

SIDEWALK
DIVISION



CITY OF GRAND RAPIDS

RE: REVISED CITY OF GRAND RAPIDS SIDEWALK RULES AND REGULATIONS - EFFECTIVE JULY 1, 2017

The attached City of Grand Rapids Sidewalk Rules and Regulations have been revised effective July 1, 2017, and replace those issued previous to that date .

Should you have any questions on the Sidewalk Rules and Regulations, please contact the City Engineer's Office, Sidewalk Division at 456-3243, and we will be happy to assist you.

MARK DE CLERCQ, PE
CITY ENGINEER

City of Grand Rapids

SIDEWALK

RULES AND REGULATIONS

Effective April 1998 –Commission Proceeding #64107
Revised November 1999 – Commission Proceeding #66573
Revised January 2003 – Commission Proceeding #70739
Revised August 2004 – Administrative Fee Change - Inspections
Revised July 2005 – Administrative Fee Change - Inspections
Revised September 2005 – Administrative Fee Change – Snow Plow
Revised July 2005 – Administrative Fee Change – Snow Plow
Revised July 2007 – Commission Proceeding #76064 & #76065,
Administrative Fee Change – Inspections and Snow Plow
Revised July 2008 – Permit/Inspection Fee Changes
Revised July 2009 – Permit/Inspection Fee Changes
Revised July 2013 – Permit/Inspection Fee Changes
Revised July 2017 – Permit/Inspection Fee Changes and
Ordinance change – Commission Proceeding #86226

City of Grand Rapids
SIDEWALK
RULES AND REGULATIONS

TABLE OF CONTENTS

General InformationPage 2

Sidewalk Builder's License Page 3

Sidewalk / Driveway Approach Permits and Specifications Page 4

Additional requirements for sidewalk, curb & gutter, and driveway approach repairs Page 5

Deficiency Criteria for Sidewalk Repair Page 9

Sidewalk License, Permit & Snow Removal Fee Schedule Exhibit A

Grand Rapids City Code – Title IV, Chapter 52 - Sidewalks..... Exhibit B
See attached or click [here](#) for Municode link to Title IV, Chapter 52 - Sidewalks

The Sidewalk Rules and Regulations have been approved by the City Manager in accordance with Grand Rapids City Code, Article IV, [Chapter 52 – Sidewalks](#) including amended sections see [Section 4.82\(11\)](#).


GREGORY A. SUNDSTROM
City Manager

GENERAL INFORMATION

The City of Grand Rapids Sidewalk Division inspects and maintains public sidewalks to ensure that they are maintained in a condition that is reasonably safe for public travel. Included in this document of Sidewalk Rules and Regulations is information relating to Sidewalk Builder License requirements and fees, special specifications for sidewalk, curb & gutter, and driveway approach repairs, criteria used to designate sidewalks considered to be in need of repair, and the license, permit and snow removal fee schedule.

The City Engineer's Office - Sidewalk Division staff would be happy to assist you with any questions you may have relating to these Sidewalk Rules and Regulations or Grand Rapids City Codes.

City Engineer's Office - Sidewalk Division

Location: City Hall
Engineering / 5th Floor
300 Monroe Ave NW
Grand Rapids, Michigan 49503

Phone: (616) 456-3243 or 311

Fax: (616) 456-3828

Website: <http://grcity.us/engineering-department/Pages/Sidewalk-Division.aspx>

Hours: Monday through Friday, 7:30 a.m. to 4:00 p.m.

SIDEWALK / DRIVEWAY APPROACH PERMITS AND SPECIFICATIONS

Permits to build, rebuild, or repair any sidewalk, driveway approach, retaining wall, curb, or curb and gutter in the City Right-Of-Way will be issued only to a licensed Sidewalk Builder.

PERMITS

Application for permits may be made at the Development Center (1120 Monroe, Third Floor) and shall include:

- Payment of the fee as specified in the Permit Fee Schedule (see Exhibit A).
- A plan or sketch as detailed in City Code, Title IV, Chapter 52 – Sidewalks (see Exhibit B page 3 [Sec. 4.82\(2b\)](#)).
- New driveway approaches require approval of the Zoning Dept. and Traffic Safety Dept. prior to issuance of a permit. New Driveway permit must be issued prior to issuance of Sidewalk Permit. Application for driveway permit available @ <http://grcity.us/design-and-development-services/Development-Center/apply-as-landlord/Pages/driveway-permit-application.aspx>

Permits are:

- Valid for sixty (60) days from date of issue.
- No refunds or credits of permit fees will be issued if work is not completed within the sixty (60) days.

If any construction covered by a Grand Rapids City Code is started before a permit is obtained, an equivalent of two times the normal permit fee (200%) shall be paid before a permit is issued. (see Exhibit B page 3 [Sect. 4.82\(4\)](#))

SPECIFICATIONS

All construction to build, rebuild, or repair any sidewalk, driveway approach, retaining wall, curb, or curb and gutter in the City Right-Of-Way, will be performed in accordance with these Sidewalk Rules and Regulations; Grand Rapids City Codes; City of Grand Rapids Standard Construction Specifications available at <http://grcity.us/engineering-department/Pages/default.aspx>; Vital Streets Design Guidelines; and MDOT Standard Plans ([Series R-28](#)) for ADA ramps. Failure to comply may result in suspension or revocation of the permit.

For more details see Exhibit B pages 3-4 - Grand Rapids City Code, Title IV, Chapter 52, Article 1, [Sec. 4.82](#) – Permits & Specifications.

