

Chapter 241

STREETS AND SIDEWALKS

[HISTORY: Adopted by the Village Board of the Village of Dickeyville 4-13-1983 (§§ 5.01 to 5.08 and 5.10 of the 1975 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Sewers and water — See Ch. 227.
Subdivision of land — See Ch. 245.
Vehicles and traffic — See Ch. 265.

§ 241-1. Purpose.

The purpose of this chapter is to promote the public health, safety and general welfare of the community; provide an orderly and equitable policy for the construction and financing of the improvements to public travelways; and promote construction which will have a long service life.

§ 241-2. Grades and alignment.

- A. Establishment. The proposed grades and alignment for all streets, alleys and sidewalks shall be established by the Village Engineer or reviewed and approved by the Village Engineer if prepared by another engineer.
- B. Plans. Approved plans shall be on file with the Director of Public Works. Elevations shall be on the USGS datum, and horizontal control shall be referenced from block corners or other monuments. The plans shall be drawn to scale, legible and clearly show all design criteria. All plans shall be sealed by a registered engineer in the State of Wisconsin.¹
- C. Revisions. Any changes in the approved plans shall be approved by the Village Engineer.

§ 241-3. Sidewalk improvements.

This section shall regulate the construction, repair, alteration and reconstruction of sidewalks in or along public rights-of-way in the Village of Dickeyville.

- A. Permit required. No person shall construct, alter, remove or repair any public sidewalk within the Village of Dickeyville unless he is under contract with the Village to do such work or has obtained a permit from the Director of Public Works at least seven days before work is to be undertaken. No fee shall be charged for said permit. Prior to issuance of the permit, the Director of Public Works shall have approved grades and alignment in conformance with § 241-2A. All permits issued

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

under this section shall expire six months after issuance. [Amended 8-8-1990²]

- B. Construction standards. All public sidewalks within the Village of Dickeyville shall be constructed in accordance with these standards.
- (1) Subgrade. The subgrade shall be prepared to the line and grade as shown on the approved plans. Unsuitable and unstable subgrade material shall be removed and replaced with granular material and compacted by mechanical methods where practical. Granular material shall be used for undercuts and fill; a four-inch minimum continuous granular base is required unless directed otherwise. On embankments, the granular base shall extend a minimum of one foot beyond each edge of the sidewalk.
 - (2) Concrete.
 - (a) All public sidewalks shall be constructed of portland cement concrete having or containing:
 - [1] Six bags of portland cement per cubic yards of concrete.
 - [2] Washed aggregate with maximum size of 3/4 inch.
 - [3] Maximum slump of four inches.
 - [4] Six percent air entrainment.
 - (b) Concrete shall be of the redi-mix type.
 - (c) Curing compound shall be applied to all public sidewalks in accordance to the manufacturer's recommendations.
 - (d) The minimum temperature shall be 45° and rising before any concrete is installed. No concrete shall be placed on frozen subgrade or base. Concrete shall be protected from freezing.
 - (e) No chemical shall be added to accelerate the setting or curing process.
 - (3) Dimensions. All public walks in residential areas shall be four feet wide and have a minimum thickness of four inches, except in driveways where the minimum thickness shall be six inches. Public sidewalks in commercial or industrial areas shall have a minimum width of eight feet and a minimum thickness of five inches, except through driveways where the minimum thickness shall be six inches.
 - (4) Joints. Expansion-contraction joints shall have preformed one-half-inch thick filler and shall be located every 28 feet or fraction thereof for a four-foot sidewalk and 30 feet or fraction thereof for a five-foot and wider sidewalk. Tool joints shall be placed every four feet for four-foot sidewalk and at lengths equal to the width of sidewalks greater than four feet wide. All public sidewalks shall be finished with a brush surface, except at access ramps where

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

tool marks or knurling shall be done.

- (5) Location. All public walks shall be located in the right-of-way, such that the far side of the sidewalk is one foot from the right-of-way line. In areas where this is not practical, the sidewalk may be moved closer to the curb but the distance from the back of curb to the near side of the sidewalk shall be greater than 30 inches.
 - (6) Accessibility and continuity. All new and reconstructed sidewalks shall be designed and installed to accommodate the needs of the handicapped. One access ramp shall be provided at each corner of a street intersection. Said ramp should be offset so as not to be in the radius. Public sidewalks shall be continuous through all driveways.
- C. Financial responsibility. The abutting property owner shall pay 100% of the initial construction costs, maintenance and repair cost and reconstruction costs for public sidewalks. Construction of public sidewalks may be done by the abutting owner or the Village contractor during a period of time specified by the Village Board. If work is not completed during this period, the Village Board may proceed in accordance with § 66.0703, Wis. Stats., and § 241-4E of this chapter to special assess 100% of the costs to the property owner.
- D. Penalty. The penalty for violation of any provision of this section shall be as provided in Chapter 1, § 1-4 of this Code.

