

CHAPTER 8  
PUBLIC WORKS

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8.01 STREET AND SIDEWALK GRADES. (1) 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 – Treasurer in his office.

(2) REQUIRED. No street, alley or sidewalk shall be worked until the grade thereof is established.

(3) ALTERING PROHIBITED. No person shall remove or alter of any street, alley, sidewalk or public ground, or any part thereof, unless authorized or instructed to do so by the Board.

8.02 SIDEWALK AND CURB AND GUTTER CONSTRUCTION AND REPAIR. Sect. 66.615 Wis. Stats., shall apply. The Village shall bear 100% of the cost of initial construction of sidewalks and curb and gutter; unless there is a new development of at least one lot. In that case, the developer will bear 100% of the cost of sidewalks and curb and gutter. The cost of sidewalk repair shall be borne by the Village, when approved by the Streets Committee under a repair program. The Village and the property owner shall each bear 50% of the cost to repair any curb and gutter, when approved by the Streets Committee under a repair program. If the repair is necessitated by damage caused by Village – operated equipment, the Village shall bear the entire cost of repair.

8.03 STREET EXCAVATIONS. (1) PERMIT. No person shall excavate in any street, alley or public ground without a permit therefor from the Chairman of the Street Committee.

(2) 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 – Treasurer a corporate surety approved by the Village in the sum of **(see fee schedule)**, but not to exceed estimated cost of work, conditioned that he 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 occurred thereunder prior to such expiration.

(3) PROTECTON 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.

(4) 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 Chairman of the Street Committee.

8.04 OBSTRUCTIONS AND ENCROACHMENTS. (1) 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 is the owner or occupant, except as provided in sub. (2).

(2) EXCEPTIONS. The prohibitions of sub. (1) Shall not apply to the following:

(a) Signs and clocks attached to buildings which project not more than 6 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.

(b) Awnings which do not extend at any point lower than 7 feet above the sidewalk, street or alley.

(c) Public utility encroachments authorized by the Village.

(d) Goods, wares, merchandise or fixtures being loaded or unloaded which do not extend more than 3 feet on a sidewalk, provided such goods, wares, etc., do not remain thereon for more than 3 hours.

(e) Building materials when placed upon the street, alley or sidewalk upon conditions prescribed by the Chairman of the Street Committee, who may require such materials to be protected by barricades or appropriate lights.

**8.05 MOVING BUILDINGS. (1) PERMIT REQUIRED.** No person shall move any building within the village without a permit from the Village Clerk/Treasurer, 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 move.

**(2) NOTICE TO UTILITIES.** Upon receipt of the notice under sub. (1), the Village Clerk/Treasurer 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.

**(3) DEPOSIT REQUIRED.** The applicant shall at the time of application make a deposit with the Village Clerk/Treasurer (**see fee schedule**) to cover the costs to the utilities of any work necessary to permit the resulting from such moving. Upon completion of the moving, the Chairman of the Street Committee shall inspect the route and report to the Village Clerk/Treasurer 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/Treasurer shall release the balance of the deposit remaining. The applicant shall be liable for any costs and damages exceeding the deposit.

**8.06 SNOW AND ICE REMOVAL. (1) 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. Sidewalks must be clear to its edge. If the owner or occupant fails to comply with this subsection, the Chairman of the Street Committee shall cause the snow to be removed from such sidewalk and the cost of such removal shall be charged against said lot or parcel as a special tax pursuant to § 66.0907(3)(f) and (5), Wis. Stats. In any winter season, the cost for so removing shall be \$100 for the first time and \$200 each time thereafter during the rest of that seasonal year. Any person who shall violate the provisions of this section shall, upon conviction thereof, forfeit not less than \$20 nor more than \$300 together with the costs, fees and surcharges imposed under Ch. 814, Wis. Stats.

**(2) 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 Chairman of the Street Committee, who may require payment of a fee sufficient to reimburse the Village for the cost of removing any snow so deposited.

8.07 STREET TREES. (1) 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 Chairman of the Street Committee who shall for the purposes of this section have the powers and duties of a Village Forester under §27.09, Wis, Stats.

(2) 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.

8.08 LAWN DEBRIS: DEPOSIT IN STREET PROHIBITED. No person shall deposit or permit to be deposited in any public street any leaves, lawn clippings, branches, plants or other lawn debris.

8.09 SNOW REMOVAL (1) The village is responsible for snow removal from all streets and alleys in the village.

(2) The Village is responsible for removing snow accumulations from the business section of the Village.

(3) After all streets, alleys and the business section is cleared of snow deposits, the Village snow removal assets and personnel may be contracted out at a rate to be determined by the Village Board for private or other properties.

8.10 STREET IDENTIFICATION NUMBERS. (1) Each residence, place of business, or other primary building structure within the Village of Plain shall be required to have assigned to it, from and through the Village, a street identification number. Within six months of residency, all such assigned identification numbers shall be placed upon a mailbox or upon a signpost located at or near the front property line or upon a building on or as close as possible to the entrance door. All such identification numbers shall be visible, from both directions, from the abutting public right-of-way. This section shall not prohibit the assigned numbers from being written out in addition to the numerical numbers required above. The Village Board may grant variances from the terms of this section if a property owner can demonstrate that a literal enforcement of this section will be unduly burdensome.

(2) Any person violating this section shall be subject to a forfeiture of not less than \$20.

8.15 PENALTY. Any person who shall violate any provision of this chapter or any order, rule or regulation made hereunder shall be subject to a penalty. **See fine schedule.**