

Village of Almena, WI
Tuesday, July 30, 2024

Chapter 250. Streets and Sidewalks

[HISTORY: Adopted by the Village Board of the Village of Almena as Ch. 8 of the former Village Code. Amendments noted where applicable.]

§ 250-1. Street and sidewalk grades.

- A. Establishment. The grades of all streets, alleys and sidewalks shall be established and described by the Board and shall be recorded by the Village Clerk in his office.
- B. Required. No street, alley, or sidewalk shall be worked until the grade thereof is established.
- C. Altering prohibited. No person shall alter the grade of any street, alley, sidewalk or public ground, or any part thereof, unless authorized or instructed to do so by the Board.

§ 250-2. Sidewalk construction and repair.

[Amended 6-14-2016]

The initial cost of construction shall be borne 100% by the property owner. Cost of repair shall be 100% chargeable to the property owner.

§ 250-3. Street excavations.

- A. Permit. No person shall excavate in any street, alley, or public ground without a permit therefor from the Director of Public Works.
- B. Bond. Before a permit may be issued for excavating in any public street, way or alley, the person applying for such permit shall execute to the Village and deposit with the Village Clerk a corporate surety approved by the Village in the sum of \$1,000, conditioned that he/she will perform faithfully all work with due care and skill and in accordance with the laws, rules and regulations applicable thereto. The bond shall state that the person will indemnify and save harmless the Village and the owner of the premises against all damages, costs, expenses, outlays and claims arising out of unskillfulness or negligence on his part in connection with such excavating. Such bond shall remain in force and shall be executed for one year, except on such expiration it shall remain in force as to all penalties, claims and demands that may have accrued thereunder prior to such expiration.
- C. Protection of the public. No permit shall be issued if the method of construction or the location of the work to be performed will impair the public safety and convenience. The permit holder shall erect such barriers, warning lights and signs as will adequately inform the traveling public of the nature and location of the work being performed.
- D. Repair of street openings. The person to whom a permit is issued under this section shall complete the work involved as soon as possible and shall immediately repair all pavements, gutters and sidewalks in as good condition as before the opening and as may be directed by the Director of Public Works.

§ 250-4. Obstructions and encroachments.

- A. Prohibited. No person shall encroach upon or 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/she is the owner or occupant, except as provided in Subsection **B**.
- B. Exceptions. The prohibitions of Subsection **A** shall not apply to the following:
- (1) Signs and clocks attached to buildings which project not more than six feet from the face of such building and which do not extend at any point lower than 10 feet above the sidewalk, street or alley.
 - (2) Awnings which do not extend at any point lower than seven feet above the sidewalk, street or alley.
 - (3) Public utility encroachments authorized by the Village.
 - (4) Goods, wares, merchandise or fixtures being loaded or unloaded which do not extend more than three feet on a sidewalk, provided such goods, wares, etc., do not remain thereon for more than three hours.
 - (5) Building materials when placed upon the street, alley or sidewalk upon conditions prescribed by the Director of Public Works, who may require such materials to be protected by barricades or appropriate lights.

§ 250-5. Moving buildings.

- A. Permit required. No person shall move any building within the Village without a permit from the Village Board after inspection by the Building Inspector, the notice of application for such permit to be made 30 days in advance and to designate the streets and alleys along which the building is intended to be moved. Such permit shall state the date upon which such work will commence, a description of the building and its location, the place to which such building is intended to be moved, the name of the owner of such building, the name of the person who will perform the work and the names of the streets and alleys along which the building may be moved.
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
- B. Notice to utilities. Upon receipt of the notice under Subsection **A**, the Village Clerk shall immediately notify any public utility whose lines or poles may be interfered with of the application. Such utility shall take any steps necessary to permit the building to be moved without damage to its lines and poles.
- C. Deposit required. The applicant shall at the time of application deposit with the Village Clerk \$500 to cover the costs to the utilities of any work necessary to permit the moving of the building and the costs of damages to property resulting from such moving. Upon completion of the moving, the Director of Public Works shall inspect the route and report to the Village Clerk any damages, and the estimated amount thereof, caused to the streets and any public or private property. Upon payment of the utilities' expenses and settlement of all damage claims, the Village Clerk shall release the balance of the deposit remaining. The applicant shall be liable for any costs and damages exceeding the deposit.

§ 250-6. Snow and ice removal.

- A. Sidewalks to be kept clear. The owner or occupant of any lot or parcel shall promptly each day remove all snow and ice which may have fallen or accumulated upon the sidewalk in front of such lot or parcel, provided when ice has so formed that it cannot be removed, the owner or occupant shall keep the same sprinkled with a material which will prevent the sidewalk from being dangerous to pedestrians. If the owner or occupant fails to comply with this subsection, the Director of Public

Works shall cause the snow or ice to be removed or sprinkled as required in this subsection, the cost thereof to be assessed against the property as a special tax.

- B. Deposit in streets restricted. No person shall cause to be deposited snow from his premises onto the sidewalk abutting thereon or onto any street in the Village without a permit therefor from the Director of Public Works, who may require payment of a fee sufficient to reimburse the Village for the cost of removing any snow so deposited.

§ 250-7. Street trees.

- A. Planting. No person shall plant any tree, shrub or plant between his property line and the curb or traveled portion of the street abutting his premises without a permit from the Director of Public Works, who shall for the purposes of this section have the powers and duties of a Village Forester under § 27.09, Wis. Stats.
- B. Tree care. Section 27.09, Wis. Stats., shall apply; and the Village Board shall have the powers and duties conferred upon the Board of Park Commissioners.

§ 250-8. Violations and penalties.

Any person who shall violate any provision of this chapter or any order, rule or regulation made hereunder shall be subject to a penalty as provided in § 1-4 of this Municipal Code.