

CHAPTER 13

STREET REGULATIONS

ARTICLE I - DEPARTMENT ESTABLISHED

13-1-1 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 Street Superintendent and the employees. The Village Engineer, if any, shall serve as ex-officio officer.

13-1-2 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 the Village Board.

ARTICLE II - GENERAL REGULATIONS

13-2-1 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.

13-2-2 OPEN DOORS. No person shall open or allow to remain open, any door 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.

13-2-3 VAULTS. No person shall dig or cause to be dug in any street or sidewalk, any vault without covering the opening thereof in such a manner as to prevent persons, animals and vehicles from falling into the excavation. Such vault shall be in conformance with other Code provisions.

13-2-4 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.

13-2-5 CLOSING STREET. Whenever public safety or the improvement or repair of any street, alley or public place requires it, the Mayor 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.

13-2-6 SIGNS ACROSS STREET. No person shall place any sign, advertisement or banner over any or across any street or alley in the Village unless he has written approval of the Village Board. (Ill. Rev. Stat., Ch. 24; 11-80-17)

13-2-7 VEHICLES ON SIDEWALKS. No person shall operate any bicycle or vehicle over any sidewalk, except in crossing the same to go into a yard or parking lot.

13-2-8 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; and provided that no such article shall remain on such walk for more than one-half hour.

13-2-9 OBSTRUCTING STREET.

(A) 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 grass clippings, or to cause a lawn mower to blow grass clippings onto a street or any other articles such as glass which may cause injury to any person, animal or property.

(B) No person shall place or cause to be placed or erected on any public ground, or in any public street, alley or sidewalk in the Village, any debris, materials, or obstruction except as may be permitted by this Code.

(C) It shall be the duty of the Police Department to exercise a vigilant supervision over such places and to notify any person found making such deposit or responsible for same to remove the offending matter at once.

13-2-10 RAINWATER DRAINS. It shall be unlawful to construct or permit the construction of any storm water drain or any drainage pipe in either a natural or man-made ditch without having first obtained a permit therefor. Applications for such permits shall be made to the Village Clerk and shall be accompanied by a statement as to the purpose of such drainage pipe, the premises to be served and the specification of such pipe to be installed. Such application shall be referred to the Street Superintendent and no such permit shall be issued unless he shall have found that the Village Code would be complied with by the installation of such storm water drain or drainage pipe and that the installation of such storm water drain or drainage pipe would not interfere with, overload, obstruct or otherwise adversely affect the existing storm water drainage system within the Village.

It shall be unlawful to construct or permit the construction of any storm water drain which discharges water onto any sidewalk in the Village and it shall be unlawful to construct or permit the

maintenance of any such drain which discharges into any public street or alley at a height greater than 18 inches above the ground or pavement.

13-2-11 BUILDING MATERIALS IN STREET. The Street Superintendent may move any obstruction on any street or sidewalk of the Village, but before doing so, he shall notify the person responsible therefor to remove such obstruction within a reasonable time after being notified. Any person engaged in erecting a building or fence or improving any lot on such street may deposit materials thereon and contiguous to such length of time as may be necessary for the work. The obstruction shall not extend to more than one-half of the width of the sidewalk, street or alley adjacent to such improvement and the gutter shall always be left free and unobstructed. Such person shall, at night, keep an illuminated warning light on such material.

13-2-12 MERCHANDISE ON PUBLIC STREET. It shall be unlawful for any person, firm or corporation to use any street, sidewalk, or other public places 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 Village Board.

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

13-2-14 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.

13-2-15 SIGNS ON POLES. No person shall nail, tack, paste, paint, or fasten or cause to be nailed, tacked, painted or fastened, a 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.

13-2-16 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.

13-2-17 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 designed to cause injury to persons, or any wire charged with electric current, anywhere within 50 feet of any public street, sidewalk, alley, park or other public way or place, unless such barbs or charged wire are at least 6 feet above the level of such public place.

13-2-18 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 of the Village.

ARTICLE III - TREES AND SHRUBS

13-3-1 PLANTING. It shall be unlawful to plant any tree or bush in any public street or parkway or other public place without having first secured a permit therefor. Applications for such permits shall be made to the Street Superintendent and shall be referred by him to the Village Board. All trees and shrubs so planted shall be placed subject to the directions and approval of the Village Board.