ADDITIONAL REQUIREMENTS FOR SIDEWALK, CURB AND GUTTER & DRIVEWAY APPROACH REPAIRS

General construction requirements to build, rebuild, or repair any sidewalk, driveway approach, retaining wall, curb, or curb and gutter are covered in the City of Grand Rapids Standard Construction Specifications available on line at <http://grcity.us/engineering-department/Pages/default.aspx>. Included below are additional requirements for sidewalk, driveway approach, retaining wall, curb, or curb and gutter repairs not addressed in the Standard Construction Specifications.

CONTRACTOR'S STAMP

The Contractor shall mark the ends of all pavement, sidewalk, and curb & gutter placed with a date stamp. The date stamp shall contain the Contractor's name and the current year of construction and shall be placed in the corner closest to the street. The Contractor shall place the date stamp at the beginning and end of his work and in fifty foot intervals for continuous runs. If only one section of sidewalk, or curb & gutter is being constructed, the new slab shall be marked on one end. Stamp shall be no larger than 5 inches x 9 inches with letter height being no less than 3/8 inch and no more than 5/8 inch tall.

INSPECTIONS

Prior to placing any concrete in the City Right-Of-Way a form inspection shall be required. Requests for inspections shall be scheduled 24 hours in advance of planned pour.

TREES

Trees in the City Right-Of-Way shall not be injured, cut down, or otherwise disturbed by the contractor.

The City Forester or his designee shall approve the cutting or removal of any roots exceeding 4 inches in diameter prior to work being performed. The costs associated with root removal or pruning will be the responsibility of the contractor unless roots are removed by City Forestry staff.

If it is determined by the City Forester or designee that the necessary removal of roots will jeopardize the stability or life expectancy of the tree, alternative methods may be considered including bridging the sidewalk over the root bed or tree removal. Should it be determined that removal of the tree is required, the City Forester will coordinate the removal at no cost to the contractor.

Roots that are less than 4 inches in diameter may be removed by the contractor using the following process:

1. Roots are excavated to just outside the limits of the sidewalk excavation.
2. Roots must be cleanly cut cross-sectionally using a carbide tip saw, blade, or axe prior to removal.

3. The Contractor shall not use machinery forks to rip roots up prior to cutting. The use of stump grinders to grind root material to the necessary grade is acceptable prior to a cross-sectional clean cut being performed.
4. All tools and methods used are to be approved by the Engineer.
5. Roots that interfere with the grade of the sidewalk shall be removed to a depth of 4 inches below the bottom of the sidewalk.

BARRICADES

A permit to work in the City Right-Of-Way requires permit holders to erect freestanding barricades on work sites in the sidewalk, driveway, curb, or street, to warn pedestrian and/or vehicular traffic. Excavated portions of sidewalk at entry areas within the work site shall have barricades during construction to prevent possible injury to pedestrian and/or vehicular traffic. The liability for an accident or injury during construction is the responsibility of the permit holder. Barricades must be a minimum of 36 inches tall.

Pedestrian detours shall be required for any closed section of sidewalk. All closures and detours shall comply with [Michigan Manual on Uniform Traffic Control Devices \(MMUTCD\)](#)

VEHICLES ON WALK

No person shall drive any vehicle over or upon any sidewalk, curb or parkway within the City except by normal routes of passage, without having first thoroughly protected the sidewalk, curb, parkway, trees and/or curb boxes from damage.

MISS DIG

Contractor is required to adhere to all laws and regulations associated with MISS DIG prior to beginning any work in City Right-Of-Way. Go to <http://www.missdig.org/about/faq.html> for more info.

CURBS / DRIVE APPROACH

Construction or repair of a driveway approach shall include curb or combined curb and gutter, unless previously authorized by the City Engineer. When replacing / installing a driveway approach the entire structure, including the curb, shall be removed and replaced. The gutter pan shall be carefully removed so that the subgrade is not disturbed. Should over-excavation occur in clay soils, backfill shall be according to the [City of Grand Rapids Standard Construction Specifications](#). For removal of curb or curb and gutter, the contractor may saw cut the curb or curb and gutter completely through at the tangent point of the radius, or the beginning of the dub-down. Removal of the existing curb or curb and gutter may be at an existing joint or saw cut with no less than five (5) feet between joints. The Contractor shall repair any pavement disturbed by the operations so as to match the existing road surface.

New curb and gutter on streets with existing asphalt overlay shall be placed to match the existing asphalt road surface.

LAWN SPRINKLER SYSTEMS

Private lawn sprinkler systems are the responsibility of the property owner except as noted herein.

Before any sidewalk repair work may be started at a particular address, the contractor shall determine if a sprinkler system is located in the repair area. If the contractor locates or suspects that there may be a sprinkler system in the repair area, the contractor shall notify the property owner prior to start of work.

The contractor shall be responsible to not cause damage to the sprinkler system and, when necessary, to carefully remove and set aside any portion of the sprinkler system that is in conflict with the repair work. If it is necessary to remove the sprinkler system line and any associated conduit sleeve that may be in place under the sidewalk in the repair area, the contractor shall cut and plug both ends of the sprinkler system line and shall set aside the part(s) thus removed. Prior to placing new concrete, the contractor shall be responsible, at a minimum, to reinstall any removed conduit sleeve that can be salvaged or install a new conduit sleeve underneath the proposed new sidewalk of a size sufficient to adequately allow for reinstallation of the sprinkler line by the property owner, unless other arrangements have been made between the contractor and the property owner for complete repair of the system.

If damage occurs to the sprinkler system beyond that portion that is necessary to remove for the repair of the sidewalk due to negligence on the part of the contractor, it will be the responsibility of the contractor to make repairs to such portion of the damaged sprinkler system to meet the property owner's satisfaction.

