

CHAPTER 33

STREET REGULATIONS

ARTICLE I - DEPARTMENT ESTABLISHED

33-1-1 **DEPARTMENT ESTABLISHED.** There is hereby established a Department of the municipal government which shall be known as the **Street Department**. It shall embrace the Street Committee, the Superintendent of Streets and Parks, and the employees. The Village Engineer shall serve as ex-officio officer.

33-1-2 **COMMITTEE ON STREETS.** The Village Board Standing Committee on Streets shall exercise a general supervision over the affairs of the Street Department. It shall ascertain the needs and conditions thereof and shall, from time to time, report the same to the Mayor and Village Board.

ARTICLE II - GENERAL REGULATIONS

33-2-1 **UNDERMINING.** No person shall undermine in any manner, any street or any other ground or real estate situated in the Village or belonging to any private person.

33-2-2 **OPEN DOORS.** No person shall open or allow to remain open, any door, any gate, or the grating of any vault belonging to the premises occupied by him, on any street, alley or sidewalk in the Village for any purpose, except the taking in and removing goods; and any person allowing such grating to remain open shall warn passersby of the danger.

33-2-3 REPAIRING SIDEWALKS, ETC. Whenever any sidewalk, pavement, or cellar door on the same becomes worn out or out of repair, or is torn up or broken and uneven, it shall be the duty of the Street Superintendent to immediately report such fact to the Mayor or Street and Alley Committee, and upon verbal or written order from either of them, to give notice to the party owning the adjoining property to repair such sidewalk or cellar door without delay.

33-2-4 STAIRWAY - RAILING. Steps or stairways leading into any building shall not extend from the wall of such building onto any pavement or sidewalk, and in such case, the person making or causing to be made such passage shall erect a railing on the side of the stairs toward the street to prevent persons from falling into the street.

33-2-5 CLOSING STREET. Whenever public safety or the improvement or repair of any street, alley or public place requires it, the Mayor and/or Street Superintendent may order any street, alley, or public place temporarily closed to traffic and the placing of signs indicating that the street, alley or public place is closed by order of the Mayor. Whenever such signs are so placed, no person shall ride or drive upon or cross such street, alley or public place, or in any manner, destroy, deface, or remove any such sign.

33-2-6 SIGNS ACROSS STREET. No person shall place any sign, advertisement or banner over any or across any street, alley or sidewalk in the Village, unless he has written approval of the Village Board. **(See 65 ILCS Sec. 5/11-80-17)**

33-2-7 VEHICLES AND SKATEBOARDS ON SIDEWALKS. No person shall operate any skateboard or motor vehicle on or over any sidewalk, except in crossing the same to go into a yard or parking lot.

33-2-8 DEPOSITS ON SIDEWALKS. It shall be unlawful to deposit on any public sidewalk, any material which may be harmful to the pavement thereof, or any waste material, or any glass or other articles which might cause injury to persons, animals or property.

Merchandise or other articles may be deposited on sidewalks preparatory to delivery, provided that the usable width is not thereby reduced to less than **four feet (4')**; and provided that no such article shall remain on such walk for more than **thirty (30) minutes.**

33-2-12 **MERCHANDISE ON PUBLIC STREET.** It shall be unlawful for any person, firm or corporate to use any street, sidewalk, or other public place as space for the display of goods or merchandise for sale; or to write or make any signs or advertisements on any such pavements, unless permission is granted by the City Council. **(See 65 ILCS Sec. 5/11-80-3)**

33-2-13 **ENCROACHMENTS.** It shall be unlawful to erect or maintain any building or structure which encroaches upon any public street or property.

33-2-14 **POSTING BILLS.** It shall be unlawful for any person to paste, paint, print or nail any handbill, sign, poster, advertisement or notice of any kind on any curbstone, flagstone, or any other portion or part of any sidewalk, or upon any tree, lamppost, utility pole, hydrant, or upon any private wall, door or gate without the consent, in writing, of the owner of such curbstone, flagstone, sidewalk, tree, lamppost, utility pole, hydrant, private wall, door or gate.

