

## Chapter 5. Public Works

### Article I. Driveway, Sidewalk and Culvert Installation

#### § 5-1. Permit required.

No person shall construct or make any alterations to a driveway, sidewalk, culvert or ditch without first obtaining a permit from the Village Administrator.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 25, Construction and Effect of Ordinances, Art. II).*

#### § 5-2. Permit fee.

A permit fee, as prescribed in Chapter 40, Fees and Penalties, of this Code, shall be on file in the Clerk-Treasurer's office.

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 25, Construction and Effect of Ordinances, Art. II).*

#### § 5-3. Performance bond.

- A. Every person required to have a permit as set forth above shall post a bond with the Village Clerk-Treasurer prior to the permit being issued.
- B. The bond for the construction or alteration of a driveway, sidewalk or culvert shall be determined by the Village Engineer so as to be sufficient to replace or repair, at the Village's discretion, the work performed by the permit holder and any damage to the curb or gutter abutting the property resulting from the installation or improvements to the driveway, sidewalk or culvert.
- C. The bond for the construction and maintenance of a ditch line shall be determined by the Village Board and on file in the Clerk-Treasurer's office.
- D. The bond(s) shall be released upon completion of the project and inspection by the Village Administrator or his designee.
- E. The builder or developer is responsible to reclaim the bond within two years of the date of building permit issuance. Unclaimed funds remaining after two years will revert to the Village.

[Added 4-11-2011]

#### § 5-4. Procedure for culvert installation.

- A. After the issuance of a permit, the Village shall, within five days, cause the staking of the grades for the elevation of the culvert. All culverts shall be installed according to the stakes established by the Village.
- B. Within five days of installing the culvert, the permit holder shall give written notice to the Clerk-Treasurer that the culvert has been installed.
- C. In the event the Village determines the culvert has been improperly installed, the Village shall give a written notice to repair, modify or reinstall the culvert according to the specifications of the Village. Upon completion

of the specifications set forth in the notice or the expiration of the time to complete these specifications as set forth in the notice, whichever is earliest, the Village shall cause the culvert installation to be reinspected at the expense of the permit holder and shall make a claim for these expenses against the bond.

- D. In the event the permit holder fails to complete the specifications within the period set forth in the notice, the Village shall make a claim against the bond for the costs of completing the specifications in the notice, along with all costs and expenses, administrative and professional, which were incurred by the Village. The Village shall then complete the specifications set forth in the notice. The determination of compliance with the specifications of the notice shall be made, in writing, by the appropriate Village representative.

## § 5-5. Culvert extensions.

- A. This section shall apply only where an existing culvert has been installed for a driveway or drainage ditch(es) in the Village. The connection of any pipe to either end of an existing culvert installation shall be considered an extension of that culvert installation.
- B. No extension shall cause the existing culvert and its extension together to exceed a total length of 40 feet, excluding end walls, except as provided in Subsection **E**.
- C. In the event it is necessary to use the assistance of the Village Engineer, the permit holder shall be required to pay all engineering expenses. The Village Administrator shall make a claim against the bond for the engineering expenses.
- D. The Village Administrator shall have the right to refuse the extension permit if it is determined that the existing installation already constitutes an impediment to drainage or requires substantial adjustment in order to maintain adequate drainage flows, or that an addition or extension to the existing culvert would create an obstruction or impediment to existing drainage flow.
- E. On property which is zoned for commercial or industrial purposes, an extension of an existing culvert or the installation of a new culvert may be allowed which will bring the total length of the driveway culvert to a maximum length of 60 feet, provided the sixty-foot culvert length is necessary for ingress and egress of traffic. The total culvert length for driveways whose main function and/or purpose is for employee or customer parking is hereby limited to 40 feet.

## § 5-6. Culvert installation requirements.

- A. All culverts within the Village right-of-way shall be installed according to the grade established and set by the Village.
- B. All new installations and modifications to existing culverts shall have end walls on both ends of the culvert pipe.
- C. Only galvanized steel culvert pipe and end walls or reinforced concrete pipe and end walls are permitted for use. The minimum length of any installation shall be 24 feet of actual culvert pipe, and the maximum length allowed in § **5-5E** shall be allowed if all provisions of that subsection are applicable and all conditions are met. Other installations may be made in excess of 40 feet only with the permission and subject to any conditions of the Village Board. All descriptions of length hereunder do not include the end walls.
- D. The minimum culvert diameter shall be 18 inches in diameter unless the Village Engineer designates the need for culverts of a larger diameter.
- E. All culverts shall be set a minimum of eight feet from the property line within sixty-six-foot-wide right-of-way and a minimum of six feet from the property line within sixty-foot right-of-way. Culverts may be set at greater distances from the property line than those established above if prior written approval is obtained from the Village Administrator.
- F. To protect the culvert from crushing, breaking or bending or any other damage, it is required that a minimum of eight inches of crushed rock or gravel be placed on top of the culvert.

