

CHAPTER 33

STREET REGULATIONS

ARTICLE I – GENERAL REGULATIONS

33-1-1 CLOSING STREET. Whenever public safety, the improvement or repair of any street, alley or public place requires it, closed to traffic and the placing of signs indicating that the street, alley or public place is close 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.

The provisions of this section shall not apply to emergency vehicles responding to an emergency call.

33-1-2 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 fund 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 the 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; Sec. 11-80-13)

33-1-3 CULVERTS.

(A) Whenever the Village Board finds it expedient and desirable and in the best interest of the Village and the public, and of the owner of the abutting property, to install culvert pipe in drainage ditches, the owner of the abutting property shall pay the cost of material required and the Village shall furnish the labor required to install same. The Village Board, at its sole discretion, may elect to pay the cost of both labor and material.

(B) No such culvert pipe shall be installed of a length less than the full length or width (as the case may be) of the property to which it abuts.

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diameter of less than 24 inches is desired, only Hancor or ADS pipe or a material of equal strength and durability shall be approved for installation. In all cases where a culvert pipe with an inside diameter of 24 inches or larger is desired, only reinforced concrete culvert pipe or material of equal strength and durability shall be approved for installation. In no case shall the Village approve the use of culvert pipes with an inside diameter of less than 6 inches.

(D) The provisions of this section shall not apply in cases where the drainage ditch is on the boundary line of the corporate limits of the Village and the adjoining property is outside of the corporate limits of the Village. In these instances, the owner of the abutting property shall pay the entire cost of all materials and labor.

33-1-4 EXCAVATION, CONSTRUCTION OR REMODELING OF
PROPERTY ABUTTING VILLAGE STREETS.

(A) Violation. It is unlawful for any person to allow spoil, dirt, debris or backfill, from any excavation, construction, or remodeling of property abutting a Village street to drain, collect, or run onto the established right-of-way of said street.

(B) Notice. The Police Department or Village Superintendent may issue a written notice for removal of such spoil, dirt, debris, or backfill, and/or clean up of Village streets. Such removal and/or clean up must be made within 10 days after such notice has been given.

(C) Penalty. Whenever any person violates or causes the foregoing provisions of this section to be violated, he/she shall be guilty of a petty offense and shall be either given a written warning or fined to a fine of not more than \$750.00 for each day such violation occurs and until such unlawful spoil, dirt, debris or backfill is removed, and/or Village streets are cleaned, either by the offenders or by the public authorities as provided hereinafter in this section.

offenders or by the public authorities as provided hereinafter in this section.

(A) Abatement. Where any such violation occurs along any Village street, the Village is hereby authorized to enter upon the property where such violation occurs and remove or cause to be removed, the unlawful spoil, dirt, debris or backfill and clean any Village streets in such a manner as to conform or will conform to the foregoing provisions of this section, and the cost of such work, together with court costs, may be recovered from such violators. (2000-____; 10-17-00)

ARTICLE II - OILED STREETS AND ROADS

33-2-1 PROHIBITED USE. It shall be unlawful for any person to drive, tow, push or otherwise propel or cause to be propelled, any automobile, truck, tractor, wagon, implement or any vehicle whatsoever over or onto any street in the Village on which a fresh application of road oil or asphalt has been placed, whether such street is barricaded or not, unless and until the seal or blotter coat of crushed rock, gravel or other material has been applied. (1972-7; 08-04-60)

33-2-2 EXCEPTION. The provisions of this Article shall not apply to vehicles of the Police Department, Fire Department and Ambulances when such vehicles are actually responding to an emergency call. (1972-7; 08-04-60)

33-2-3 PENALTY. Any person violating the provisions of this Article shall be subject to a penalty of not less than \$10.00 nor more than \$100.00.

ARTICLE III - PARADES AND PUBLIC ASSEMBLIES**33-3-1 DEFINITIONS.**

"Activity" means a parade, public meeting, or assembly.

"Funeral procession" means a single direct movement from a mortuary or church to the place of burial of a human body, under direction of an authorized funeral director.

"Parade" means a march or procession of any kind.

"Public meeting or assembly" means a planned or organized gathering of a group of persons, or any ceremony, show, exhibition, or pageant which may reasonably be expected to result in the gathering of a group of persons, upon any public street, park, or other public grounds including but not limited to block parties and street fairs.

33-3-2 PERMIT REQUIRED.

It is unlawful for any person to hold, manage, conduct, aid, participate in, form, start or carry on any parade or public meeting or assembly, as defined in this Article, in or upon any public street, way, park, or other public grounds in the village unless and until a permit to conduct such activity has been obtained in compliance with the provisions of this Article, except as herein provided.

33-3-3 EXCEPTIONS.

This Article shall not apply to any of the following:

- A. Funeral processions;
- B. A unit of local government or any agency thereof acting within the scope of its functions;
- C. Students going to and from school classes or participating in educational activities, providing such activity is authorized by the school and under the immediate supervision of the school authorities. Notwithstanding the foregoing exception, any school desiring to conduct such activities shall provide no less than seven days notice of such proposed activity to the President of the Village.