33-2-15 **SIGNS ON POLES.** No person shall nail, tack, paste, paint or fasten, or cause to be nailed, tacked, painted or fastened, any sign or any other foreign substance or material onto any telephone, telegraph, electric light, police and/or fire alarm pole or post, or any street or traffic sign located on any sidewalk, street, alley or public grounds or injure or deface any such pole or post.

33-2-16 **INJURY TO NEW PAVEMENTS.** It shall be unlawful to walk upon or drive any vehicle or animal upon or destroy any newly-laid sidewalk pavement while the same is guarded by a warning sign or barricade, or to knowingly injure any soft, newly-laid pavement.

33-2-17 **BARBED-WIRE FENCES.** It shall be unlawful to maintain or construct any fence composed in whole or in part of barbed wire, or with any similar material designated to cause injury to persons, or any wire charged with electrical current, anywhere within **three feet (3')** of any public street, sidewalk, alley, park or other public way or place unless such barbs or charged wire are at least **six feet (6')** above the level of such public place.

33-2-18 **BURNING ON PUBLIC STREETS.** It shall be unlawful for any person to burn any leaves, paper, rubbish or other substances upon any of the public streets, sidewalks or alleys in the City.

It shall be unlawful for a person to burn with an **"open-air fire"** between the hours of **6:00 P.M.** and **7:00 A.M.**, any trash, garbage or rubbish within the City.

ARTICLE V - SIDEWALKS

33-5-1 **DUTIES OF STREET COMMISSIONER.** It shall be the duty of the Superintendent, unless otherwise ordered, to supervise the maintenance of all sidewalks and crossings in the Village and to lay any new sidewalks and crossings when so directed by the Corporate Authorities and to report to the Board of Trustees at each regular meeting thereof any defects or injuries to, and needed repairs in, said sidewalks.

33-5-2 **RESPONSIBILITY.** It shall be the responsibility of the owner of the property adjacent to any public sidewalk to keep such sidewalk in good repair. Except as provided in Section 33-5-7 below, a property owner shall bear the entire cost of repairing, replacing or constructing any sidewalk located on the boulevard adjacent to the property of such owner.

33-5-3 **PERMIT REQUIRED.** It shall be unlawful to construct or lay the pavement for any public sidewalk within the Village without having first obtained a permit therefor. Applications for such permits shall be made in writing to the Village Clerk in accordance with this Code. The Clerk shall forward the application and detailed plans to the Street and Alley Committee for its inspection and approval. There shall be no fee for a Sidewalk Permit.

33-5-4 **SPECIFICATIONS.** All sidewalks shall be of concrete, **four (4) feet** in width and **four (4) inches** in thickness. All sidewalks shall be **six (6) inches** in thickness and reinforced with steel rods where they may cross a driveway or alley. No sidewalk shall be constructed so as to obstruct or hinder the free flow of water in any drainageway. Such specifications shall be incorporated in the permit and it shall be unlawful to deviate in any material way from such specifications.

33-5-5 **COMPLIANCE WITH OTHER PROVISIONS.** The holder of any sidewalk construction permit issued by the Village shall comply with such other provisions of this Code as are appropriate.

33-5-6 **BARRICADES.** All repair or construction work on any sidewalk shall be protected by barricades and lights as provided in this Code.

33-5-7 **COST SHARING.** The Village Board may, from time to time and in its discretion, enter into a cost sharing agreement for constructing new or replacement sidewalks, curbing, gutters, or related storm sewer construction. In such event, the Village shall pay **one-half (1/2)** of such construction costs, or **Five Hundred Dollars (\$500.00)**, whichever is lesser, and the adjoining property owner shall pay the remainder of the construction costs. The Village Board shall prepare a list of materials and an estimate of costs before any such agreement is approved by the Village Board. **(Ord. No. 09-12; 09-16-09)**

33-5-8 **SNOW REMOVAL.** It shall be the duty of every owner or occupant of any dwelling house or other building, or proprietor or lessee of any enclosed lot or premises, and every person having the charge or control of any church, hall, or public building within the Village, during the winter season, whenever there is a fall of snow and by **ten o'clock (10:00)** on every morning thereafter, to clear the sidewalks in front of or adjoining such house, building or premises, from snow and ice, and keep the same conveniently free therefrom, and shall, in case the snow and ice are so congealed as not to be removed without difficulty or injury to the pavement, strew the same with ashes, sand, salt, or sawdust, and shall also, at all times, keep such sidewalks clear and free from dirt, filth, weeds or other obstructions, so as to allow pedestrians the safe and unobstructed use of the same.