RETAINING WALLS

No sidewalk permits for new construction of retaining walls over three (3) feet high will be issued for those adjacent to the sidewalk line until plans for such walls have been submitted to and approved by the Engineer. Walls built outside of the City Right-Of-Way do not require sidewalk permits but may require a [building permit](#) issued through the City of Grand Rapids Development Center at 1120 Monroe.

Please reference City Code, Title IV, Chapter 52 – Sidewalks, Section [4.81](#); [4.82](#); [4.84](#); [4.85](#); & [4.86](#).

SAND SUBBASE

For the purpose of sidewalk repairs, the requirement as set forth in the Standard Construction Specifications to place 4 inches of compacted sand underneath the sidewalk section may be waived at an address which has a limited number of individual sidewalk squares being replaced. However, in the event that it is necessary to fill low areas to maintain grade, compacted sand will be required to fill in such low areas. When large quantities of contiguous sidewalk squares are being replaced, compacted sand is required underneath the sidewalk section as directed by the Engineer.

DRIVEWAY APPROACHES

All driveway approaches within the City shall be maintained by the adjacent property owner. This maintenance shall include building, rebuilding and removing all obstacles including snow and ice as required by Section [4.84](#) & [4.89](#) of Grand Rapids City Code. For specifications on driveway approaches see City of Grand Rapids Standard Construction Specifications. <http://grcity.us/engineering-department/Pages/default.aspx>

HISTORIC DISTRICT DRIVEWAY APPROACHES

To comply with Historical Preservation Commission Rules, any driveway approach being placed in a registered historic district must comply with driveway approach detail P2 (page 304) or P2A (page 305) as specified in the City of Grand Rapids Standard Constructions Specifications available on line at <http://grcity.us/engineering-department/Pages/default.aspx>

AREAWAY

If, during the inspection of a sidewalk, it is found that an areaway may exist underneath the sidewalk, the standard cost and standard construction for the sidewalk repairs will not be applicable. The taxpayer of record for this address will be sent a letter requesting that they contact the City Engineer's Office to schedule a meeting and make arrangements for the repairs of this sidewalk/areaway.

BRICK/SPECIALTY SIDEWALKS & SNOW MELT SYSTEMS

Snow melt system, brick or specialty sidewalk in the City Right-Of-Way are considered encroachments and require encroachment permits. Accordingly all repairs and maintenance to these sidewalks will be considered the responsibility of the adjacent property owner.

Snow Melt Utility Marker - All new sidewalk snowmelt systems installed in City Right-Of-Way shall be marked with 4 inch domed utility marker at beginning and end of system. Markers shall be placed in concrete at time of pour. Markers shall be constructed out of a non-corrosive metal with the exposed surface dimensions being no less than 4 inch diameter. Marker post shall be no less than 3 inches deep and no less than 5/8 inch in diameter, with base flare no less than 7/8 inch. Alternative markers may be approved by City Engineer.

Marker to indicate: **WARNING - SIDEWALK SNOWMELT SYSTEM - DO NOT DIG**

SIDEWALK COMPLAINTS

In order to ensure that sidewalks in the City Right-Of-Way are maintained in a condition that is reasonably safe and fit for public travel, criteria has been established as a standard for determining the need for repairs associated with non-systematic sidewalk repairs.

DEFICIENCY CRITERIA FOR NON-SYSTEMATIC SIDEWALK INSPECTIONS

The following photographs illustrate the deficiency criteria used during inspection of sidewalks resulting from owner requests or complaints. Only safety hazard deficiencies will be repaired or replaced. All other deficiencies will be repaired with future systematics & rotomill projects.



ELEVATION DIFFERENCE

- An elevation difference between squares of 1 inch or greater will be ground or replaced
 - An elevation difference between squares of 3/4 inch – 1 inch will be corrected by grinding
-



SLOPE DIFFERENCE

- A square that has risen or settled and has not caused an elevation difference between squares but has a grade difference change in the individual sidewalk square greater than 4 inches in five feet from adjacent squares
-



CRACKS

- A crack that is 1 inch or wider will be repaired/replaced
-



HOLES

- A hole that is 3 inches or greater in diameter & 3/4 inch or greater in depth
-



SURFACE SPALLING

- Surface spalling (a chipping away or crumbling of the surface) in excess of 5 square feet per square and 1/2 inch deep
-



RESIDUE MATERIAL

- Residue material attached to a square that is 1/2 inch or more in height

DEFICIENCY CRITERIA FOR SYSTEMATIC SIDEWALK INSPECTIONS

The following photographs illustrate the deficiency criteria used during inspection for systematic sidewalk repairs.



ELEVATION DIFFERENCE

- An elevation difference between squares of 3/4 inch or greater will be ground or replaced
-



SURFACE SPALLING

- Surface spalling (a chipping away or crumbling of the surface) in excess of 5 square feet per square and 1/2 inch deep
-



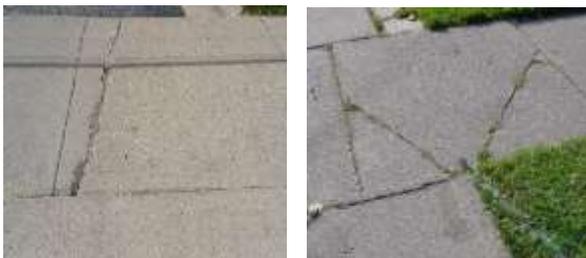
HOLES

- A hole that is 2 inches or greater in diameter & 3/4 inch or greater in depth
-



RESIDUE MATERIAL

- Residue material attached to a square that is 1/2 inch or more in height
-



CRACKS

- A single crack that is 3/4 inch or wider and any length
- A single crack (or portion thereof) that is 1/2 inch or more in width and 24 inch or more in length
- An individual square containing multiple cracks of any width, length, and/or depth in excess of ten square feet.



