

ORDINANCE NO. 04-01

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CORUNNA, MICHIGAN, CHAPTER 70 – STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, ARTICLE II. STREETS, SEC. 70-38. MAINTENANCE OF INSTALLATIONS IN STREETS.

THE CITY OF CORUNNA, MICHIGAN ORDAINS:

SECTION 1. AMENDMENT TO SECTION 70-38. MAINTENANCE OF INSTALLATIONS IN STREETS, shall be as follows:

Sec. 70-38. Maintenance of installations in streets.

Every owner of, and every person in control of, any estate maintaining a ~~sidewalk vault, coal hole, manhole or any other excavation, or any post, pole, sign, awning, wire, pipe, conduit or other structure~~ **mailbox, home delivery newspaper/paper receptacle and any support apparatus attached thereto, house identification numbers attached to a stand alone support post with a total square footage of sign not exceeding a total square footage of 1 foot and the support post no larger than 4” x 4” or 4” diameter and a maximum height of no more than 42” measured from ground level to the top of the post, any gas and electric boxes & tubes thereon, or any other excavations or landscaping as allowed under other sections of the City of Corunna Code** in, under, over or upon any street which is adjacent to or a part of his estate shall do so only on condition that such maintenance shall be considered as an agreement on his part with the city to keep the installations and the covers thereof, ~~and any gas and electric boxes and tubes thereon,~~ in good repair and condition at all times during his ownership or control of them, and to indemnify and save harmless the city against all damages or actions at law that may arise or be brought by reason of such excavation or structure being under, over, in or upon the street, or being unfastened, out of repair or defective during such ownership or control.

SECTION 2. Severability.

This Ordinance and the several sections, sub-sections, paragraphs, clauses and parts thereof are hereby declared to be severable. If any part or clause thereof is declared or adjudged invalid by present or future legislation or decree, the balance of the Ordinance shall not be affected thereby.

SECTION 3. Conflicting Ordinances Repealed.

All Ordinances previously adopted and incorporated in the Code of the City of Corunna, Michigan, through codification procedures, or any existing Ordinances that are inconsistent with the provision of this Ordinance are hereby repealed, and in the case of inconsistencies, to the extent of such inconsistency, are hereby repealed.

SECTION 4. Copies Available.

This Ordinance may be purchased or inspected in the City Clerk's Offices, Monday through Friday, between the hours of 9:00 a.m. and 4:30 p.m.

SECTION 5. Effective Date.

This Ordinance shall take effect pursuant to the Corunna City Charter, immediately upon publication hereof.

DATE OF PASSAGE:	<u>JULY 6, 2004</u>
DATE OF PUBLICATION:	<u>JULY 12, 2004</u>
EFFECTIVE DATE:	<u>JULY 12, 2004</u>

CITY OF CORUNNA

BY: _____
Steve Corey

ITS: MAYOR

BY: _____
Yvonne F. Long

ITS: CLERK

STATE OF MICHIGAN }
 }ss.
COUNTY OF SHIAWASSEE }

I, Yvonne F. Long, being Clerk of the City of Corunna, do hereby certify that the foregoing is a true and accurate copy of the City of Corunna **ORDINANCE NO. 04-01 passed on the 6TH day of JULY, A.D., 2004.** Further, I certify that I caused the same to be published in the Argus Press newspaper, Owosso, MI, within seven (7) days after adoption by the Corunna City Council, Corunna, Michigan.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 6TH day of JULY, A.D., 2004.

Yvonne F. Long
Corunna City Clerk