

[Sec. 32-5 Permit—required.](#)

[Code 1955, § 5-1.11]

No person shall make any excavation or opening in or under any street, alley or public place without first obtaining a written permit from the City Engineer.

[Sec. 32-6 Same—Insurance prerequisite to granting permit; permit fee.](#)

[Code 1955, § 5-1.11; Ord. No. 995, 1-3-1990; Ord. No. 1069, 10-7-1992; Ord. No. 1530, 3-4-2009]

[\(a\)](#)

Before a permit shall be issued, the applicant shall present evidence satisfactory to the City that public liability and property damage insurance has been obtained under which the applicant and the City are both insured with respect to any personal injury, death or property damage arising out of any act done or negligence committed while acting under any permit, whether such act or negligence be of the licensee, subcontractors of the licensee, or any other person who may be performing any act related to the authority granted by such permit. Such insurance shall be in the amount specified in the resolution on fees and insurance periodically adopted by City Council from an insurer authorized or licensed to do business in Michigan by the Commissioner of insurance and approved by the City. Every policy of insurance required by this section shall bear an endorsement to the effect that the insurer shall notify the licensee and the City in writing at least 10 days prior to reductions in coverage or the expiration or cancellation of such policy.

[\(b\)](#)

Before a permit is issued, the applicant shall pay a permit fee as established by resolution of City Council.

[Sec. 32-7 Excavation of paved street, etc., within two years of paving or thereafter.](#)

[Code 1955, § 5-1.11]

No person shall make any opening or excavation in or under a paved street or alley within a period of two years after completion of any paving or resurfacing thereof. If the public safety or welfare requires immediate action, the City Manager may suspend operation of this provision. The City Engineer may refuse the granting of a permit following the expiration of such two-year period if he deems that the opening or excavation applied for is unnecessary or could be reasonably avoided. Appeal may be had to the Council with respect to any decision of the City Manager or the City Engineer concerning the enforcement of the prohibition of this section. The decision of the Council on such appeal shall be final.

[Sec. 32-8 Notice to property owner to make gas and sewer connections prior to paving.](#)

[Code 1955, § 5-1.11]

Before any street within the City is paved, it shall be the duty of the City Engineer to serve a written notice upon each owner of the premises abutting on such street, as shown by the City tax roll, requiring him, within 30 days from the date of such notice, to make all necessary gas and sewer connections that may be laid in such street.