SLOPE DIFFERENCE

- A square that has risen or settled and has not caused an elevation difference between squares but has a grade difference change in the individual sidewalk square greater than 4 inches in five feet from adjacent squares

EXHIBIT A

SIDEWALK LICENSE, PERMIT & SNOW REMOVAL FEE SCHEDULE

Fees for Sidewalk Builder's Licenses and permits are listed below. License and permits are required to work on sidewalk, driveway approaches, retaining walls, curb, or curb and gutter and other such work within the City Right-Of-Way.

Grand Rapids City Code, Title IV, Chapter 52 – Sidewalks, Section [4.89](#), requires adjacent property owners to keep sidewalks clear of all snow and/or ice. Associated fees are listed below for noncompliance.

<u>LICENSE FEES</u>		
Sidewalk Builder's License New	\$98.00	Never licensed or license has expired and lapsed beyond 31 day grace period.
Sidewalk Builder's License Renewal	\$70.00	Renewal of license prior to expiration of current license (licenses expire December 31 st every year).
Sidewalk Builder's License Renewal Grace Period	\$87.50	Renewal of license within 31 day grace period of license expiration (January 1 – January 31).
<u>PERMIT FEES</u>		
Sidewalk Construction Fee (Repair or Replace)	\$75.00	Required permit for repair or replacement work performed on existing sidewalk or drive approaches.
New Curb Cut / Driveway Approach Fee (Residential)	\$75.00	With valid driveway permit. Requires review/approval of Traffic Safety and Planning Dept.
New Sidewalk / Driveway Approach Fee (Commercial / Residential)	\$175.00	Required permit for site development projects with approved site plan and/or current LUDS permit. New sidewalks in plat/site developments. (Sidewalks constructed outside of City Specifications or sidewalks with snowmelt systems require an encroachment permit prior to being placed.)
Other Sidewalk Permits	\$75.00	Mud jacking & new retaining walls. Approval from Engineering required prior to issuance of permit.
<u>SNOW REMOVAL FEES</u>		
Snow Removal Fee per 15 minutes	\$25.00	Fee for every 15 minutes that snow removal crew are on site removing snow and/or ice.
Snow Removal Administrative Fee	\$95.00	Inspection and administrative fee for any snow complaint which results in snow removal action taken.

Please reference Grand Rapids City Code, Title IV, Chapter 52 - Sidewalks, Sections [4.81\(2b\)](#), [4.82\(2a\)](#), [4.82\(11\)](#), and [4.89\(4\)](#) for complete information and application of these fees.

EXHIBIT B
GRAND RAPIDS CITY CODE
CHAPTER 52 – SIDEWALKS

ARTICLE 1 – IN GENERAL

- Sec. 4.81. - Definitions, Sidewalk Builders' Licenses, Revocation and Penalties
- Sec. 4.82. - Permits and Specifications
- Sec 4.83. - Permit Suspension or Revocation
- Sec 4.84. - Responsibility for Driveway Approaches, Retaining Walls and Areaways
- Sec. 4.85. - Driveway Approaches, Retaining Walls and Areaways Not in Good Repair
- Sec. 4.86. - Sidewalks Necessary
- Sec. 4.87. - Reserved
- Sec. 4.88. - Vehicles on Walk
- Sec. 4.89. - Sidewalks to Be Cleared
- Sec 4.90. - Reserved

ARTICLE 2 – SNOWPLOW OPERATORS

- Sec. 4.91. - License Required
- Sec. 4.92. - Application and Insurance
- Sec. 4.93. - Investigation and Issuance
- Sec. 4.94. - Vehicle Identification Requirements
- Sec. 4.95. - Operation
- Sec. 4.96. - Damage to Property
- Sec. 4.97. - Grounds for Denial, Suspension or Revocation
- Sec. 4.98. - Snowplow Rules & Regulations
- Sec. 4.99. - Snow Removal
- Sec. 4.100. - Violations, Enforcement
- Sec. 4.101. - Definitions
- Sec. 4.102 - 4.200. - Reserved

Cross reference— Sidewalk vaults, § 4.7; sidewalk obstructions, § 4.20; zoning, Ch. 61; subdivision regulations, Ch. 64; Housing Code, Ch. 140; sweeping litter into gutters, § 9.94; merchants to keep sidewalks free of litter, § 9.95; parking prohibited on sidewalk, § 10.45(1); sidewalks and bicycle trails, § 10.132.

ARTICLE 1. - IN GENERAL

Sec. 4.81. - Definitions, Sidewalk Builders' Licenses, Revocation and Penalties.

