

**ORDINANCE #507**  
**ELK RAPIDS GENERAL CODE OF ORDINANCES**  
**CHAPTER 7 – DEPARTMENT OF PUBLIC WORKS**

The Village of Elk Rapids ordains to amend Chapter 7 DEPARTMENT OF PUBLIC WORKS § 7-127 SECONDARY SIDEWALK CONSTRUCTION, REPAIR, REPLACEMENT, AND MAINTENANCE, for the purpose of amending text regarding the construction and repair of secondary sidewalks.

**§ 7-127 – Non-primary sidewalk construction, repair, replacement and maintenance.**

(a) *Construction.* The Village shall construct sidewalks within its limits as the budget allows. With the exception of site condominium, sub-division, or planned unit developments, the village council, by resolution, may, pursuant to the master plan and with consideration to the enhancement of the village's walkability, including the existence of a sidewalk on adjacent properties, construct non-primary sidewalks within the public street right-of-way.

(b) *Repair, replacement and maintenance.* The department of public works superintendent shall determine when a sidewalk is unsafe for use, or in disrepair. Upon this determination, the superintendent shall provide a list of those sidewalks to the village manager and to the village council, along with his recommendation to repair or replace them. Council will determine the sidewalks to be replaced and those to be repaired.

(c) The village shall repair and replace sidewalks within its limits as the budget allows.


(d) Maintenance of all non-primary sidewalks shall be the responsibility of the owner(s) of record.


(e) If the Village lacks the budget to repair or replace sidewalks the Village may assess up to 50% of the total cost with the adjacent owners of record.

Ordinance # 507 shall be in full force upon the date of publication (Thursday, June 24, 2021) and filed in the office of the Village Clerk.

YAYS: 7  
NAYS: 0  
ABSTAIN: 0  
ABSENT: 0

I do hereby certify that the above ordinance to amend the Village of Elk Rapids General Code of Ordinances is a true and correct copy of that recorded in the official minutes of the June 21, 2021 Elk Rapids Regular Village Council Meeting.

  
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James Janisse  
Village President

  
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Kaitlyn Szczyпка  
Village Clerk