

CHARTER TOWNSHIP OF FENTON
Ordinance No. 654
Adopted December 5, 2005

An ordinance to amend Sections 1, 2 and 4 of Utility Control Ordinance No. 453 for the purpose of revising the language regarding responsible parties for review and enforcement.

THE CHARTER TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN
ORDAINS:

ARTICLE I. Section 1 of Ordinance No. 453 is hereby amended to provide as follows:

SECTION 1. Definitions.

1. Utility Company: Any public or private person, firm, political subdivision of the State of Michigan, municipality or corporation, whose purpose it is to maintain any appurtenance for use in the transmission of any utility service.

2. Street: A public road, alley, street, or way within the Township.

ARTICLE II. Section 2 of Ordinance No. 453 is hereby amended to provide as follows:

SECTION 2. Regulations.

Before entering upon any street for the purpose of constructing or installing any telegraph, telephone or power lines, pipelines, wires, cables, poles, conduits, sewers and like structures upon, across, or under such street, (excluding cable television connections to individual locations), a utility company shall file with the Township Engineer two (2) sets of plans and specifications showing the nature of the proposed construction or installation, together with proof of approval of such construction or installation by the Board of County Road Commissioners of the County of Genesee, where necessary. Within twenty (20) days from, and after receipt of, such plan and specifications, the Township Engineer shall notify the utility company in writing of any objection of the Township to such proposed construction or installation, stating the reason for such objection, and upon receipt of such notice within such period, the utility company shall not proceed with such construction and installation until it has filed with the Township Engineer a plan and specifications to which the Township does not object under the terms of this Ordinance. If no notice of objection to the proposed construction or installation is given by the Township to the utility company within the twenty (20) day period herein provided, it shall be conclusively presumed that the Township has no objection to the proposed construction or installation. Provided, however, that in the event of an emergency which endangers person or property, the utility company may proceed to construct or install such facilities and shall notify the Township Engineer thereof as soon as may be practicable.

ARTICLE III. Section 4 of Ordinance No. 453 is hereby amended to provide as follows:

SECTION 4. Enforcement.

The Township Engineer and the Ordinance Enforcement Officer are hereby designated as the enforcement officers of this Ordinance and it shall be their duty to perform all of

the acts provided for in this Ordinance. The Township Board may designate some other person to serve at the pleasure of the Township Board as the Building Inspector under this Ordinance, in which case, such person shall act as the enforcement officer for this Ordinance and it shall be his duty to perform all of the acts provided for in this Ordinance.

ARTICLE IV. Severability.

Each and every article of this amendatory ordinance, and each provision of each article section and subsection is declared to be separable and severable, and a judicial determination that any article, section, subsection or provision of this ordinance is invalid or unenforceable, shall not affect the validity or enforceability of any other article, section, subsection or provision.

ARTICLE V. Effective Date.

This amendatory ordinance shall be published as required by law and shall take effect immediately after its enactment and publication.

Enacted at a regular meeting of the Charter Township of Fenton Board of Trustees held on the 5th day of December 2005.

Bonnie K. Mathis, Supervisor

Robert E. Krug, Clerk