33-3-4 APPLICATION.

Application for permits under this Article must be filed with the President not less than seven days in advance of the proposed activity.

- A. The application shall be in writing and shall give the following information:
 - 1. The name, address and telephone number of the person requesting the permit. If the activity is proposed to be conducted for, on behalf of or by any organization, the name, address, and telephone number of the principal office of such organization and the authorized officer of such organization who is charged with control and responsibility for the activity;
 - 2. The purpose of the activity;
 - 3. The date, time, and location or route of the proposed activity;
 - 4. The approximate number of persons who will participate in or attend and the number and kind of vehicles, equipment, and animals which will be used;

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5. Plans for the assembly and dispersal of the parade, including times and locations thereof;

6. A statement as to whether the parade will occupy all or only a portion of the streets proposed to be traversed;

7. Any additional information which the President shall find reasonably necessary for a determination of the findings required by Section 33-3-5.

B. All applicants for a permit shall provide certificates of insurance evidencing commercial general liability coverage with limits not less than an amount to be determined sufficient by the Village President at the time of issuance of the permit and naming the Village, its officers, agents, employees and volunteers as additional insureds.

33-3-5 STANDARDS.

The President or his or her designated representative shall issue a permit as provided for hereunder when, upon consideration of the application and such other publicly available information as may otherwise be obtained, he or she finds that:

A. The conduct of such activity will not substantially interrupt the safe and orderly movement of other traffic;

B. The concentration of persons, animals and vehicles will not unduly interfere with proper fire and police protection of, or ambulatory service to, areas where the activity will take place or areas contiguous to such area;

C. The conduct of such activity will not unduly interfere with the movement of firefighting equipment en route to a fire, or the movement of other emergency equipment;

D. The conduct of such activity is not reasonably likely to cause injury to persons or property;

E. Such activity is not be held for the sole purpose of advertising the goods, wares or merchandise of a particular business establishment or vendor; and

F. Applicants certificate of insurance evidencing commercial general liability coverage provides sufficient coverage for the Village.

33-3-6 CONDITIONS ON PERMIT.

The President shall have authority to impose such conditions on the issuance of the permit as are necessary to insure that all of the findings mentioned in Section 33-3-5 are maintained for the duration of the activity.

33-3-7 PRIOR APPLICATION.

If a prior permit application has been made for an activity proposed to be held at the same time and place, the President may refuse approval of the later application. In the case of such refusal, the President shall send the applicant written notice thereof and may provide a list of alternate public parks or other public grounds available for such activity that may be considered upon reapplication.

33-3-8 NOTICE OF ISSUANCE OR DENIAL.

The President shall act upon the permit application within five days of the filing thereof. If he or she denies the application, he or she shall mail to the applicant, within that

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five-day period notice of the denial and the reason for it. The President shall also attempt to contact the applicant or organization's representative at the phone number provided on the application as soon as a determination has been made.

33-3-9 APPEAL PROCEDURE.

The applicant shall have the right to appeal the denial of a permit to the President to the Village Board. The appeal shall be taken within 30 days after notice of denial. The Village Board shall act on the appeal within 30 days after its receipt.

33-3-10 CONTENTS OF PERMIT.

The permit shall identify the name, address and telephone number of the applicant, the person who is personally responsible for the oversight and control of the activity, and any conditions on the issuance of the permit set by the President. The permit shall be so designed to provide the information necessary to contact the applicant at all times during the activity in the case of an emergency.

33-3-11 DUTY OF PERMITTEE.

A. A permittee hereunder shall comply with all terms and conditions of the permit and with all applicable laws and ordinances.

B. A copy of the written permit obtained pursuant to this Article shall be carried by the person responsible for the oversight and control of the activity for which the permit was issued during the course of the activity.

C. A permittee shall clean-up the public street, way, park, or other public grounds to substantially the same condition as before the activity takes place, including but not limited to any and all animal waste, garbage, candy, and debris. The penalty for failing to clean-up the public street, way, park, or other public grounds shall be a fine of Seven Hundred Fifty Dollars (\$750.00).

33-3-12 REVOCATION OF PERMIT.

The President may revoke any permit issued hereunder upon the failure of the permittee to comply with the terms and conditions of the permit or if the activity, because of the manner in which it is being conducted, or for any other reason, is jeopardizing those elements of the public safety or welfare set forth in Section 33-3-5.

33-3-13 PUBLIC CONDUCT DURING AN ACTIVITY.

A. It is unlawful for any person to unreasonably obstruct, impede or interfere with any parade or public meeting or assembly or with any person, vehicle or animal participating in such a parade, meeting or assembly for which a permit has been granted in accordance with the provisions of this Article.

B. The chief of police shall have authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a highway or part thereof constituting some part of the route of a parade. A designated person shall post signs to such effect no less than twenty-four (24) hours prior to the parade, and it is unlawful for any person to park or leave unattended any vehicle in violation thereof.

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C. No driver of a vehicle except a police car or other emergency vehicle shall drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated in a parade.

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