

**STATE OF MICHIGAN**

**COUNTY OF OAKLAND**

**CITY OF BERKLEY**

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF BERKLEY CHAPTER 106, "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES," ARTICLE IV, "SIDEWALKS," DIVISION 2, "CONSTRUCTION AND REPAIR, SECTION 106-188, "BOND PREREQUISITE TO ISSUANCE," IS HEREBY AMENDED TO REDUCE THE BOND TERM TO ONE (1) YEAR.**

**THE CITY OF BERKLEY ORDAINS:**

**Section 1 of Ordinance. Ordinance Amendment.**

Sec. 106-188 – Bond prerequisite to issuance – is hereby amended to read as follows:

The applicant for a permit under this division shall file a cash or surety bond in the sum as presently established or as hereafter prescribed by resolution of the city council, such bond to be conditioned upon the faithful performance of all of the provisions of this article and of all of the ordinances, rules and regulations of the city pertaining to the work to be done and shall be further conditioned upon the keeping and maintaining of all sidewalks or driveway approaches, constructed, reconstructed or replaced by him under permit covered by the bond in good condition, free from surface scaling, and fit for public travel for a period of one (1) year ~~five years~~ from and after the date of the completion of the construction, reconstruction or replacement of the sidewalk or driveway approach; provided, however, that no such bond shall be required of any owner for the laying, construction, reconstruction or replacement of any sidewalk or driveway approach adjoining property owned by such owner where such work is to be done by such owner. Every person in lieu of the bond herein above required for each separate permit, may file and maintain a blanket cash or surety bond in the amount presently established or hereafter prescribed by resolution of the city council, conditioned upon the faithful performance of all of the provisions of this article and of all the ordinances, rules and regulations of the city pertaining to work done under any permit issued under this division, and further conditioned upon the keeping and maintaining of all sidewalks and driveway approaches constructed, reconstructed or replaced by him under any permit issued while such blanket bond be on file with the city, in good condition, free from surface scaling, and fit for public travel for a period of five years from and after the date of the completion of the last of such work.

**Section 2 of Ordinance. Severability.**

If any section, clause or provision of this ordinance shall be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

**Section 3 of Ordinance. Repealer**

All other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

**Section 4 of Ordinance. Effective Date.**

This amendatory ordinance shall be effective 10 days after adoption by the City Council and after publication as provided by the Charter of the City of Berkley.

Ayes:  
Nays:  
Abstentions:  
Absent:

STATE OF MICHIGAN        )  
  )ss.  
COUNTY OF OAKLAND     )

I, the undersigned, the qualified and acting City Clerk of the City of Berkley, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Berkley at a meeting held of the \_\_\_\_ day of \_\_\_\_\_, 2026, the original of which is on file in my office.

\_\_\_\_\_  
Victoria Mitchell, City Clerk  
City of Berkley