sec. 5202. PERMIT REQUIRED FOR EXCAVATING, BREAKING, REMOVING, OR OBSTRUCTING.

No permit shall be issued by the City Clerk to any person until such person shall make application in writing stating the location and reasons for the said excavating, breaking or removing or obstructing and upon the further condition that they shall post a surety or personal bond with the City Clerk in the amount of twenty five thousand (\$25,000.00) dollars to save the City of Gaylord from any damage, accident or suit for damages arising from any accident caused by the said excavating, breaking, removing or obstructing. The City Attorney may, in the City Attorney's discretion, refuse any bond that is insufficient. The said bond shall not be released until the sidewalks, streets and alleyways affected shall be completely repaired, cleared and restored to its original form and all obstructions and debris removed therefrom. The City of Gaylord shall have the option of restoring the said street or alley way, provided the person or firm giving the said bond agree thereto, the City shall, however, be reimbursed for said work before any release of the bond given shall be made.

22.379 Sec. 5202.1. PERMIT REQUIRED FOR MERCHANDISE AND UNIFORM POLICY.

The City Council may establish a uniform policy regulating and permitting the display of merchandise on City sidewalks, streets and alleys and the City Clerk shall then issue permits for the purpose of displaying merchandise and equipment subject to the conditions of the latest Council regulation. Merchandise must allow no less than 40 inches in width of unobstructed public walkway through a non-decorative sidewalk area, and must not unreasonably obstruct pedestrian, bicycle or motor vehicle traffic through the public right-of-way.

22.380 Sec. 5203. FORM OF BOND REQUIRED.

Sec. 22.300
Streets/Sidewalks

The hereinbefore mentioned bond shall be in the following or substantially similar form:

Know all Men by these Presents: That _____ As Principal, and sureties are held and firmly bound unto the City of Gaylord, a Municipal Corporation, in the Sum of _____ good and lawful money of the United States of America to be paid to said City of Gaylord, its legal representative and assigns, for which payment will and truly be made, we bond ourselves, our heirs, executors, administrators, successors, and assigns, and each and every one of them jointly and severally, firmly by these presents.

Sealed with our seals dated this ___ day of _____ A.D. 19__ . Whereas the above-named principal has received a permit to _____ .
Dated this ___ day of _____ 19__ .

Now, therefore, the Condition of this obligation is such that the above-named principal shall in all things well and truly keep and perform the conditions of an Ordinance for the protection of City Street, pavements and sidewalks and shall fully indemnify and save harmless the City of Gaylord from all suits and actions for damages of every name and description wrought or claimed against for or on account of any injury or damages to persons or property sustained by any party or parties by reason of any excavations of streets or alleys ways, the breaking or removing of any pavement or sidewalk, the piling of any dirt, rubbish, or other material in any street or alley or obstructing any street or alley or displaying any merchandise thereon.

22.381 Sec. 5204. **PRECAUTIONS REQUIRED.**

Any person or persons receiving permit from the City Clerk to make necessary excavation, breakage or obstruction in the City street of Gaylord or alley, shall put up and maintain such barriers or lights or both as will effectively prevent any accident in consequence of his work and shall take all necessary and proper precautions against causing damages to persons or property and shall be liable for all damages of every nature occasioned by his acts or neglects.

22.382 Sec. 5205. **PENALTIES.**

Any person violating any provisions of this Ordinance shall be subject to all penalties provided in Section 1104 of this Code.