- (1) *Definitions.* In interpreting the provisions of this Chapter, the following definitions shall apply:
- (a) *"Director"* shall mean the Director of Public Service or his or her authorized representative. The City Engineer is hereby designated as the Director's authorized representative.
 - (b) *"Engineer"* shall mean the City Engineer or his or her duly authorized representative.
 - (c) *"Sidewalk"* shall mean that portion of the street right-of-way designated for pedestrian travel.
 - (d) *"Areaway"* shall mean an extended basement of a building within the street right-of-way.
 - (e) *"Areaway Sidewalk"* shall mean a sidewalk constructed over an areaway.
 - (f) *"Driveway Approach"* shall mean that portion of a driveway which lies within the public right-of-way and extends from the inner edge of the sidewalk to the street pavement or edge of a graded roadway.
 - (g) *"Parkway"* shall mean the area between the sidewalk and the street curb line.
 - (h) *"Retaining Wall"* shall mean a wall built on the outer edge of the sidewalk line for the purpose of confining earth.
 - (i) *"Improvements"* shall mean sidewalks, driveway approaches, retaining walls and areaways located within public rights-of-way.
- (2) *Sidewalk Builder's License Required.* No person shall build, rebuild or repair sidewalks, driveway approaches, retaining walls, curbs, curbs and gutters or areaways in the street right-of-way without first obtaining a Sidewalk Builder's License. An application for such license shall be filed with the City Engineer and shall set forth the full name of the applicant, residence, and number of years experience in concrete construction work. Prior to the issuance of a license by the City Engineer, the applicant shall meet all of the following requirements.
- (a) *Examination Required.* Each applicant shall pass a written examination, prepared and administered by the City Engineer, testing the applicant's qualifications and knowledge of sidewalk and driveway approach construction work.
 - (b) *Payment of Annual License Fee Required.* Each applicant shall remit payment of the annual license fee.
 - (i) *Setting of Fees.* The amount of the Sidewalk Builder's License Fee shall be established from time to time by resolution of the City Commission. Such fees are to become effective for the subsequent year beginning January 1.
 - (ii) *First Issuance and Renewal Fees Distinguished.* There shall be three (3) fees established for the Sidewalk Builder's License.
 - (1) A first issuance fee shall be charged when an applicant for a license does not have an existing valid and current license. This shall include, but not be limited to, first-time applicants or applicants whose license has expired without being properly renewed.
 - (2) A renewal fee shall be charged to those applicants who have an existing valid and current license and file a renewal application prior to the expiration of such valid and current license on or before December 31 of the current license year.

- (3) A grace period renewal fee shall be charged for those applicants who file a renewal application on or after January 1 and prior to February 1 of each year. Applicants making renewal during this renewal period shall pay one hundred twenty-five (125) percent of the established renewal fee for the license. Licenses not renewed during the January renewal grace period shall be deemed expired. Applications to renew filed on or after February 1 shall be assessed a fee equal to a first issuance fee.
- (c) *Bond Required.* Each applicant shall furnish to the City Engineer a surety bond in the amount of Ten Thousand Dollars (\$10,000.00). Such bond shall provide that the licensee shall fully perform and comply with the Grand Rapids Standard Construction Specifications, Sidewalk Rules and Regulations and provisions of the City Code with regard to the construction of sidewalks, driveway approaches, retaining walls, curbs, curbs and gutters and areaways; and shall promptly repair, replace, restore, or rebuild any finished work in which defects of materials or workmanship may appear or to which damage may occur because of such defects during the one-year period subsequent to the date of final inspection of such work, and shall comply in every respect with the provisions of Section 1.12.
- (d) *Insurance Required.* Each applicant shall acquire the following insurance coverage, and shall continuously maintain such coverage during the period in which the Contractor is performing services. Each applicant shall provide the City with acceptable proof of the following types and amounts of insurance coverage:
- (i) Workers Compensation Insurance as required by Michigan Statute.
 - (ii) Comprehensive General Liability Insurance on an "Occurrence Basis" with limits of liability not less than \$1,000,000 per occurrence and/or aggregate combined single limit, Personal Injury, Bodily Injury, and Property Damage.
 - (iii) Comprehensive Owned and Non-Owned Automobile Liability Insurance with limits of liability not less than \$1,000,000 per occurrence combined single limit, Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.
 - (iv) The City of Grand Rapids shall be named as an additional insured by endorsement to the Comprehensive General Liability policy.
 - (v) Certificates of insurance evidencing that the Contractor has secured all of the foregoing insurance must be provided to the City. A minimum of thirty (30) days notice to the City prior to the cancellation of, or change in, any such insurance shall be endorsed on each policy and noted on each certificate.
 - (vi) Such insurance shall comply with the provisions of Section 1.12.
- (e) *License Expiration.* Sidewalk Builder's Licenses issued under this Chapter shall be subject to annual renewal, and shall expire on the 31st day of December of each year. Notwithstanding any other provision of this Article, any Sidewalk Builder's License issued in the year 2007 shall expire on December 31, 2007. The fee for such Sidewalk Builder's License issued in 2007 shall be established on a pro-rated basis from May to December 2007.
- (3) *Revocation of License.* The City Manager or his or her designee shall have the power to revoke any license issued hereunder upon the satisfactory proof that the licensee has:
- (a) Violated any of the provisions of this Chapter, or
 - (b) Violated any of the provisions of the Grand Rapids Standard Construction Specifications or Sidewalk Rules and Regulations.

Should a license holder wish to appeal the City Manager's action, he or she may request in writing to the City Engineer, a hearing by the City Commission's Community Development Committee to be held within fourteen (14) days of receipt of said request. The license holder shall be given written notice of the reasons for the license revocation, and the date, time and place of such hearing, at least seven (7) days prior to the hearing. At the hearing, the Committee shall consider the written and/or oral presentations by both the

license holder and the City Manager and within ten (10) days thereafter, either confirm the original license revocation or reinstate said license.

(4) *Violations and Penalty.*

- (a) Any person who shall build, rebuild or repair any sidewalk, driveway approach, retaining wall, curb, curb and gutter or areaway without first obtaining a license shall be guilty of a violation of this Chapter.
- (b) Penalty for violations shall be as provided in Chapter 1, Section 1.13.
- (c) In addition to any fine and/or imprisonment, any person convicted of a violation of this Chapter shall be required to make restitution to the property owner in a manner as shall be satisfactory to the Director.

