

**VILLAGE OF AKRON**  
**STREET OPENINGS AND OBSTRUCTIONS ORDINANCE**  
**ORDINANCE NO. 1410**

**AN ORDINANCE TO REGULATE THE USE OF THE STREET OPENING AND  
OBSTRUCTIONS WITHIN THE VILLAGE OF AKRON.**

**BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF AKRON,  
MICHIGAN THAT:**

**SECTION 1. DEFINITIONS:**

Unless the context specifically indicates otherwise, the following definitions shall apply in the interpretation of the Chapter:

- A. **Street:** Shall mean all of the land lying between property lines on either side of all streets, alleys and boulevards in the Village, and includes lawn extensions and sidewalks and the area reserved therefore where the same are not yet constructed.
- B. **Superintendent:** Shall mean the Superintendent of Public Works of the Village.

**SECTION 2. DAMAGE AND OBSTRUCTION PROHIBITED:**

No person shall make any excavation in, or cause any damage to any street in the Village, except under the conditions and in the manner permitted in this Ordinance. No person shall place any article, thing or obstruction in any street, except under the conditions and in the manner permitted in this Ordinance, this section shall not be deemed to prohibit such temporary obstructions as may be incidental to the expeditious movement of articles and things to and from abutting premises, or the lawful parking of vehicles.

**SECTION 3. PERMITS AND BONDS:**

Where permits are authorized in this Chapter, they shall be obtained upon application to the Superintendent, upon such forms as he/she shall prescribe, and there shall be a charge of twenty-five (\$25.00) dollars for each such permit. Such permit shall be revocable by the Superintendent or his/her duly authorized representative, and shall be valid only for the period of time endorsed thereon. Application for a permit under the provisions of this Chapter shall be deemed an agreement by the applicant to promptly complete the work permitted, observe all pertinent laws and regulations of the Village in connection therewith, repair all damage done to the street surface and installations on, over or within such street including trees, and protect and save harmless the Village from all damages or actions at law that may arise or may be brought on account of injury to persons or property resulting from the work done under the permit or in connection therewith. Where liability insurance policies are required to be filed in

making application for a permit, they shall not be in less than the following amounts, except as otherwise specified in this Chapter:

- A. On account of injury to, or death of, any person in any one accident -----  
\$1,000.00
- B. On account of any one accident resulting in injury to, or death of, more than one person  
-----\$2,000.00
- C. On account of damage to property in any one accident-----\$100,000.00

A duplicate executed copy or photo-static copy of the original of such insurance policy on the endorsement to the policy shall be filed with the Village Clerk.

Where cash deposits are required with the application for a permit hereunder, such deposit shall be in minimum amount of five hundred (\$500.00) dollars, except as otherwise specified in this Ordinance, and such deposits shall be used to defray all expenses to the Village arising out of granting of the permit and work done under the permit or in connection therewith. Three (3) months after completion of the work done under the permit, any balance of such cash deposit unexpended, shall be refunded. In case where the deposit does not cover all costs and expenses of the Village, the deficit shall be paid by the applicant.

#### **SECTION 4. STREET OPENINGS:**

No person shall make any excavation or opening in or under any street without first obtaining a written permit from the superintendent approved by the Village Council. No permit shall be granted until the application has posted a cash deposit and files a liability insurance policy as required by section 3.

#### **SECTION 5. EMERGENCY OPENINGS:**

The Superintendent may, if the public safety requires immediate action, grant permission to make a necessary street opening in an emergency, provided that a permit shall be obtained on the following business day and the provisions of the Ordinance shall be complied with.

#### **SECTION 6. BACKFILLING:**

All trenches in a public street or other hard surfaced, public place, shall be backfilled with approved granular material to within twelve (12) inches of the surface. On main thoroughfares, this material shall contain one (1) sack of cement per yard of fill. The remaining portion shall be filled with road gravel, cement or asphalt as specified by the Village Council.

#### **SECTION 7. UTILITIY POLES:**

Utility poles may be placed in adjacent to streets as the Superintendent shall prescribe and shall be located thereon on accordance with the directions of the superintendent. Utility poles shall be removed or relocated as the Superintendent shall from time to time direct.

## **SECTION 8. MAINTENANCE OF INSTALLATIONS IN STREETS:**

Every owner of, and every person in control of, any estate hereafter maintaining a sidewalk openings, vault, stairway on underground structure below the sidewalk, or any post, pole, sign, awning, wire, pipe, conduit or other structure in, under, over or upon, any street or sidewalk, which is adjacent to or part of his/her property, shall do so only on the condition that maintenance of such be considered an agreement on his/her part with the Village to keep the same and covers thereof and all parts thereof, in good repair and condition at all times during his ownership or control thereof, and to indemnify and save harmless the Village against all damages or actions at law that may arise or be brought be reason of such excavation or structure being under, over, in or upon the street, or sidewalks.

