

**GAINES CHARTER TOWNSHIP**  
**KENT COUNTY, MICHIGAN**

**Ordinance No. 18-05**

At a regular meeting of the Township Board for the Charter Township of Gaines, held at the Township offices on July 9, 2018, beginning at 7:00 p.m., the following amendments to the Code of Ordinances for Gaines Charter Township were offered for adoption by Township Board Member Haagsma, which motion was seconded by Township Board Member

VanderStel:

**AN ORDINANCE TO AMEND SECTIONS 34-21 AND 34-27(a) OF THE CODE OF ORDINANCES FOR GAINES CHARTER TOWNSHIP REGARDING SIDEWALKS.**

THE CHARTER TOWNSHIP OF GAINES (the "Township") ORDAINS:

Section 1. Chapter 34 (entitled "Streets, Sidewalks and Other Public Places") of the Code of Ordinances for the Charter Township of Gaines, Kent County, Michigan, is hereby amended to add a new and additional subsection (c) to Section 34-21 as follows:

- (c) In addition, the Township Board has the authority (at its discretion) to order the installation and construction of sidewalks in any area of the Township (including in long existing neighborhoods, subdivisions and developments) where the Township Board deems it reasonably necessary in order to protect the health, safety and/or welfare of the residents, property owners and motorists of the Township. The owner of a lot or parcel adjoining or abutting the sidewalk shall be responsible for the costs of installing, constructing, maintaining, snowplowing and repairing the sidewalk adjacent to or abutting that owner's lot or parcel.

For new sidewalks, the Township may either:

- (1) Require the owner of the lot or parcel adjacent or abutting the sidewalk area to construct and install the sidewalk along the lot or parcel; or
- (2) The Township may construct and install the sidewalk and assess the costs to the adjacent or abutting lot or parcel.

Section 2. Subsection 34-27(a) of Chapter 34 (entitled “Streets, Sidewalks and Other Public Places”) of the Code of Ordinances for the Charter Township of Gaines, Kent County, Michigan, is hereby amended to state as follows:

- (a) Sidewalks that are required to be installed pursuant to this Chapter shall be installed by the owner of the property within one year of the commencement of construction on or alteration of any principal building in conjunction with the issuance of a building permit or hookup to public water or sewer. In any residential development where sidewalks are required, if no building is built upon the lot for three years after the final plat or plan approval, the developer shall be required to install sidewalks for that lot. If for a particular development, neighborhood, area or property, the Township Board has determined that a sidewalk or sidewalks shall be installed by a specific deadline for a particular lot, plat subdivision or development that differs from the above time limits, the time limit specified by the Township Board shall govern.

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The balance of Section 34-27 remains unchanged and in full force and effect.

Section 3. Continuation. Except as specified above, the Code of Ordinances for Gaines Charter Township, as amended, shall remain unchanged and in full force and effect.

Section 4. Severability. In the event that any one or more sections, provisions, phrases, or words of this Ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity or the enforceability of the remaining sections, provisions, phrases, or other words of this Ordinance.

Section 5. Effective Date. The provisions of this Ordinance shall take effect upon the expiration of thirty (30) days after the date of publication of the Ordinance or a summary of its provisions in accordance with the law.

The vote to adopt this Ordinance was as follows:

YEAS: DeWard, Lemke, Haagsma, VanderStel, Osterink, Burnside

NAYS: Fryling


ABSENT/ABSTAIN: None

ORDINANCE DECLARED ADOPTED.

**CERTIFICATION**

I hereby certify that the above is a true copy of an Ordinance adopted by the Township Board for Gaines Charter Township at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

By:   
Angela Burnside  
Gaines Charter Township Clerk