(Ord. No. 70-52, 7-28-70; Ord. No. 84-63, § 1, 9-11-84; Ord. No. 97-59, § 1, 12-2-97; Ord. No. 2007-20, §§ 1, 2, 3-27-07)

Sec. 4.82. - Permits and Specifications.

- (1) No permit to build, rebuild or repair any sidewalk, driveway approach, retaining wall, curb, curb and gutter or areaway in the street right-of-way shall be issued to any person except a licensed Sidewalk Builder.
- (2) Before starting any work in the street right-of-way, the Sidewalk Builder shall take out a permit. Application for such permit shall:
 - (a) Be accompanied by the permit fee as specified in the City Code or in the Sidewalk Rules and Regulations Permit Fee Schedule.
 - (b) Be accompanied by a plan or sketch showing that the existing ground surfaces adjacent to and within limits of the public right-of-way shall be graded and/or excavated to conform to the established sidewalk grade on completion of the construction pursuant to the permit. Said plan or sketch shall show that a sloping grade beginning at the established sidewalk grade and sloping toward the curb or proposed curb line shall be maintained in order that surface waters shall run toward the street gutter or drainage ditch. The Engineer shall furnish line and grade stakes as may be necessary for proper location of the established sidewalk grade. The necessity for said plan or sketch may be waived by the Engineer.
 - (c) No Building Permit for the construction or alteration of any building or structure shall be issued by the Inspection Services Department until the property owner has filed said plan or sketch.
- (3) All construction work in the public right-of-way requires a permit unless such work is covered by a City contract.
- (4) If any job or construction covered by this Chapter is started before a permit is obtained, an amount equivalent to Two Hundred (200) percent of the fee shall be paid before a permit is issued.
- (5) Permits shall be effective for a period of sixty (60) days. If the work is not completed within this time, the permit shall be null and void. Refunds or credits of permit fees will not be allowed.
- (6) Every sidewalk, driveway approach, curb, curb and gutter or areaway shall be built, rebuilt or repaired in accordance with the Grand Rapids Standard Construction Specifications and Sidewalk Rules and Regulations as approved by the City Commission.
- (7) A copy of the Sidewalk Rules and Regulations will be furnished to each licensee. Additional copies are available at One Dollar (\$1.00) each. The Director is hereby authorized and directed to make and promulgate all necessary rules, regulations, plans and specifications for carrying out the design of this Chapter and to direct the proper construction of such work. Any neglect or refusal on the part of any person so building such structures to conform with such rules and regulations shall be deemed in violation of this Chapter and subject to the penalties provided.

- (8) *Line and Grade Stakes.* After a permit is issued, the Engineer shall, upon request of the Sidewalk Builder, furnish line and grade stakes as may be necessary for proper control of the work; but this shall not relieve the contractor of the responsibility of making careful and accurate measurements in constructing the work to the lines furnished by the Engineer. Stakes will normally be set within forty-eight (48) hours. When it is necessary to replace stakes disturbed or destroyed without fault of the City or its employees, a charge of Ten Dollars (\$10.00) per stake shall be paid.
- (9) *Valve Boxes and Cleanouts.* When valve boxes, sewer cleanouts, hand-hole covers, gas valves, hydrants or other utility installations occur in sidewalks or driveway approaches, proper allowances must be made for these structures. Metal castings or frames shall be adjusted to the finished grade of the sidewalk surface. Concrete shall be kept far enough away from the covers so that they can easily be removed and replaced after the concrete has set. When a box is not perpendicular to the slab surface, the major portion of the box cover shall be set below the surface. When larger openings exist leading to underground chambers, the covers for these shall be set about one-half ($\frac{1}{2}$) inch higher than the average for drainage. In case of frames larger than six (6) inches across, standard sidewalk expansion joint material shall be placed on two (2) adjacent sides of square or rectangular frames and completely around circular frames. This material may be one-quarter ($\frac{1}{4}$) inch thick, but not over one-half ($\frac{1}{2}$) inch thick.
- (10) *Areaway Sidewalk.* No person shall build any areaway or areaway sidewalk in any public right-of-way in the City until plans for same have been approved by the Engineer and permission has been granted by the City Commission.
- (a) Areaway walks must be constructed in accordance with the specifications for reinforced concrete sidewalks in the Grand Rapids Standard Construction Specifications and in the Sidewalk Rules and Regulations.
- (b) When an areaway is to be abandoned or the adjacent building demolished, the sidewalk shall be removed, the areaway backfilled and a new sidewalk constructed according to the Grand Rapids Standard Construction Specifications.
- (11) The City Manager or his or her designee shall establish the Sidewalk Rules and Regulations to carry out the purpose of this Chapter.

(Ord. No. 70-52, 7-28-70; Ord. No. 84-63, § 2, 9-11-84; Ord. No. 2016-80, § 1, 11-15-16)

Cross reference— Sidewalk builder's permit fee, § 7.48(52).

Sec. 4.83. - Permit Suspension or Revocation.

The Director may suspend or revoke any permit issued pursuant to this Chapter for failure to comply with the terms of this Chapter, the Grand Rapids Standard Construction Specifications or the Sidewalk Rules and Regulations. The Director may suspend or revoke such permit and order any work thereunder to cease by serving notice of such action and the reasons therefor.

(Ord. No. 70-52, 7-28-70; Ord. No. 84-63, § 3, 9-11-84)

Sec. 4.84. - Responsibility for Driveway Approaches, Retaining Walls and Areaways.

