

**CITY OF ST. JOHNS  
ORDINANCE NO. 690**

**AN ORDINANCE TO AMEND CHAPTER 155 OF THE CODE OF ORDINANCES  
REGARDING SIDEWALKS**

**THE CITY OF ST. JOHNS ORDAINS:**

**Section 1. Amendment to Chapter 155, §201.** The City amends Chapter 155 of the City's Code of Ordinances by adding §201 as follows:

**§ 155.201 SIDEWALKS.**

- (A) **Sidewalks Required.** Sidewalks, at least five feet in width and meeting the design and engineering requirements of the City of St. Johns shall be installed along the street frontage of a property whenever a Site Plan approval (of any type) is required under this Ordinance or whenever a new principal structure is constructed on any lot (including single family homes). Sidewalks shall also be installed along both sides of all new roadways constructed in the City of St. Johns.
- (B) **Waiver Process.** The Planning Commission may waive the requirements of Subsection A based on the following criteria:
- (1) There is a legal, physical, or environmental impediment that makes the construction of a sidewalk meeting the City's design standards impossible, in the opinion of the Planning Commission.
  - (2) The granting of the waiver would not be detrimental to the public health, safety, or general welfare and would not create a precedent which would prevent the enforcement of the ordinance for similar conditions or situations in the area in which the property is located.
  - (3) A waiver not limited by a specific duration shall be deemed unspecified in length, but shall not be considered a permanent waiver of sidewalk requirements nor revoke in any way the right of the City to order, install, or assess for sidewalks in accordance with other sections of the Code of Ordinances upon a determination that conditions are necessary for the construction of sidewalk in accordance with public need, health, safety, and general welfare.
  - (4) In permitting a waiver, conditions of approval may be imposed that are necessary to meet the intent of this subsection or to preserve the public health, safety, and general welfare.

**Section 2. Validity and Severability.** If any portion of this Ordinance or its application to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or applications of the Ordinance which can and shall be given effect without the invalid portion or applications, provided the remaining portions are not determined by the court to be inoperable and to this end Ordinances are declared to be severable.

**Section 3. Repeal and Replace.** Any and all ordinances inconsistent with this Ordinance are hereby repealed, but only to the extent necessary for this Ordinance to be in full force and effect.

**Section 4. Publication and Effective Date.** The City Clerk shall publish a notice of adoption of this Ordinance within 7 days of its adoption. This Ordinance shall take effect 20 days after its passage.

YEAS: Hufnagel, Ruestman, Gurski, Dzurka, Hyzer

NAYS: None

ABSTAIN: None

ABSENT: None

**CERTIFICATION**

As the City Clerk of the City of St. Johns, Clinton County, Michigan, I certify that this is a true and complete copy of an ordinance adopted by the St. Johns City Commission at a regular meeting held on June 24, 2024.

Scott Dzurka, Mayor \_\_\_\_\_

Mindy J. Seavey, Clerk \_\_\_\_\_