

## CHAPTER 91: STREETS AND SIDEWALKS

### Section

#### *Numbering of Buildings*

- 91.01 Title
- 91.02 Purpose
- 91.03 Street numbers
- 91.04 Authority to pursue obligation

#### *Sidewalk Maintenance and Management*

- 91.15 Purpose
- 91.16 Regulations
- 91.17 Standards
- 91.18 Owner-caused defects
- 91.19 Duty to keep sidewalks clean and clear of obstructions
- 91.20 Effective date
  
- 91.99 Penalty

### **NUMBERING OF BUILDINGS**

#### **91.01 TITLE.**

This subchapter shall be known as the ABuilding Number Ordinance@.  
(Ord. 126, passed 9-10-1990)

#### **91.02 PURPOSE.**

(A) The purpose of this subchapter is to promote the general public health, safety and welfare of the residents of the village by providing a uniform numbering system for buildings.

(B) It is the intent of this subchapter to regulate the visibility and size of building numbers to facilitate identification of the building by emergency vehicles, including but not limited to police vehicles, fire vehicles, ambulances and rescue vehicles.

(C) A uniform numbering system regulating the size and type of numbering of buildings will facilitate access to and identification of buildings in the event of an emergency situation and thereby

promote the general welfare of the residents by increasing response time to the building.  
(Ord. 126, passed 9-10-1990)

‘ **91.03 STREET NUMBERS.**

All buildings located in the village shall be numbered pursuant to the regulations of the United States Postal Service.

(A) The owners or occupants of all buildings located in the village shall be responsible for the placing of the correct street numbers on the building.

(B) Street numbers shall be located on the front of the building. Street numbers shall be placed in an unobstructed location so as to be visible from the street and shall be of contrasting color to the building. Street numbers shall use the Arabic numbering system.

(C) Street numbers placed on buildings from and after the effective date of this subchapter shall be a minimum of four inches in height. Street numbers existing on or before the effective date of this subchapter may be retained if they are less than four inches in height, but equal to or greater than three inches in height. Existing numbers of less than three inches in height shall be replaced by numbers equal to or greater than four inches in height.

(D) Where a building is located at a distance greater than 90 feet from the nearest public street or public right-of-way, street numbers shall be placed on a post or a mailbox located on the same side of the street or public right-of-way as the building directly in front of the building and within ten feet of the public street or right-of-way.

(Ord. 126, passed 9-10-1990)

‘ **91.04 AUTHORITY TO PURSUE OBLIGATION.**

Pursuant to the authority granted by the statutes of the state, police officers, the Fire Chief, the Building Inspector and the Zoning Administrator are hereby authorized to issue and serve appearance tickets as defined by statute in lieu of filing a warrant and complaint. Providing, however, an appearance ticket does not preclude a police officer, the Building Inspector, the Fire Chief or the Zoning Administrator from pursuing a violation by way of warrant and complaint.

(Ord. 126, passed 9-10-1990)

***SIDEWALK MAINTENANCE AND MANAGEMENT***

‘ **91.15 PURPOSE.**

The purpose of this subchapter is to regulate the repair and maintenance of public sidewalks to keep them in a proper and safe condition for public use; to provide for the imposition of liability upon abutting land owners for injuries or damages caused by a defective sidewalk; to provide standards of proper sidewalk maintenance, repairs and construction; and to provide indemnification of the village for costs of required maintenance and repair not accomplished by abutting or adjacent land owners.

(Ord. 110A, passed 6-13-2005)

**91.16 REGULATIONS.**

(A) The owner or owners of all lots and premises within the village are required to maintain, repair and keep safe sidewalks adjacent to or upon his or her lots and premises in or along the public street and alley rights-of-way in the village.

(B) It shall be the duty of all owners of premises within the limits of the village to keep all cement, asphalt, concrete walks and sidewalks which have been heretofore or hereafter laid in front of, upon or adjacent to the premises, in or along any of the street or alley rights-of-way, in good repair and free of dangerous ice, snow or other dangerous obstructions and/or conditions. Any owner of any like premises who shall allow any sidewalk to remain in disrepair, or in a dangerous condition shall be responsible and liable for injuries and damages arising out of the disrepair or unsafe condition of the sidewalk. The owner shall further indemnify and reimburse the village for any and all liability, costs and expenses the village might incur as a result of any such defective or dangerous sidewalk.

(Ord. 110A, passed 6-13-2005)

**91.17 STANDARDS.**

(A) All sidewalks or portions thereof hereafter constructed or repaired shall comply with the following specifications.