All driveway approaches, retaining walls and areaways, hereinafter called improvements, within the City shall be maintained by the owner of land adjacent to or abutting upon the improvement. This maintenance shall include building, rebuilding and removing all obstacles, including snow and ice as required by Section 4.89.

(Ord. No. 70-52, 7-28-70; Ord. No. 84-63, § 4, 9-11-84; Ord. No. 97-59, § 2, 12-2-97; Ord. No. 2014-30, § 1, 6-3-14)

Sec. 4.85. - Driveway Approaches, Retaining Walls and Areaways Not in Good Repair.

The City Engineer is hereby authorized and directed to order any person who owns property abutting to any driveway approach, retaining wall or areaway that is not in good repair, to build, rebuild or repair such improvements in accordance with the Grand Rapids Standard Construction Specifications as applicable. As used in this section, property owner means the owner of land upon which there is a driveway approach, retaining wall or areaway or the owner of the property abutting or adjacent to any of these improvements.

- (1) *Service of Notice to Repair.* The City Engineer shall serve a Notice to Repair on any property owner by first-class mail to the property owner's address. The City Engineer's responsibility for communicating to the property owner is limited to notifying the taxpayer of record in the City Assessor's Office at the time of the first Notice to Repair.
- (2) *Content of Notice to Repair.* The Notice to Repair will specify the location of the improvements, detail the work or repair required and specify that such work must be completed within sixty (60) days after service of such notice, unless otherwise specified on the Notice to Repair. The Notice to Repair shall also set forth an appeal process whereby the property owner may contest the Notice to Repair requirements.
- (3) *Appeals.* Any property owner, upon service of a Notice to Repair, may file an appeal of said notice if requested within fourteen (14) days after the date of the Notice to Repair. The property owner will then be contacted and given at least seven (7) days' notice of the date, time and place of an administrative hearing to hear the property owner's appeal. The administrative hearings officer may uphold the orders, modify the orders, invalidate the orders or make such other determinations or judgments. The determination of the administrative hearings officer shall be final.
- (4) *Failure to Comply.* If the property owner fails to comply with the Notice to Repair within 60 days of the time specified on the Notice, or file a timely appeal under Section 4.85(3), the City Engineer may cause the improvements to be repaired or rebuilt and will assess the expense of such work to the property owner in the manner set forth in Compiler's Paragraph 208 of the City Charter.
- (5) *Emergency Clause.* Whenever the City Engineer determines that any improvement is in such a damaged or deteriorated condition so as to be an immediate danger to the health, safety and welfare of the public, the City Engineer may cause such improvement to be temporarily repaired, repaired, or rebuilt by the City without notice or hearing and may assess the expense of such work to the property owner in the manner set forth in the City Charter, Title X, Paragraph 208.

(Ord. No. 70-52, 7-28-70; Ord. No. 84-63, § 5, 9-11-84; Ord. No. 97-59, § 3, 12-2-97; Ord. No. 99-57, § 1, 11-2-99; Ord. No. 2014-30, § 2, 6-3-14)

Sec. 4.86. - Sidewalks Necessary.

In any street where concrete sidewalks, surfaced driveway approaches or retaining walls do not exist, and in the judgement of the Director, such sidewalks, driveway approaches or retaining walls are a public necessity, the City Commission may order the abutting property owners to install such structures, as required.

(Ord. No. 70-52, 7-28-70; Ord. No. 84-63, § 6, 9-11-84)

Sec. 4.87. - Reserved.

Editor's note— Ord. No. 2016-80, § 2, adopted November 15, 2016, repealed § 4.87, which pertained to Storm Water. See Code Comparative Table for complete derivation.

Sec. 4.88. - Vehicles on Walk.

- (1) No person shall drive any vehicle over or upon any sidewalk, curb or parkway within the City except by normal routes of passage, without having first thoroughly protected the sidewalk, curb, parkway, trees and/or curb boxes from damage.
- (2) Responsibility for any vehicular damage shall be that of the owner of such vehicle.
- (3) If any snowplower defaces, breaks, destroys or otherwise damages any sidewalk, driveway approach, curb or retaining walls, he or she shall be held responsible for replacement or repair of such damaged structure.

(Ord. No. 70-52, 7-28-70)

Sec. 4.89. - Sidewalks to Be Cleared.

- (1) The occupant or occupants of every property within the City, or the owner or owners of the property, shall clear any accumulation of ice or snow from the public sidewalks adjoining such property within twenty-four (24) hours of the accumulation or placement of snow or ice on said sidewalks.
- (2) If the occupant or occupants or the owner or owners fail to remove said ice and snow from said sidewalks within forty-eight (48) hours of being notified by the City of such violation, the City may cause such ice and snow to be removed.
- (3) In any action to enforce the provisions of subsection (2) of this Section, the City shall be required to show that the occupant or occupants, or owner or owners, were given notice of the requirement of this Section by any one (1) of the following means: in person, by telephone, by mail, or by written notice left at the property. If notice is by mail it shall be deemed received two (2) mail delivery days after deposit in the United States Mail.
- (4) If the City shall cause the removal of any snow and/or ice pursuant to the provisions of subsection (2) of this Section, the cost of such removal plus an administrative fee shall be assessed against the occupant(s) or owner(s) of the property. Such administrative fee shall be established from time to time by resolution of the City Commission. The cost of snow and/or ice removal shall be determined based upon the bids received for said removal by the City. All costs and fees assessed pursuant to this subsection shall be a personal debt owed to the City by the occupant(s) or owner(s) of the property and may be assessed as a lien against the property until paid.