## **SECTION 9. CURB CUTS:**

No openings in or through any curb of any street shall be made without first obtaining a written permit from the Superintendent. Curb cuts and sidewalk driveway crossings to provide access to private property shall comply with the following:

- A. No single curb cut shall exceed twenty-five (25) feet nor be less than ten (10) feet.
- B. The minimum distance between any curb cut and a public crosswalk shall be five (5) feet.
- C. The minimum distance between curb cuts, except those serving residential property, shall be twenty-five (25) feet.
- D. Necessary adjustments to utility poles, light standards, fire hydrants, catch basins, street or railway signs, signals, or other public improvements or installations shall be without cost to the Village.
- E. All construction shall be in accordance with plans and specifications approved by the Superintendent.

## **SECTION 10. STREET OBSTRUCTIONS:**

No person shall occupy or obstruct any street with materials or machinery incidental to the constructions, demolition or repair any building adjacent to said street, or for any other purpose, without first obtaining a permit from the Superintendent. No permit shall be granted until the applicant shall file a liability insurance policy as required by Section 3.

## **SECTION 11. PEDESTRIAN PASSAGE:**

At least six (6) feet of sidewalk space shall be kept clean and clear for the free passage of pedestrians. If building operations are such that such free passageway is impractical, a temporary plank sidewalk with substantial railing or sidewalk shelter shall be provided around such obstruction.

## **SECTION 12. SAFEGUARDS:**

All openings, excavations and obstructions shall be properly and substantially barricaded and railed off and at night shall be provided with red or amber warning lights. Warning lights

perpendicular to the flow of traffic shall not be more than three (3) feet apart, and parallel to the flow of traffic not more than fifteen (15) feet apart.

### **SECTION 13. SHORING EXCAVATIONS:**

All openings and excavations shall be properly and substantially sheeted and braced as a safeguard to workers and to prevent cave-ins or washouts.

### **SECTION 14. HOUSE MOVING:**

No person shall move, transport or convey any building or other similar bulky or heavy object, including machinery, trucks and trailers, larger in width than fourteen (14) feet, into, across or along any street, alley or other public place in the Village without first obtaining a permit from the Superintendent. Such permit shall specify the route to be used in such movement and no person shall engage in such movement along a route other than that specified in the permit. A house moving permit shall not be granted until the applicant posts a cash deposit in the amount of five hundred (\$500.00) dollars and file liability insurance policy as required by Section 3.

### **SECTION 15. REMOVAL OF ENCROACHMENT:**

Unauthorized encroachments and obstructions in the street may be removed and excavations refilled and the expense of such removal or refilling charged to the abutting land owner or other responsible person or party. Unauthorized encroachment or obstruction include those for which a valid permit has expired.

### **SECTION 16. TEMPORARY STREET CLOSINGS:**

The Superintendent shall have authority to temporarily close any street, or portion thereof, when he/she shall deem such street to be unsafe or temporality unsuitable for use. The Superintendent shall cause suitable barriers and signs to be erected on said street indicated that the same closed to public travel. When any street or portion thereof shall have been closed to public travel no person shall drive any vehicle upon or over said street except as the same may be necessary for street repair or construction work being done in the area closed to public travel. No person shall move or interfere with any sign or barrier erected pursuant to this Section without authority from the Superintendent.

### **SECTION 17. VALIDITY:**

- A. All Ordinances or part of this Ordinance in conflict herewith are hereby repealed.
- B. If any section, paragraph, clause or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

### **SECTION 18. ORDINANCE IN FORCE:**

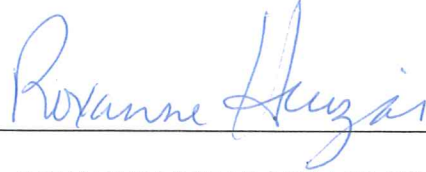
This Ordinance shall be in full force and effect from and after its passage and approval and publication by law.

This Ordinance was enacted by the Village Council of the Village of Akron at a regular meeting held at the Council Chambers in said Village on 17 day of March, 2026.

Yeas;

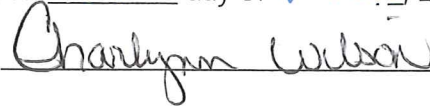
Nays;

Absent:



ROXANNE HUIZAR, VILLAGE PRESIDENT

I Charlynn Wilson, Clerk of the Village of Akron, do hereby certify that the above Ordinance is a true and correct copy of an Ordinance passed by the Village Council of the Village of Akron, Tuscola County, Michigan, at a regular meeting on 17 day of March, 2026.



CHARLYNN WILSON, VILLAGE CLERK