13-3-2 PLANTING TREES IN RIGHT-OF-WAY. It shall be unlawful to plant any bushes, trees, shrubs or other plants on the right-of-way of any public street, including in the space on the right-of-way between the sidewalk and the adjacent street pavement without first getting permit therefor.

13-3-3 REMOVAL. It shall be unlawful to remove or cut down any tree or shrub or portion thereof in any street, parkway or other public place without having first secured a permit therefor. Applications for such permits shall be made to the street Superintendent and shall be referred by him to the Village Board before permission shall be granted.

13-3-4 INJURY. It shall be unlawful to injure any tree or shrub planted in any such public place.

13-3-5 ADVERTISEMENTS OR NOTICES. It shall be unlawful to attach any sign, advertisement or notice to any tree or shrub in any street, parkway or other public place.

13-3-6 DANGEROUS TREES. Any tree or shrub which overhangs any sidewalk, street or other public place in the municipality at less a height than 8 feet, or in such a way as to impede or interfere with traffic or travel on such public place shall be trimmed by the owner of the abutting premises or of the premises on which such tree or shrub grows so that the obstruction shall cease.

Any tree or limb of a tree which has become likely to fall on or across any public way or place shall be removed by the owner of the premises on which such tree grows or stands.

The Street Superintendent may, at the owner's expense, trim or remove any tree or shrub so that the obstruction or danger to traffic or passage shall be done away with.

13-3-7 WIRES. It shall be unlawful to attach any wires or rope to any tree or shrub in any public street, parkway or other public place without the permission of the Village Board.

Any person or company given the right to maintain the poles and wires in the streets, alleys or other public places in the municipality shall, in the absence of provision in the franchise concerning the subject, keep such wires and poles free from and away from any trees or shrubs in such places so far as may be possible and shall keep all such trees and shrubs properly trimmed, subject to the supervision of the Street Superintendent so that no injury shall be done either to the poles or wires or the shrubs and trees by their conduct.

ARTICLE IV - STREET IMPROVEMENTS

13-4-1 SIDEWALKS.

(A) Grade. No sidewalk shall be built above or below the established grade of the Village and in all cases where no grade is established, any person building a sidewalk shall build the same according to the instructions of the Street Superintendent and the Village Board.

(B) Permit. It shall be unlawful for any person to build, lay or construct any sidewalk along any property in the Village or along any of the streets, alleys or public highways thereon, without first obtaining permission from the Street Superintendent to do so.

(C) Cost to Owner. If the funds are available and the Village Board approves the request, the property owner shall pay the cost of the concrete and thereafter the sidewalk shall be constructed by the Village. The cost of construction shall not include any engineering fees; these shall be paid by the Village.

(D) Subdivisions. This is not applicable to new subdivisions. (Ill. Rev. Stat., Ch. 24; 11-80-13)

13-4-2 CURBS AND GUTTERS.

(A) Request in Writing. Any person owning property within the Village who desires to have new curbs and gutters constructed along the street adjoining his premises shall file a request with the Street Superintendent, giving the location of the property and the length of the curbs and gutters requested.

(B) Cost to Owner. If the funds are available and the Village Board approves the request, the property owner shall pay one-half of the cost of the construction and thereafter, the curb and gutter will be constructed by the Village. The cost of construction shall not include any engineering fees; these shall be paid by the Village.

(C) Approval by Village Board. The approval of the request for construction of curbs and gutters by the Village Board shall be dependent upon the approval of funds, priority of projects and continuity of construction for the best benefit of the Village as determined by the Village Board.

(D) Subdivisions. This is not applicable to new subdivisions. (Ill. Rev. Stat., Ch. 24, 11-80-13)

13-4-3 STORM SEWERS.

(A) Description of Storm Water Sewers. Storm water sewers shall be any pipe or sewer used for the carrying of surface drains, ground waters, roof leaders, or storm waters, rain waters, or other waters other than sanitary sewage.

(B) Supervision. The Superintendent of the Water and Sewer Departments, if any, shall supervise all connections made to the public storm sewer system or excavations for the purposes of installing or repairing the same.

(C) Permits. Before any connection is made to the public storm water sewers, a permit shall be applied for and approved by the Superintendent or his designated representative.