§ 241-4. Curb and gutter improvements.

This section shall regulate the construction, repair, alteration and reconstruction of curb and gutter in and along public rights-of-way in the Village of Dickeyville.

- A. Authorization. The Village Board, acting upon a recommendation from the Village Engineer or upon its own motion or resolution, shall authorize the construction, repair and reconstruction of curb and gutter within the Village. It shall then proceed as outlined in § 66.0703, Wis. Stats., and in Subsection E of this section.
- B. Construction standards. All curb and gutter on public thoroughfares in the Village of Dickeyville shall be constructed in accordance with these standards.
- (1) Subgrade. Granular material shall be installed under curb and gutter to fill the subgrade to finished subgrade elevation, to fill undercuts, and to provide a continuous four-inch base.
 - (2) Concrete. All curb and gutter shall be constructed of portland cement concrete conforming to § 241-3B(2) of this chapter.
 - (3) Dimensions. All curb and gutter shall be constructed with a six-inch curb height and a gutter width of 24 inches. The gutter shall be a minimum thickness of six inches and the curb shall be a minimum thickness of 12 inches, as shown here:
 - (4) Joints. Expansion-contraction joints shall be placed every 40 feet or fraction

thereof. Expansion-contraction joints shall have minimum one-half-inch joint filler and two No. 4 dowels with greased sleeves to prevent settlement at the joint. Tool joints shall be placed every 20 feet or fraction thereof.

- (5) Finish. All curb and gutter shall be finished with a brush finish.
- C. Contractor. All installation of curb and gutter shall be done by Village contractors selected as the lowest responsible bidder.
- D. Financial responsibility. Construction of curb and gutter shall be done through special assessment, with the abutting property owner paying 100% of the initial installation. It is hereby determined that all lots or parcels adjoining or abutting such curb and gutter are benefitted thereby. All subsequent repairs and reconstruction costs will be paid by the Village, except for replacement or repair necessitated by an abutting owner's abuse or careless actions which would require the premature replacement or repair of said curb and gutter. Such damage to curb and gutter shall be repaired by the Village, with all costs of repair special assessed to the abutting owner who caused said damages.
- E. Special assessment procedures. Special assessment of public works improvements shall conform to § 66.0703, Wis. Stats., and as outlined herein.
 - (1) Preliminary resolution. After authorization to construct the proposed improvement as specified in Subsection A of this section, the Village Board shall pass a preliminary resolution for the levying of special assessments under § 66.0703, Wis. Stats.
 - (2) Village Engineer's report. The Village Engineer shall be directed to prepare a report consisting of:
 - (a) Final plans and specifications for said improvements.
 - (b) An estimate of the entire cost of the proposed improvement.
 - (c) An estimate as to each parcel of property within the assessment district of:
 - [1] The assessment of benefits to be levied for each improvement.
 - [2] The damages to be awarded for property taken or damaged by each improvement.
 - [3] The net amount of benefits over damages or of damages over benefits for each improvement.
 - [4] The total assessment against each parcel.
 - (3) Publication. The Village Clerk-Treasurer shall, on completion and filing of the Village Engineer's report, give notice of public hearing on such report as specified in § 66.0703, Wis. Stats. The hearing shall be held at the Dickeyville Community Center at a time set by the Clerk-Treasurer in accordance with § 66.0703, Wis. Stats., and specified in the notice. The notice shall be published

in the official newspaper, and a copy of said notice shall also be mailed to every interested person whose post office address is known or can with reasonable diligence be ascertained at least 10 days before said hearing.³

- (4) Public hearing. At the time and place so stated in the public notice, the Village Board shall meet and hear all comments concerning the preliminary resolution.
 - (5) Final resolution. A final resolution shall be passed by the Village Board authorizing improvements and levying special assessments against the benefitted property.
 - (6) Waiving of proceedings. Special assessment procedures in Subsection E(1) through (5) may be waived if all landowners to be special assessed sign a waiver of special assessment notice and hearings. The Village Board, upon receipt of said waiver, may pass a resolution authorizing the improvement and levying special assessments for payment thereof, on waiver of notice.
- F. Penalty. The penalty for violating any provision of this section shall be as provided in Chapter 1, § 1-4 of this Code.

