

Chapter 7 - Streets & Sidewalks

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701 Supervision

All public streets, alleys, sidewalks and other public ways in the Village shall be under the supervision of the Public Works Committee. The Public Works Committee shall have supervision over all work thereon, and the cleaning thereof, and shall be charged with the enforcement of all ordinance provisions relating to such public places (except traffic ordinances) and is hereby authorized to enforce such ordinances.

702 Construction

It shall be unlawful to construct or lay any pavement on any public street sidewalk, alley or other public way, or to repair the same, without first having secured authority.

703 Specifications

All streets and sidewalk pavements shall be made in conformity with specifications as set forth in the Village's Subdivision Control Ordinance and all other applicable ordinances laid down or approved from time to time by the Board of Trustees.

704 Obstruction

It shall be unlawful for any person, firm or corporation to cause, create or maintain any obstruction of any street, alley, sidewalk or other public way.

705 Private Use

It shall be unlawful for any person, firm or corporation, to use any street, sidewalk or other public place, as space for the display or sale of goods or merchandise; or to write or mark any signs or advertisements on any such pavements.

706 Encroachments

It shall be unlawful to erect or maintain any building or structure which encroaches upon any public street or property.

707 Injury

It shall be unlawful to injure any sidewalk, street or alley pavement.

708 Deposits on Streets

It shall be unlawful to deposit on any street any material which may be harmful to the pavement thereof, or any waste material, or any glass, or other articles which may do injury to any person, animal or property.

708.1 **Depositing Snow or Ice on Public Streets and Rights of Way.** No property owner, person, firm, corporation or other entity shall shovel, plow, blow or otherwise remove snow or ice from private property and deposit it upon the streets of the village. If snow or ice from private property is shoveled, plowed, blown or otherwise removed on to the village's right of way, it shall be deposited at least three (3) feet from the edge of the curb or at least three (3) feet from the edge of the pavement if there is no curb, so that snow and ice may safely be removed from the village's streets and deposited in to the right of way.

Any property owner, person, firm, corporation or other entity which is found guilty or pleads guilty to a violation of this Section shall be fined no less than \$50.00 and no more than \$500.00. *(Revised Ord. 2011-20)*

708.2 **Depositing Grass or Landscape Waste on Public Streets and Sidewalks.** No property owner, person, firm, corporation or other entity shall discharge, blow or otherwise allow grass or landscape waste from private property to be deposited upon or left upon the streets or sidewalks of the village.

Any property owner, person, firm, corporation or other entity which is found guilty or pleads guilty to a violation of this Section shall be fined no less than \$50.00 and no more than \$500.00. *(Revised Ord. 2016-31)*

709 Deposits on Sidewalk

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 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 of the walk is not thereby reduced to less than 4 feet; and provided that no such article shall remain on such walk for more than ½ hour.

710 Drains

It shall be unlawful to obstruct any drain in the public street or alley.

711 Poles & Wires

It shall be unlawful to erect or maintain any poles or wires on or over public street, alley or other public way without having first secured permission from the Board of Trustees.

712 Excavations

It shall be unlawful to make any excavation in or tunnel under any public street, alley, sidewalk or other public place in the Village, without having first secured a permit therefor. Any person making any such excavation shall refill the same properly and shall restore the surface to its condition before the excavation was made, as soon as possible.

713 Barbed Wire Fences, Etc.

It shall be unlawful to maintain or construct any fence composed in whole or in part of barbed wire, or with any similar material designed to cause injury to persons, or with any similar material designed to cause injury to persons, or any wire charge with electric current, anywhere within 3 feet of any public street, sidewalk, alley, park or other public way or place.

714 Mailboxes

(Revised Ord 2019-46)

714.1 Permitted Models

- A. Manufacturers whose mailboxes have been approved by the United States Postal Service and that meet United States Postmaster Guidelines.
- B. Masonry mailboxes constructed after November 5, 2019, are permitted if a building permit is issued before construction.
 - 1. **Height.** The maximum height of a masonry mailbox is 60 inches.
 - 2. **Size.** Masonry mailboxes shall not be more than two square feet in area (24" x 24") in area.
 - 3. **Reflectors.** A 3-inch red or orange reflector must be affixed on both sides of the masonry mailbox and placed no less than 36 inches up from the road surface.
 - 4. **Mailboxes constructed on the opposite side of the street from a property.** No masonry mailbox may be constructed on property which is not immediately adjacent to the mailbox owner's property unless the mailbox owner submits with his or her permit application a signed statement consenting to the location from the owner or owners of the property immediately adjacent to the right of way where the mailbox is proposed to be located.

714.2 Support Structure

- A. All wooden posts shall have a maximum width of four (4) inches by four (4) inches or, if round; the post shall have no greater than a diameter of four (4) inches.
- B. If a metal post is used to support the mailbox, such post shall be no larger than two (2) inches in diameter and be hollow.

- C. Masonry mailboxes shall have a 42-inch concrete footing depth.

714.3

Placement Requirements. Placement of curbside mailboxes within any public right-of-way, except when required by federal law or regulations for delivery of United States mail, is not permitted. The placement and construction of mailboxes and supporting structures in the public right-of-way shall be deemed a revocable license to the owner and shall confer no property right or interest in the public right-of-way, except as provided in this Ordinance.

- A. Mailboxes and support structures shall be installed within but not closer than six (6) to eight (8) inches from the edge of the street pavement or the back of the street curb where such curb exits.
- B. The bottom surface of the mailbox shall be not less than forty-one (41) inches and not more than forty-five (45) inches from the ground surface.

714.4

Damaged Mailboxes

- A. The Village shall not be responsible for mailboxes damaged or knocked-down by snow coming off the village plow and not a direct result of the plow blade striking the mailbox or support structure.
- B. The Village shall not be responsible for the full replacement of mailboxes including custom and masonry mailboxes. In the instances where property owners have specific mailbox guidelines set forth by homeowner's associations, the responsibility for the cost difference greater than \$50.00 shall be the responsibility of the property owner.
- C. In the event there is damage to any mailbox during the course of street maintenance, including snow removal, street sweeping, street cleaning, or similar work, or any repair, replacement, construction or reconstruction of the village streets, or other village work within the public right-of-way, the Village shall not be responsible for any cost of repair or replacement thereto in excess of fifty-dollars (\$50.00). Any such reimbursement to the owner of a damaged mailbox shall be made only upon the presentation of satisfactory evidence of sales receipts for materials used in such repair and replacement. All labor or cost of labor to install or reinstall said mailbox shall be the responsibility of the owner of a mailbox. Mailboxes damaged by the village will be replaced with a standard post and mailbox. Any property owner who receives a mailbox notice because of post/mailbox condition will not be included in the aforementioned reimbursement until their mailbox is brought up to regulatory standards and the Village is notified of repairs.
- D. Landscaping and planting materials added to the right-of-way around mailboxes will be the sole responsibility of the property owner.

714.5

Responsibility of Owner

- A. The owner of a mailbox located in the public right-of-way shall be responsible for regular maintenance and repair of such mailbox and shall be responsible for any property damage, personal injury or death caused by any such mailbox.
- B. The Village shall bear no responsibility or liability whatsoever for property damage, personal injury or death caused by a mailbox located in the public right-of-way.
- C. The owner of a masonry mailbox will be responsible for any damage caused to a village owned vehicle during the course of street maintenance, including snow removal, street sweeping, street cleaning, or similar work, or any repair, replacement, construction or reconstruction of any village streets, or other village work within the public right-of-way.