

**ORDINANCE NO: 2019-01**

**AN ORDINANCE TO PROHIBIT THE OBSTRUCTION OF PUBLIC RIGHTS OF WAY WITHIN THE VILLAGE OF ASHLEY; TO REQUIRE THE MAINTENANCE OF A PORTION OF THE PUBLIC RIGHT OF WAY; AND TO REQUIRE THE MAINTENANCE OF CLEAR VISION AREAS**

The Village of Ashley Ordains:

Section 1: This Ordinance shall be known and cited as the Village of Ashley Public Rights of Way Ordinance:

Purpose:

(a) No person or persons shall, without authority of law:

(1) Obstruct any public street, sidewalk or other public place;

(2) Obstruct the ordinary and usual means of approach to and departure from any entrance of any building, storeroom or factory;

(3) Obstruct or cause to be obstructed any railroad crossing for a period of more than five minutes at any one time;

(4) Place, deposit, or allow to migrate onto any public street sidewalk, alley or other public place any substance or material, including water, in such fashion as to present an immediate hazard to pedestrian and/or vehicular traffic;

(5) Deposit within the traveled portion of any public street, sidewalk or alley, any snow or ice;

(b) The owner or occupant of any premises abutting a public sidewalk shall keep the same free of ice and snow.

(c) The owner or occupant of any premises abutting a public right of way shall mow the non-travelled portion of the right of way adjacent to such premises.

(d) No person shall plant, grow or allow to grow any vegetation upon any premises owned or occupied by him or her

which obstructs the clear vision of persons using an adjacent public right of way for vehicular or pedestrian travel.

(e) Any person who violates this section shall be responsible for a municipal civil infraction and subject to the penalties enumerated in chapter \_\_. Each day of any continuing violation shall constitute a separate offense.

Section 2: Separability. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 3: Ordinances Repealed. All ordinances and/or parts of ordinances inconsistent with this ordinance are hereby repealed.

Section 4: Effective Date. This ordinance shall take effect and be in force fifteen days from and after its enactment as provided by the Village council.

Passed and approved by the Village Council of the Village of Ashley, Gratiot County, Michigan, in regular session, held March 14, 2019.

We, the undersigned President and Clerk of the Village of Ashley, Michigan, do hereby certify that the above and foregoing Ordinance, known as Ordinance # 2019-01 Public Rights of Way of the Village of Ashley, Michigan was adopted at a regular

meeting of the Village Council, held on March 14, 2019 and published in a newspaper circulated within the Village on March 24, 2019, not less than fifteen days having elapsed between adoption and publication.

Dated at Ashley, Michigan, this 15<sup>th</sup> day of March, 2019.

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President

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Clerk