§ 241-5. Excavations and openings.

- A. Permit required. No person shall make or cause to be made any excavation or opening in any street, alley, highway, sidewalk or other public way within the Village of Dickeyville without first obtaining a permit therefor from the Director of Public Works. All permits issued under this section shall expire six months after issuance. [Amended 8-8-1990]
- B. Fees.
- (1) The fee for a street opening permit shall be six times the current square yard unit price of bituminous concrete.
 - (2) The fee for repair of street openings shall be:⁴
 - (a) Ten times the current square yard unit price for bituminous concrete times the size of the hole in square yards if the street being opened is Class 9 or 10.
 - (b) Eight times the current square yard unit price for bituminous concrete times the size of the hole in square yards if the street being opened is Class 6, 7 or 8.
 - (c) Five times the current square yard unit price for bituminous concrete times the size of the hole in square yards if the street being opened is Class 4 or 5.

3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- (d) Two times the current square yard unit price for bituminous concrete times the size of the hole in square yards if the street being opened is Class 3.
 - (e) The current square yard unit price for bituminous concrete times the size of the hole in square yards if the street being opened is Class 1 or 2.
 - (3) The classification in streets shall be based upon the current street survey on file in the office of the Village Clerk-Treasurer. The work of replacing any surfaces on any Village streets shall be done under the direction of the Director of Public Works. [Amended 2-10-1988]
- C. Bond. Before a permit for excavating or opening any street or public way may be issued, the applicant must execute and deposit with the Village Clerk-Treasurer an indemnity bond, approved by the Village President, in the sum of \$10,000 conditioned that he will indemnify and save harmless the Village of Dickeyville and its officers from all liability for accidents and damage caused by any of the work covered by his permit and that he will fill up and place in good and safe condition all excavations and openings made in the street and will replace and restore the pavement over any opening he may make as near as can be to the state and condition in which he found it and keep and maintain the same in such condition, normal wear and tear excepted, to the satisfaction of the Director of Public Works for a period of one year and that he will pay all fines imposed upon him for any violation of any rule, regulation or ordinance governing street openings or drain laying adopted by the Village Board and will repair any damage done to existing improvements during the progress of the excavation in accordance with the ordinances, rules and regulations of the Village. Such bond shall also guarantee that if the Village shall elect to make the street repair, the person opening the street will pay all costs of making such repair and of maintaining the same for one year.⁵
- D. Insurance. Prior to commencement of excavation work, a permittee must furnish the Director of Public Works satisfactory written evidence that he has in force and will maintain during the life of the permit and the period of excavation public liability insurance of not less than \$100,000 for one person and \$300,000 for one accident and property damage insurance of not less than \$50,000.
- E. Regulations governing street and sidewalk openings.
 - (1) Frozen ground. No opening in the streets or sidewalks for any purpose shall be permitted when the ground is frozen, except where necessary as determined by the Director of Public Works.
 - (2) Removal of paving. In opening any street or other public way, all paving or ballasting materials shall be removed with the least possible loss of or injury to surfacing material and together with the excavated material from trenches shall be placed so as to cause the least practicable inconvenience to the public and permit free flow of water along gutters.

5. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

(3) Protection of public. Every person shall enclose with sufficient barriers each opening which he may make in the streets or public ways of the Village. All machinery and equipment shall be locked or otherwise effectively safeguarded from unauthorized use when not being used by the permittee, his agents or employees. Yellow lights shall be kept burning from sunset to sunrise, one yellow light to be placed at each end of the opening in the street or way and other lights sufficient in number and properly spaced to give adequate warning. Cones and/or fencing shall be properly spaced around the perimeter of the excavation. Except by special permission from the Director of Public Works, no trench shall be excavated more than 250 feet in advance of pipe laying nor left unfilled more than 500 feet where pipe has been laid. All necessary precautions shall be taken to guard the public effectually from accidents or damage to persons or property through the period of the work. Each person making such opening shall be held liable for all damages, including costs incurred by the Village in defending any action brought against it for damages, as well as cost of any appeal, that may result from the neglect by such person or his employees of any necessary precaution against injury or damage to persons, vehicles or property of any kind.⁶

