

First Reading: March 12, 2026
Second Reading: April 9, 2026
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Effective: April 20, 2026

AMENDMENT TO CODIFIED ORDINANCE OF THE CITY OF NEGAUNEE

CHAPTER 93

The City of Negaunee ORDAINS:

That Chapter 93 of the Codified Ordinances of Negaunee, Michigan, shall be, and the same hereby is, amended to read as follows:

REPEALER

Chapter 93 of the Codified Ordinances of Negaunee, Michigan, and any other ordinance, resolution, order or parts thereof in conflict with the provisions of these Amendments are, to the extent of such conflict, hereby repealed. The repeal date shall be the effective date of the following Amendments.

AMENDMENT

Chapter 93, Streets, Sidewalks and Public Property of the Codified Ordinances of Negaunee, Michigan, shall be, and hereby is, amended to read as follows:

SIDEWALK CONSTRUCTION, REPAIR AND USE

§ 93.01 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BUSINESS DISTRICT. For the purposes of the Streets, Sidewalks and Public Property Ordinance, the Business District shall include the following: all of Iron Street and Rail Street, from Gold Street to Division Street; Division Street, from Rail Street to Jackson Street; Jackson Street, from Tobin Street to Teal Lake Avenue; and Tobin Street, from Jackson Street to Iron Street (herein after, the "Business District").

CONSTRUCT. To construct, repair or rebuild.

DISPLAY. Any structure, device, sign, projection, flag, object, or representation designed to identify, advertise, or direct attention to a business, product, service, or activity offered on the premises where the display is located.

FRONTAGE. Either:

(1) For residences, which are construed to include premises used and occupied exclusively for residential purposes, and for unimproved lots, **FRONTAGE** means that portion of the sidewalk that is parallel to the main or principal entrance to the dwelling or improvement thereon. When a residence is located on a corner lot, **FRONTAGE** includes all portions of the lot abutting a sidewalk, and not just that portion of the sidewalk that is parallel to the main entrance of the premises; or

(2) For commercial properties, which are construed to include all improved properties, any portion of which is used for non-residential purposes, **FRONTAGE** means all portions of sidewalk that abut thereon. When a commercial property is located on a corner lot, **FRONTAGE** includes all portions of the lot abutting a sidewalk, and not just that portion of the sidewalk that is parallel to the main entrance of the premises.

PROPERTY OWNER. The owner of the lot adjoining the sidewalk to be constructed, provided that if the owner of the lot improved has issued a mine lease on said lot, then **PROPERTY OWNER** shall mean the lessee or owner of said leasehold interest.

SIDEWALK. The part of a public highway set aside and used for pedestrians, and it shall always mean the curb and gutter customarily built in connection with such sidewalks.

(Prior Code, § 1020.01)

§ 93.02 COMPLIANCE.

All sidewalks hereafter constructed in the city shall be in compliance with the provisions of this subchapter.

(Prior Code, § 1020.02)

§ 93.03 RESOLUTION OF NECESSITY AND INTENTION.

The City Council, by resolution or motion, shall determine the necessity of constructing sidewalks in any street in the city and shall therein declare the intention of the city to make said improvement. Such improvement shall be made in accordance with the procedures for making special assessments provided for in Article X of the City Charter.

(Prior Code, § 1020.03)

§ 93.04 NOTICE TO PROPERTY OWNER.

The City Manager shall give notice, either by personal service or by newspaper publication, to the property owner or owners adjoining the sidewalk which is proposed to be constructed, of the intention of the city to make such improvement and of the portion thereof to be assessed, such assessment to be made in accordance with the provisions of Article X of the City Charter.

(Prior Code, § 1020.04)

§ 93.05 PLANS AND SPECIFICATIONS.

(A) All sidewalks shall be constructed in compliance with the plans therefor and with the standard specifications of the city.

(B) All concrete used in sidewalk construction shall, 28 days after placement, be capable of resisting pressure of 2,500 pounds per square inch, without failure.

(Prior Code, § 1020.05)

§ 93.06 PERMISSION REQUIRED; EXCEPTION.

(A) No sidewalk shall be constructed in the city by any sidewalk builder, other than the city, without permission being obtained from the City Manager or his or her designee. This permission shall be secured by the property owner who shall in writing agree to construct the sidewalk in compliance with the grade and specifications attached to such permission. The property owner shall be responsible for the condition of the sidewalk.

(B) No such permission shall be required for the repair of any sidewalk involving less than 50 square feet in area.

(Prior Code, § 1020.06)

§ 93.07 CONSTRUCTION BY CITY; COSTS.