(1) All sidewalks shall be constructed to grade established by existing adjoining walks or, in the absence of the foregoing, by the designated representative of the village, and shall be paved with a single course of concrete using limestone aggregate, which shall have a compressive strength of not less than 3,500 pounds per square inch within 28 days of paving.

(2) All sidewalks shall be at least three and one-half feet in width. Sidewalks of eight feet shall be required in Central Business District.

(3) Paving shall be constructed on at least a two-inch thick sand cushion and shall be at least four inches in depth except across driveways, where it shall be at least six inches in depth. Paving joints shall be perpendicular to sidelines at intervals consistent with adjoining or abutting sidewalks and not greater than the sidewalk width.

(4) The surface shall be roughened with a mechanical brush or other equipment to prevent smooth and slippery surfaces.

(B) The cost of replacement or repair of a sidewalk to be charged against a property owner shall be based upon actual cost less the subsidy or credit as the Village Board may allow.

(C) The expense of construction, repair or replacement of any sidewalk shall be defrayed by the village and the property owner abutting as the Council decides per resolution. Property owners may present a proposal to the Village Council prior to construction in regards to the proportion that the village would be responsible for.

(D) The Village Board, in its discretion, may also, after replacing or repairing a sidewalk, authorize collection of the costs of the replacement by civil process, counterclaim or other means as may be proper for the collection of debts by legal process.

(Ord. 110A, passed 6-13-2005)

**91.18 OWNER-CAUSED DEFECTS.**

(A) Where sidewalk defects creating pedestrian hazards are caused by conditions existing upon an abutting property, such as, but not limited to:

- (1) Trees or other growth;
- (2) Surface drainage;
- (3) On site construction or vehicular traffic; and
- (4) Other on site activities.

(B) The abutting property owner shall be responsible for its repair, maintenance and/or safe condition, and liable for all consequential injuries, damages, expenses or costs resulting from the condition and lack of repair or maintenance and unsafe condition. The liability shall include full indemnification of the village for any damages, costs or expenses resulting from the owner defaults as well as liability to others.

(Ord. 110A, passed 6-13-2005)

**§ 91.19 DUTY TO KEEP SIDEWALKS CLEAN AND CLEAR OF OBSTRUCTIONS.**

(A) *Obstructions.* No person shall place or cause to be placed any snow, dirt, trash, goods, wares or merchandise on the public sidewalks, or in any way to obstruct free passageway along and over the sidewalks of the village without first obtaining the approval of the Council.

(B) *Cleanliness.* Property owners and/or occupants shall keep the sidewalks abutting their premises clear and clean, and shall remove all papers, leaves, trash, personal property, grass and weed overgrowth, and all protruding branches or overhanging shrubbery, thereby providing a passage at least seven feet high and six inches outside of the sidewalk boundaries.

(C) *Snow and ice removal.* The occupant of every lot or premises adjoining any street, or the owner of the lot or premises if the same are not occupied, shall clear all snow and ice from the sidewalks adjoining the lot or premises within the time required. When any snow or ice shall cease to fall during the daylight hours, the snow or ice shall be cleared from the sidewalks within 36 hours after the cessation. When a fall of snow or ice shall have ceased during the nighttime hours, it shall be cleared from the sidewalks by 6:00 p.m. of the day following.

(Ord. 110A, passed 6-13-2005) Penalty, see ' 91.99

**§ 91.20 EFFECTIVE DATE.**

This subchapter shall be published in the manner provided by law and shall take effect and be in force from and after the earliest date allowed by law. The subchapter shall become effective 20 days after publication in the county press.

(Ord. 110A, passed 6-13-2005)

**§ 91.99 PENALTY.**

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to ' 10.99.

(B) Any person, firm, co-partnership, company or corporation who shall violate or neglect or refuse to comply with any of the provisions of ' ' 91.01 through 91.04 shall, upon conviction thereof, be deemed guilty of a misdemeanor and shall be punished by imprisonment in the county jail for not more than 90 days or by fine of not more than \$500, or by both fine and imprisonment. Each day that a violation is permitted to exist shall constitute a separate offense. The imposition of any sentence shall not except the offender from compliance with the provisions of ' ' 91.01 through 91.04.

(C) A person who violates any provision of ' 91.19 of this subchapter or any subpart thereof, shall be responsible for a Class A Municipal Civil Infraction and shall be subject to the civil fines provided in Chapter 11. Each day that a violation continues to exist shall constitute a separate offense.

(Ord. 126, passed 9-10-1990; Ord. 110A, passed 6-13-2005)