33-5-9 **OVERHANGING AWNINGS.** No awning shall be erected or maintained over any sidewalk in the Village at a less height than **seven (7) feet** above the surface of such sidewalk.

ARTICLE VI - CULVERTS

33-6-1 **OBSTRUCTION OF DRAIN OR STORM SEWER.** It shall be unlawful to obstruct any drain or storm sewer in any public street or property.

33-6-2 **PERMIT FOR CULVERT.** It shall be unlawful to install any culvert or replace any culvert without first obtaining a permit from the City Clerk.

33-6-3 **APPLICATION FOR PERMIT.** Any person desiring a permit to install or replace any culvert shall file an application therefor with the City Clerk upon a form to be provided for that purpose. The application and the permit issued pursuant thereto shall be on the same form which shall be substantially as outlined in **Appendix 'B'** attached hereto.

33-6-4 **TERMINATION OF PERMIT.** All such permits shall terminate upon the expiration of **one (1) year** following the date of issue.

33-6-5 **TYPE OF CULVERT.** Culverts shall be installed where driveways or walkways cross open ditches. The material used for the construction of the culverts shall be reinforced concrete, corrugated steel culvert pipe with a minimum wall thickness of **sixteen (16) gauge**, corrugated aluminum alloy culvert pipe with a minimum wall thickness of **sixteen (16) gauge**, asbestos cement storm drain pipe (**Class IV**), or of such other material as determined by the Street Department, depending upon the conditions existing. The culverts shall be of such size, installed at the grade and constructed with couplings as determined by the Street Superintendent. The person desiring the culvert shall purchase a culvert as provided herein and shall have it delivered on the site. The City shall install the culvert.

33-6-6 **COST OF INSTALLATION.** Any person installing or replacing a culvert shall, at his own expense, construct and install drainage inlet boxes in such form and manner as the Street Superintendent determines necessary depending on the conditions existing.

33-6-7 **BACKFILL COST.** Any person installing or replacing a culvert shall, at his own expense, provide and place such backfill material as the Street Superintendent determines necessary to complete the project.

33-6-8 **REPLACEMENT COST.** The expense of replacing any culvert shall be borne by the person making application for the permit to install the same.

(See 65 ILCS Sec. 5/11-80-7)

EXCAVATION PERMIT

NAME _____

FIRM NAME _____

ADDRESS _____

CITY/VILLAGE _____ STATE _____ PHONE _____

LOCATION OF PROPOSED EXCAVATION _____

NATURE OF EXCAVATION _____

BONDING COMPANY:

NAME _____

ADDRESS _____

CITY/VILLAGE _____ STATE _____ PHONE _____

AMOUNT OF BOND \$ _____

PREVIOUS EXPERIENCE (LIST CITIES AND/OR VILLAGES)

	<u>CITY/VILLAGE</u>	<u>CITY/VILLAGE OFFICIAL</u>
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____

I have read the municipal law with regard to excavations and my firm or company intends to fully comply with the Street Regulations Code provisions.

(Applicant's Signature)

APPLICATION FOR CULVERT/DRIVEWAY PERMIT

I, _____, do hereby request permission and authority to construct a culvert/driveway on the right-of-way of the Village in accordance with the information provided on this application and the accompanying sketch. (Applicant must prepare a sketch showing location, length and pertinent details.)

ADDRESS: _____

Pipe material will be: _____

Wall thickness or gauge will be: _____

Type of joint will be: _____

DATED: _____, 19__ SIGNED: _____
(APPLICANT)

CULVERT/DRIVEWAY PERMIT

APPLICATION

Approved ()

Disapproved ()

If disapproved, state reasons:

DATED: _____, 19__ SIGNED: _____

CERTIFICATION

The undersigned has inspected the construction and installation set forth above and finds that the same (is) (is not) in accordance with the permit.

DATED: _____, 19__ SIGNED: _____