(Ord. No. 79-79, 11-27-79; Ord. No. 85-80, § 1, 12-17-85; Ord. No. 2005-62, § 1, 8-9-05; Ord. No. 2016-80, § 3, 11-15-16)

Sec. 4.90. - Reserved.

Editor's note— Ord. No. 2014-30, § 3, adopted June 3, 2014, repealed § 4.90, which pertained to inspection of sidewalks, driveway approaches and areaways at time of sale or transfer of abutting or adjacent property; issuance of certificate and derived from Ord. No. 97-59, § 4, 12-2-97; Ord. No. 2003-01, § 1, 1-7-03.

ARTICLE 2. - SNOWPLOW OPERATORS^[2]

Cross reference— Damage to sidewalk, driveway approach, curb or retaining wall by snowplow operator, § 4.88(3).

Sec. 4.91. - License Required.

No person shall operate any vehicle or cause any vehicle to be operated within, over or upon any street, sidewalk, highway or right-of-way of the City of Grand Rapids for the purpose of plowing, moving or

removing any snow or ice without having first obtained a license as herein provided. No license, however, shall be required for any snowplow operated solely in or upon property owned solely by the person, firm or corporation doing the plowing or upon the right-of-way immediately adjacent thereto.

(Ord. No. 82-21, 5-4-82; Ord. No. 2011-40, § 1, 9-27-11)

Cross reference— Snowplow services license fee, § 7.48(54).

Sec. 4.92. - Application and Insurance.

Any person desiring a license as required by Section 4.91 shall file an application with the City Clerk on a form prescribed or provided by the Clerk. Each applicant shall file with the application one (1) or more certificates of insurance for public liability and property damage co-insuring the applicant and the City of Grand Rapids in amounts to be established by the City Commission by resolution. The insurance shall be approved as to form by the City Attorney.

(Ord. No. 82-21, 5-4-82)

Sec. 4.93. - Investigation and Issuance.

The City Clerk may conduct such an investigation as he or she deems necessary to determine the ability and fitness of the applicant to serve the public in a fair, honest, safe and competent manner and to comply with the requirements of this Code and the rules and regulations promulgated pursuant hereto.

Upon a determination that the applicant is fit and able to serve the public as required herein, a license shall be issued upon payment of the fee provided for in Chapter 92. A separate tag, insignia, license, or number shall be issued for each vehicle operated by a licensee.

(Ord. No. 82-21, 5-4-82)

Sec. 4.94. - Vehicle Identification Requirements.

Any snowplowing vehicle licensed pursuant to the provisions of this Article shall be identified as follows:

- (1) The name of the licensee shall be plainly displayed on both sides of the vehicle in a place and color clearly visible in figures of at least three (3) inches in height; and
- (2) The tag, insignia, license plate or number issued by the City Clerk shall be prominently displayed on the vehicle in a place that can be readily seen and read at all times when the vehicle is being used for snowplowing.

(Ord. No. 82-21, 5-4-82)

Sec. 4.95. - Operation.

A licensed snowplow operator may operate a snowplow over any public sidewalk for purposes of snowplowing or reaching a segment of public sidewalk for which a person, firm or corporation has requested snowplowing.

(Ord. No. 82-21, 5-4-82)

Sec. 4.96. - Damage to Property.

All snowplow operators shall be responsible for repairing any damage to the public right-of-way as a result of snowplowing operations. If a snowplow operator shall fail to make repairs sufficient to place the property in the same condition as it existed prior to the damage, the City may cause the same to be repaired and the cost thereof shall become a debt to the City for the snowplow operator, and shall be collected as any other debt to the City.

(Ord. No. 82-21, 5-4-82)

Sec. 4.97. - Grounds for Denial, Suspension or Revocation.

In addition to the grounds set forth elsewhere in this Code, any of the following shall be grounds for denial of a license or for suspension or revocation of a license once issued:

- (1) Any violation of a provision of this Article or any of the rules or regulations promulgated pursuant to the authority granted by this Article.
- (2) Failure to repair damage to either public or private property resulting from snowplow operations or the use of equipment involved in snowplow operations.

(Ord. No. 82-21, 5-4-82)

Sec. 4.98. - Snowplow Rules and Regulations.

The City Manager may establish rules and regulations, subject to the approval of the City Commission, establishing equipment requirements and operational limitation for licensed snowplowing vehicles and licensees. All such rules and regulations shall be furnished to each licensee and shall be available for inspection and copying at the City Clerk's Office. The rules and regulations established by the City Manager and approved by the City Commission shall have the force and effect of law.

(Ord. No. 82-21, 5-4-82)

Sec. 4.99. - Snow Removal.

All persons removing snow from private property, whether by use of a shovel, snowblower, or any other method, shall comply with the following regulations:

- (1) Snow shall not be deposited and spread into sidewalks, alleys or streets.
- (2) Snow shall not be deposited so as to obstruct fire hydrants or mailboxes.
- (3) Snow shall not be deposited so as to create any visual obstruction which would impair the safe use of sidewalks, alleys or streets.

Any person failing to comply with these regulations shall be guilty of a violation of this Code.

(Ord. No. 86-9, § 1, 2-18-86)

Sec. 4.100. - Violations; Enforcement.

Violation of any provision of this Chapter 52 or of the Rules and Regulations promulgated hereunder, shall constitute a Municipal Civil Infraction as provided for in Chapter 170 of this Code.

(Ord. No. 2011-40, § 2, 9-27-11)

Sec. 4.101. - Definitions.

(1) *Person* includes an individual, corporation, partnership, unincorporated association or any other legal entity.

(Ord. No. 2011-40, § 3, 9-27-11)

Secs. 4.102—4.200. - Reserved.