

CHAPTER 11

Streets, Sidewalks and Public Property

Article 1 Streets and Sidewalks

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ARTICLE 1

Streets and Sidewalks

Sec. 11-1-10. Enforcement and supervision.

The Town Administrator shall, subject to the control of the Board of Trustees, have the charge and control of the construction, inspection, maintenance and repair of the streets, alleys and sidewalks within the Town. The Town Administrator may appoint a qualified person to inspect such construction for compliance with all applicable codes. (Prior code 6-1-1; Ord. 956 §1, 2014)

Sec. 11-1-20. Construction of curbs and sidewalks.

(a) Permit Required: No sidewalk or curb shall be constructed or reconstructed, and no openings, driveways or cuts of any kind shall be made or enlarged in any curb which is heretofore or hereafter constructed without first obtaining a permit from the Building Inspector.

(b) Grade and Specifications: All sidewalks and curbs shall be constructed on a grade, line and location established by the Building Inspector and specified in the permit. Every permit for openings, driveways or cuts in any curb shall specify the width and location of such openings, driveways or curbs, and no such permit shall be issued without first being approved by the Board of Trustees.

(c) Construction Standards: All construction of streets, alleys, sidewalks and curbs or other public improvements shall be constructed pursuant to the engineering standards set forth in Subsection 17-12-20 of this Code. (Prior code 6-1-3; Ord. 956 §1, 2014)

Sec. 11-1-30. Existing curb cuts decreased.

The Board of Trustees may by resolution determine that any existing driveways or passageways, where the same enter the street line, are so large or of such a nature that the same interfere with the proper use of the street, and may order such driveway or passageway to be removed, altered or decreased in size where the same enters the

street line and, if curbing exists along said street line, require the property owner to install such additional curbing as may be necessary to comply with the Board of Trustees' resolution. A copy of such resolution shall be served upon the property owner by certified mail, addressed to the property owner at his or her last known address. If the property owner fails to comply with the resolution within thirty (30) days after the mailing thereof, the Town shall proceed with the necessary work and construction to conform with the terms of the resolution, and the cost thereof shall be a charge against the property and may be certified to the County Treasurer for collection, or the Town may proceed with legal action to enforce the collection thereof. (Prior code 6-1-4; Ord. 956 §1, 2014)

Sec. 11-1-40. Repair of sidewalks and curbs.

(a) Maintenance Required: All sidewalks, curbs and gutters shall be maintained with an even surface in good repair and in conformity with the established grade of the streets along which they are constructed.

(b) Notice to Repair, Collection of Costs: Whenever the Board of Trustees, by resolution, determines that the construction of any sidewalk, curb or curb and gutter, or the repair thereof, is necessary for the public safety, it shall be the duty of the owner of the property adjacent to or upon which the improvement is to be constructed or repaired to construct or repair the same in accordance with the specifications of the Building Inspector. Upon the passage of such a resolution, the Building Inspector shall cause notice in writing to be served upon the owner or agent in charge of such premises to construct or repair such sidewalk, curb or curb and gutter within thirty (30) days after the receipt of said notice. Said notice shall be served upon the owner or agent in charge of the premises if found within the Town and, if not, the notice may be served by certified United States mail, return receipt requested, addressed to the owner at his or her last known address; or in lieu of service by mail, said notice may be served by publication in two (2) issues of a newspaper of general circulation in the Town; or if there is no such newspaper, then, upon a resolution passed by the Board of Trustees to that effect, such notice may be published by posting copies thereof in three (3) public places to be designated by the Board of Trustees. (Prior code 6-1-5; Ord. 956 §1, 2014)

Sec. 11-1-50. Removal of snow and ice.

It shall be unlawful for any owner or occupant of any lot, block or parcel of ground within the Town, or for any agent in charge of such property, to allow any snow or ice to accumulate or remain upon any sidewalk alongside such property longer than twenty-four (24)

hours from the time of the last accretion of such snow or ice. (Prior code 6-1-6; Ord. 956 §1, 2014)