(4) Replacing street surface. In opening any street or sidewalk, the paving materials, sand, gravel and earth or other material moved or penetrated and all surface monuments or hubs must be removed and replaced as nearly as possible in their original condition or position and in the same relation to the remainder as before. Any excavated material which in the opinion of the Director of Public Works is not suitable for refilling shall be replaced with approved backfill material. All rubbish shall be immediately removed, leaving the street or sidewalk in perfect repair, the same to be so maintained for a period of one year. In refilling the opening, the earth must be puddled or laid in layers not more than six inches in depth and each layer rammed, tamped or flushed to prevent after-settling. Sheathing and braces must be used to prevent caving. No timber, bracing, lagging, sheathing or other lumber shall be left in any trench. The Village may elect to have the Village make the pavement repair for any street or sidewalk opening, in which case the cost of making such repair and of maintaining it for one year shall be charged to the person making the street opening.⁷

F. Excavation in new streets limited. Whenever the Village Board determines to provide for the permanent improvement or repaving of any street, such determination shall be made not less than 30 days before the work of improvement or repaving shall begin. Immediately after such determination by the Village Board, the Director of Public Works shall notify in writing each person, utility, Village department or other agency owning or controlling any sewer, water main, conduit or other utility in or under said street, or any real property abutting said street, that all such excavation work in such street must be completed within 30 days. After

6. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

7. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

such permanent improvement or repaving, no permit shall be issued to open, cut or excavate said street for a period of five years after the date of improvement or repaving unless in the opinion of the Director of Public Works an emergency exists which makes it absolutely essential that the permit be issued.

- G. Emergency excavations authorized. In the event of an emergency any person owning or controlling any sewer, water main, conduit or utility in or under any street and his agents or employees may take immediate proper emergency measures to remedy dangerous conditions for the protection of property, life, health or safety without obtaining an excavation permit, provided that such person shall apply for an excavation permit not later than the end of the next succeeding business day and shall not make any permanent repairs without first obtaining an excavation permit hereunder.
- H. Village work excluded. The provisions of this section shall not apply to excavation work under the direction of the Director of Public Works by Village employees or contractors performing work under contract with the Village necessitating openings or excavations in Village streets.
- I. Construction. The specifications for the improvement or repairing of any street shall be submitted to the Director of Public Works and approved by him prior to issuance of any permit under this section.
- J. Cost and procedure for assessment. The provisions of § 241-4 relating to the cost, procedure for levy of assessment and payment for curb and gutter are hereby adopted and made applicable to street improvements.
- K. Penalty. The penalty for violation of any provision of this section shall be a penalty as provided in Chapter 1, § 1-4 of this Code.

§ 241-6. Driveways.

- A. Approval required. No person shall construct or maintain any driveway across any sidewalk or curbing without first obtaining a driveway permit from the Director of Public Works.
- B. Specifications for driveway construction.⁸
 - (1) Interference with intersections prohibited. At street intersections a driveway shall not provide direct ingress or egress to or from the street intersection area and shall not occupy areas of the roadway deemed necessary by the Village Board for effective traffic control or for highway signs or signals.
 - (2) Interference with street. No driveway apron shall extend out into the street further than the face of the curb, and under no circumstances shall such driveway apron extend into the gutter area. All driveway entrances and approaches shall be so constructed that they shall not interfere with the

⁸. Editor's Note: Original § 5.06(2)(a), Width, which appeared at the beginning of this subsection, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

drainage of streets, side ditches or roadside areas or with any existing structure on the right-of-way. When required by the Director of Public Works to provide for adequate surface water drainage along the street, the property owner shall provide any necessary culvert pipe at his own expense.

- (3) Number of approaches limited. No more than one driveway entrance and approach shall be constructed for any lot or premises except where deemed necessary and feasible without undue impairment of safety, convenience and utility of the street by the Director of Public Works. Any two approaches shall be at least 10 feet apart.
- (4) All driveways shall have a paved apron. The apron shall be that part of the driveway between the street and the sidewalk. Driveway aprons shall have a minimum thickness of six inches of concrete or two inches of bituminous material with eight inches of gravel or rock base. [Amended 4-9-1997]
- (5) Permittee liable for damage or injury. The permittee shall assume all responsibility for any injury or damage to persons or property resulting directly or indirectly during construction or repair of driveway approaches or entrances. When curb or gutter is removed, the new connection shall be of equivalent acceptable material and curb returns provided or restored in a neat, workmanlike manner. Driveway surfaces shall connect with the street pavement and sidewalk in a neat, workmanlike manner. Any sidewalk areas which are damaged or are inadequate by reason of vehicle travel across the sidewalk shall be replaced in accordance with the requirements of § 241-3B.