If the property owner shall fail or neglect to construct said sidewalk, for 20 days after the notice provided for in § 93.04 is given to him or her, then the City Manager shall cause said sidewalk to be built and the City Manager shall prepare a detailed statement of all expense involved in such construction. The statement shall be delivered by the City Manager to the City Assessor who shall cause an assessment to be made against the property owner in accordance with the procedures for making special assessments provided for in Article X of the City Charter.

(Prior Code, § 1020.07)

§ 93.08 COLLECTION OF COSTS BY CITY.

(A) The cost of repairs to be charged against the property owner, as set forth in § 93.07, shall be payable at the office of the City Treasurer on or before 60 days after said cost is billed to said property owner. If payment in full is not made within such period, then the portion of the cost thereof for which the property owner is liable shall constitute an assessment in accordance with the procedures for making special assessments provided for in Article X of the City Charter.

(B) The assessment, when confirmed by the City Manager, shall constitute a lien against the interest of the property owner in the premises and shall have the status of a special assessment. The Assessor of the city shall keep and maintain a special assessment book in which he or she shall inscribe all special assessments levied under

these codified ordinances. Such special assessments shall be collected according to the law in the same manner as other city taxes, or the city may collect such assessment from the property owner in an action of assumpsit brought in the name of the city after the City Manager has authorized the same.

(Prior Code, § 1020.08)

§ 93.09 DIVISION OF COSTS.

Whenever any sidewalk is constructed in the City under this subchapter, all or a portion of the entire cost of labor and materials shall be billed to the owner of the property benefitted, in accordance with the provisions of Article X of the City Charter, which benefit shall be computed according to the frontage of the property. The City shall pay out the remaining cost arising from said improvement. The cost assumed by the City shall be limited to that arising from sidewalk construction, and the city shall not participate in cost arising from unusual land conditions or from the need to reinforce the foundation of any sidewalk or from special or unusual situations.

(Prior Code, § 1020.09)

§ 93.10 MODIFICATION OF APRONS.

The modification of the apron of any driveway using concrete, blacktopping, or gravel, without written authority from the City Council, is prohibited.

(Prior Code, § 1020.10)

§ 93.10 USE OF SIDEWALKS IN THE DOWNTOWN BUSINESS DISTRICT.

(A) Clear Passage. Unless otherwise specified herein, the owner of every lot in the City of Negaunee Business District shall maintain and keep all sidewalks abutting or adjoining their property clear of rubbish and other obstructions, and shall allow a minimum of five (5') feet of unobstructed sidewalk for pedestrians. See Neg. Ord. 156.179(F) for Non-Business District related sidewalk use regulations.

(B) Displays. The owner of any lot abutting or adjoining a sidewalk in the City of Negaunee Business District shall not, in the determination of the City Manager or the City Manager's designee, store or keep any items such as displays, signs, merchandise or other temporary fixture within the sidewalk that may impede or interfere pedestrian use of the sidewalk, and all business displays, signs, merchandise or other temporary fixture must be located directly in front of and adjacent to the related business. Any display, sign, merchandise or other temporary fixture must not block any fire exit, fire department connection, or other emergency access point. All displays, signs, merchandise or other temporary fixtures must be removed daily from the sidewalk at the close of the business' daily operations or by 10:00PM, whichever is earlier, and no

display may be placed on the sidewalk before 7:00AM. Displays must not interfere with the City's snow removal efforts, or other efforts to maintain the sidewalks. See Neg. Ord. 156.179(F) for Non-Business District related sidewalk signage and display regulations.

(C) Outdoor Sales Prohibited. All outdoor sales of goods or services on City sidewalks are prohibited unless the:

(1) sale is associated with a City downtown event that is permitted through a special event permit by the City or a Downtown Development Association sponsored event/festival; or

(2) sale is associated with a state liquor control license that allows for such activity and has been approved in advance by the City;

(D) Removal. The Negaunee City Police, the Negaunee City Fire Department, the Negaunee City Planning and Zoning Department, and/or the City Manager's office may, or without notice, order the removal or cause the removal of any display or other obstruction if it is determined an emergency situation exists or if such immediate removal of an obstruction or display would promote the health, safety or welfare of the community.

Upon roll call, City of Negaunee Council Members:

Voting aye: 7
Voting nay: 0

Whereupon, this Ordinance was declared passed and adopted this 9th day of April, 2026.

This Amendment shall be published as required by law and shall be effective on the 20th day of April 2026.

CITY OF NEGAUNEE


By: Craig Ilmonen, Its Mayor

Attest:


By: Judy Iwanski, Its Clerk