

THETFORD TOWNSHIP
ORDINANCE NUMBER 87 2015-06-87

DRIVEWAY CULVERTS

AN ORDINANCE MADE AND PASSED FOR THE PURPOSE OF ESTABLISHING REGULATIONS WITH RESPECT TO THE PLACEMENT AND PAYMENT OF DRIVEWAY CULVERTS WITHIN THETFORD TOWNSHIP.

SECTION 1
Culvert Required

It shall be unlawful for any person or persons to construct or maintain a driveway approach or other obstruction leading from any street or road to a lot or parcel of land abutting thereon which may in any way obstruct or interfere with the free and continuous flow or passage of water, in, through or along any public gutters, water course, drain or ditch in such street or road, without first placing in the bottom of such gutter water course, drain or ditch, a metal culvert pipe as hereinafter provided and maintaining the same safe and unobstructed.

Any culvert pipe installed in any public street or road, shall be approved by the Board of County Road Commissioners of the County of Genesee or their appointed representative and shall be installed in a manner approved by the Board of County Road Commissioners of the County of Genesee in a location at a grade and at such elevation that it will not obstruct or interfere with the free continuous flow or passage of water in the direction designated by the established grade of such gutter water course, drain or ditch, and shall be covered with material adjacent or other approved material suitable for the use intended.

SECTION 2
Application for Installation

Whenever any person shall desire to construct a driveway or obstruction in a gutter, water course, drain or ditch, he shall make application to the Board of County Road Commissioners of the County of Genesee for a permit for such installation. If there appears to be no objection to such installation by the applicant, the Board of County road Commissioners of the County of Genesee will issue a permit for the installation, in accordance with its regulations and shall make a record of such permit.

SECTION 3
Notice of Violation

Whenever any street, road, lane or alley in the Township of Thetford has been graded, ditched or paved without curbs or whenever any existing culvert has not been maintained or because of its condition is interfering with the free and continuous flow or passage of water, it shall be the duty of the Clerk of the Township of Thetford or the Thetford Township Building Inspector, to serve or cause to be served, a written notice upon

the owner or agent of any lot or parcel of land abutting said street, road, lane or alley, which has a driveway approach or other obstruction leading from said lot or parcel of land to the traveled portion of the street, road, lane or alley requiring him or them to install culvert pipes in all such driveways, approaches or obstructions in accordance with Section 1 and 2 of this Ordinance within 10 days after the service of said notice. It shall be further be the duty of said Clerk or Township Building Inspector to serve or cause to be served with notice above mentioned upon the owner or agent of any lot or parcel of land abutting any street, road, lane or alley in the Township of Thetford who has not complied with the conditions specified in Sections 1 or 2 hereof. In the event the Clerk, or other authorized agent or employee shall be unable to find within the Township, the owner or agent of any such lot or parcel of land abutting such street, road, lane or alley, then such notice may be served by posting in some conspicuous place on said lot or premises.

SECTION 4

Failure to Respond to Notice: Right of Township to Assess Cost of Installation

In the event the owner or agent of any lot or parcel of land when ordered by the Clerk or Township Building Inspector, in the manner aforesaid, shall refuse or neglect to install culvert pipes under the driveways, approaches or obstruction within ten (10) days from the date of service of the notice provided for in Section 3 of this Ordinance, the Township Board may cause [sic] such driveway, approach or obstruction to be constructed and installed and assess the cost thereof on the lot or parcel of land benefitted, said assessment to be collected in the same manner as provided for the collecting of special assessments and such tax shall be and remain a lien upon such lot or parcel of land until the same is paid.

SECTION 5

Violation: Penalties

Any person or persons violating any of the above provisions of this Ordinance shall upon conviction thereof, be sentenced to pay a fine not exceeding Five Hundred (\$500.00) Dollars or by imprisonment for not more than Ninety (90) days in the County Jail or by both such fine and imprisonment in the discretion of the Court.

SECTION 6

Severability

The provisions of the within Ordinance are hereby declared to be severable and the invalidation of any one or more of the same by any judicial determination of statutory or constitutional provision shall not invalidate the remainder of said provisions or Ordinance.

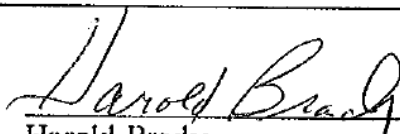
SECTION 7
Effective Date

This Ordinance shall become effective upon the date of its publication in the Genesee County Herald, a paper of local circulation in the Township of Thetford, and following its final passage by the Township Board of Trustees.

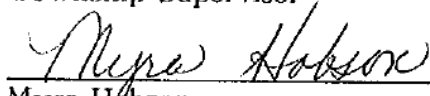
MADE AND PASSED by the Thetford Township Board of Trustees at a regular business meeting held in the Thetford Township Chambers on the 14th day of June, 1993 after motion duly made by Jim Boyer and seconded by Cecil Garl, and a vote taken as follows:

YEAS: Harold Brady, Cecil Garl, Jim Boyer, Eileen Kerr, Duane Hammond & Myra Hobson.

NAYS: None
Absent--Dan Bellinger




Harold Brady
Township Supervisor



Myra Hobson
Township Clerk

STATE OF MICHIGAN)
)ss
COUNTY OF GENESEE)

I, Myra Hobson, Clerk of the Township of Thetford, Genesee County, Michigan, hereby certify that the foregoing Ordinance was adopted at a regular business meeting of the Thetford Township Board of Trustees on the 14th day of June, 1993.



Myra Hobson
Township Clerk

PREPARED BY:
OTIS W. STOUT
Township Attorney
Professional Building
Clio, Michigan 48420
(813) 686-0270