C. Penalty. The penalty for violation of any provision of this section shall be a penalty as provided in Chapter 1, § 1-4 of this Code.

§ 241-7. Obstructions and encroachments.

- A. Obstructions and encroachments prohibited. No person shall encroach upon or in any way obstruct or encumber any street, alley, sidewalk, public grounds or land dedicated to public use, or any part thereof, or permit such encroachment or encumbrance to be placed or remain on any public way adjoining the premises of which he is the owner or occupant, except as provided in Subsection B.
- B. Exceptions. The prohibition of Subsection A shall not apply to the following:
 - (1) Signs or clocks attached to buildings which project not more than six feet from the face of such building and which do not extend below any point 10 feet above the sidewalk and which do not extend any point below 15 feet above any street or alley. [Amended 10-14-1987]
 - (2) Awnings which do not extend below any point seven feet above the sidewalk, street or alley.
 - (3) Public utility encroachments duly authorized by state law or the Village Board.
 - (4) Goods, wares, merchandise or fixtures being loaded or unloaded which do not

extend more than three feet on the sidewalk, provided that such goods, wares, etc., do not remain thereon for a period of more than two hours.

- (5) Temporary encroachments or obstructions authorized by permit under Subsection C.
- (6) Excavations and openings permitted under § 241-5.

C. Street privilege permit.⁹

- (1) When required. Permits for the use of the streets, alleys, sidewalks or other public ways or places of the Village may be granted to applicants by the Director of Public Works for the purpose of encumbering the street, alley, sidewalk or way with materials necessary in and about the construction or demolition of any building or structure, provided that such applicant has complied with the other requirements of this subsection and obtained a building permit if required by Chapter 117, Building Construction, § 117-1 of this Code.
- (2) Bond. No street privilege permit shall be issued until the applicant shall execute and file with the Village Clerk-Treasurer a bond, in an amount determined by the Director of Public Works, conditioned that the applicant will indemnify and save harmless the Village of Dickeyville from all liability for accidents or damage caused by reason of operations under said permit and will remove such encumbrance upon termination of the operations and will leave the vacated premises in a clean and sanitary condition and repair any and all damage to the streets, alleys, sidewalks or public property of the Village resulting from such building operations.
- (3) Fee. The fee for a street privilege permit shall be \$100. In addition, time is billed for any Village employee at 1 1/2 times his or her hourly rate.
- (4) Conditions of occupancy. The permission to occupy or obstruct the streets, alleys, sidewalks or public grounds is intended only for use in connection with the actual erection, alteration, repair, or removal of buildings or structures and shall be given upon the following terms and conditions and subject to revocation without notice by the Director of Public Works for violation thereof:
 - (a) Such temporary obstruction shall cover not more than 1/3 of any street or alley.
 - (b) Obstructions shall be sufficiently lighted at night so as to be in full view of the public from all directions.
 - (c) Sidewalk traffic shall not be interrupted, but temporary sidewalks of not less than four feet in width guarded by a closed fence at least four feet high on both sides may be maintained during the period of occupancy.

⁹. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II). For moving of buildings see Ch. 117, Building Construction, § 117-6.

- (d) Upon termination of the work necessitating such obstruction, all parts of the streets, alleys, sidewalks or public grounds occupied under the permit shall be vacated, cleaned of all rubbish and obstructions and placed in a safe condition for public travel at the expense of the permittee.
- (5) Termination. All street privilege permits shall automatically terminate at the end of three months from the date of issuance unless an earlier termination date is specified thereon at the direction of the Director of Public Works.
- D. Removal by Village. In addition to any other penalty imposed, if the owner or occupant of the premises adjoining any unlawfully obstructed sidewalk shall refuse or neglect to remove such obstruction within 24 hours after notice from the Director of Public Works to do so, it shall be the duty of the Director of Public Works to remove such obstruction and make return of the cost and expense thereof to the Village Clerk-Treasurer, who shall enter such cost on the next annual tax roll as a special charge against the property abutting such obstructed sidewalk, and such sum shall be levied and collected as other special taxes against real estate.
- E. Penalty. The penalty for violation of any of the provisions of this section shall be a penalty as provided in Chapter 1, § 1-4 of this Code.