(D) Requirements; Use of Storm Water Sewers. Where a storm water sewer is accessible in a street, alley or easement to a building or premises abutting thereon, the surface drains, ground waters, roof leaders, or storm waters shall be discharged into the storm water sewer unless otherwise authorized by the Village. Under no conditions shall sanitary sewage or wastes or any substance other than surface waters, ground waters, roof waters or storm waters be permitted to flow into or be connected to the storm water sewer; and no sanitary sewer shall be connected to the storm water sewer system.

ARTICLE V - CULVERTS

13-5-1 OBSTRUCTION OF DRAIN OR STORM SEWER. It shall be unlawful to obstruct any drain or storm sewer in any public street or property.

13-5-2 PERMIT FOR CULVERT. It shall be unlawful to install any culvert or replace any culvert without first obtaining a permit from the Village Clerk.

13-5-3 APPLICATION FOR PERMIT. Any person desiring a permit to install or replace any culvert shall file an application therefor with the Village 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 follows:

VILLAGE OF MT. AUBURN

STATE OF ILLINOIS

APPLICATION FOR CULVERT PERMIT

I, _____, do hereby request permission and authority to construct a culvert 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 guage will be _____

Type of joint will be: _____

DATED: _____

SIGNED: _____
Applicant

CULVERT PERMIT

APPLICATION Approved () Disapproved ()

If disapproved, state reasons:

DATED: _____

VILLAGE OF MT. AUBURN

CERTIFICATION

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

DATED: _____ SIGNED: _____

13-5-4 TERMINATION OF PERMIT. All such permits shall terminate upon the expiration of one year following date of issue.

13-5-5 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 16 guage, corrugated aluminum alloy culvert pipe with a minimum wall thickness of 16 guage, asbestos cement storm drain pipe (Class IV), or of such other material as determined by the Street Department, depending on 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 Village shall install the culvert.

13-5-6 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.

13-5-7 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.

13-5-8 REPLACEMENT COST. The expense of replacing any culvert shall be borne by the person making application for the permit to install the same.

ARTICLE VI - DRIVEWAYS

13-6-1 PERMITS REQUIRED. No person shall construct a driveway for vehicles or animals across any sidewalk in the Village without having first obtained a permit therefor.

Applications for such permits shall be made to the Village Clerk and shall be accompanied by the fee required.

No permit for construction of a driveway for commercial use, or for the habitual use of other than the owner or occupant of the premises served shall be issued except upon the order of the Village Clerk.

FEE. The fee for all such construction shall be \$1.00.

13-6-2 GRADE SURFACE. No driveway shall be so constructed or graded as to leave a step, sharp depression, or other obstruction in the sidewalk. The grade shall be as nearly as possible the same as that of the adjoining sidewalk. It shall be unlawful to have the surface finish of any driveway where the same crosses the sidewalk constructed of such materials as to render it slippery and hazardous to pedestrians, or to have the grade of such portion vary from the grade of the sidewalk or be other than level.

13-6-3 SPECIFICATIONS. Driveways across sidewalks shall

be constructed in compliance with the specifications required by the Street Superintendent.

13-6-4 BREAKING CURB - BOND REQUIRED. Before a permit can be issued to break a curb in the Village for the installation of a driveway or any other purpose, a bond or cash in the amount of \$100.00 is required to be posted with the Village Clerk.

13-6-5 REPAIR. It shall be the duty of the person maintaining the driveway to keep the same in good repair where it crosses the sidewalk and free from obstruction and openings.

ARTICLE VII - OVERHANGING SIGNS AND AWNINGS

13-7-1 PERMITS. No person shall erect any sign, signboard or rigid canopy over any street, sidewalk, alley or other public way in the Village without having first obtained a permit therefor as herein provided. Permits for signs, canopies or signboards shall be issued by the Mayor upon payment of the fee provided and shall designate the location of the proposed structure. All signs and canopies shall conform to the requirements of regulations governing same.

13-7-2 CONSTRUCTION. All signs and canopies extending over public sidewalks, street, alleys or other public places must be securely fastened and constructed so that there will be no danger of the same being dislodged by ordinary winds or falling from other causes.

13-7-3 HEIGHT ABOVE WALK. The lowest part of any such canopy, sign, or of any non-rigid awning, or any support thereof which extends over any public way shall be at least 10 feet above the level of the walk or public way over which it extends; but no such sign shall be maintained over any public way used by vehicles if any part of its support or of the sign is less than 15 feet above the level of such public way.