§ 241-8. Snow and ice removal. [Amended 12-11-2002] [Amended June 10, 2009]

- A. Responsibility of owner or occupant. The owner, occupant or person in charge of each and every building or structure or unoccupied lot in the Village of Dickeyville fronting or abutting any street shall clean or cause to be cleaned the sidewalk in front of or adjoining each such home, building or unoccupied lot of snow or ice to the width of such sidewalk within 72 hours after such ice or snow has accumulated on the sidewalk. If the ice which has formed on any sidewalk cannot be removed within 72 hours, the persons herein referred to shall keep the same sprinkled with ashes, sawdust, sand or other abrasive material or salt.
- B. Action to abate condition. If the snow or ice has not been removed or otherwise treated on any sidewalk covered by Subsection A for more than 72 hours after such condition exists, the Village may contract with appropriate persons or firms to remedy such condition. The bill for the cost of such remediation shall be sent to the owner, occupant or person in charge of the lot abutting such sidewalk and that person shall be responsible for the payment of such charges. If such charges are not paid by the end of the calendar year in which they are incurred, the charges shall be placed on the tax rolls and become a special charge against such lot.

§ 241-9. Street improvements.

This section shall regulate the construction of streets and thoroughfares in or along public rights-of-way in the Village of Dickeyville.

- A. Authorization. Authorization shall be in conformance with § 241-4A.
- B. Design standards.

- (1) Streets shall be designed so as to have general conformance with Chapter 245, § 245-13B of this Code.
 - (2) Exception. In areas where established patterns of street design are prevalent, variances in these standards may be approved in writing.
- C. Construction standards. All streets in or along public thoroughfares in the Village of Dickeyville shall be constructed in accordance with these standards.
- (1) Subgrade. The subgrade shall be graded in conformance with the street plans. Upon completion of grading, the Village Engineer shall inspect the finished subgrade to determine its ability to carry the traffic loads of the proposed street. Areas having signs of low strength, high organic content, lack of stability, or low shear strength shall be undercut to a point where the additional base will have sufficient strength to carry the anticipated loads. Fill of undercut areas may be large aggregate with 100% passing the two-inch sieve. This large aggregate shall not be used above the finished subgrade elevation.
 - (2) Base. The base shall be comprised of well-graded crushed road gravel installed in lifts where practical. Said base shall have a minimum thickness of 12 inches. The thickness of said base may be increased by the Village Engineer if the subgrade exhibits lower strength or if streets in the area show signs of base failure.
 - (3) Surface.
 - (a) All streets shall be finished, surfaced or paved with a minimum of two inches of bituminous concrete (asphalt). Said pavement shall meet the gutter and be installed in conformance with the cross section as shown on the plans or as directed by the Village Engineer. All bituminous concrete shall be laid so as to reduce paver seams. This shall be accomplished by completing one block length of street at a time and rolling the asphalt immediately after laying.
 - (b) Exception. The Village Board, acting on a recommendation from the Village Engineer, may approve the limited use of experimental surface materials with the stipulation that said experimental pavement structure have the same strength as the pavement structure outlined in this section.
- D. Contractor. All installation of streets shall be done by Village contractors.
- E. Financial responsibility. The initial construction of a new street or the improving of an existing street to meet Village codes shall be done through special assessments, with the abutting property owner paying 100% of the grading, base and surface costs. It is hereby determined that all lots or parcels adjoining or abutting such curb and gutter are benefitted thereby. All subsequent repairs and reconstruction costs will be paid by the Village, except for replacement or repair necessitated by an abutting owner's abuse or careless actions which would require the premature replacement or repair of said street. Such damages to the street shall be repaired by

the Village, with all costs of repair assessed to the abutting owner who caused said damages.

- F. Special assessment procedure. Special assessment procedures shall be in conformance with § 241-4E.
- G. Penalties. The penalty for violating any provision of this section shall be as provided in Chapter 1, § 1-4 of this Code.

§ 241-10. Placing materials in streets. [Added 1-10-2001]

- A. No person shall place or leave upon any street within the Village grass cuttings, leaves, tree limbs or branches, cut vegetation, snow or dirt and construction materials, except that such material may be placed upon a street in the Village with a written permit issued by the Director of Public Works. [Amended 1-8-2003]
- B. The penalty for violation of this section shall be as provided in Chapter 1, § 1-4 of this Code. A separate offense shall be deemed committed during each day or part thereof during which a violation occurs or continues.