- G. In the event eight inches of cover would bring grade level too high, the installation of all arch (oval) culvert pipe may be required by the Village.
- H. Bedding and filling around the pipe and bedding and filling beneath the pipe shall be done with crushed rock, stone, gravel or other material approved by the Village, but in no event shall dirt, clay or other loose ground be used.

## § 5-7. Driveway location, design and construction requirements.

- A. General design. Private driveways shall be of such width and so located that all of such driveways and their appurtenances are within the limits of the frontage abutting the street of the property served. Driveways shall not provide direct ingress or egress to or from any street intersection area and shall not encroach upon or occupy areas of the street right-of-way required for effective traffic control or for street signs or signals. A driveway shall be so located and constructed that vehicles approaching or using it shall have adequate sight distance along the street, All driveway approaches shall be at least six feet apart, with any one driveway no closer than three feet to the property line, except by special permission from the Village Board, and driveways shall, in all cases, be placed wherever possible as not to interfere with utilities in place.
  - (1) For a corner lot, no driveway shall be closer than 10 feet to the property line or 30 feet to the extended street line at an intersection, whatever is greater.
  - (2) The pavement surface of the driveway shall not extend beyond the edge of the roadway pavement and shall terminate at a butt joint. The driveway pavement surface shall not overlay onto the roadway pavement. All cuts through existing concrete curbing for driveway entrances shall be saw cut, leaving the full width of the curb section. Each end of the curb section shall be saw cut at no more than a forty-five-degree angle from horizontal.
- B. Number. The number of driveways to serve a single-family residence fronting on a street shall be one and no more than two for a multifamily dwelling, except where deemed necessary and feasible by the Village Board for reasonable and adequate service to the property, considering the safety, convenience and utility of the street.
- C. Drainage. The surface of the driveway connecting with rural-type street cross sections shall slope downward and away from the highway shoulder a sufficient distance to preclude ordinary surface water drainage flowing onto the street roadbed.
- D. Driveway widths.
  - (1) Residential property. Openings for vehicular ingress and egress shall be at least 10 feet wide at the property line for residential properties, but shall not exceed three feet wider than the garage door opening or 34 feet (whichever is greater) at the property line, with a maximum additional six feet at the road.
  - (2) Commercial property. No part of the private driveway located within the dedicated area of a public street shall, except as hereinafter provided, have a width greater than 35 feet measured at right angles to the center line of said driveway, except as increased by permissible radii. In instances where the nature of the commercial or industrial activity or the physical characteristics of the land would require a driveway of greater width than herein specified, the Village Board in its discretion may permit a driveway of additional width.
- E. Concrete aprons. No concrete driveway apron may be installed in the right-of-way of streets that do not have a curb and gutter. The Village will not be responsible for the repair or replacement of the concrete for any existing driveway apron in the public right-of-way due to damage or removal for ditch maintenance, underground utility installation or repair or road reconstruction purposes. However, concrete driveway aprons may be installed on streets with curb and gutter, and repairs of concrete driveway aprons, for any of the above-stated purposes, shall be the responsibility of the Village.

## § 5-8. Ditch maintenance.

- A. Application. This section and regulation shall apply to all property owners in the Village owning property that abuts upon any ditch or natural watercourse which exists upon easements for roads or ditches in the Village. The requirements of this section shall obligate the property owner relevant to the maintenance of said ditches or watercourses for all such ditches or watercourses within 50 feet of the property line of said property. In the event the easement is less than 100 feet and is bordered on two sides by private property owners, each property owner shall be responsible for that 1/2 of the easement adjacent to his property. Any property owner in the Village who has property that abuts any ditch or watercourse as described above shall be responsible to maintain said watercourse and/or ditch to allow the free, open and continuous flow of water through said ditch or watercourse.
- B. Regulation. Where there occurs in said ditch or watercourse any accumulation or deposits of materials or vegetation, other than naturally deposited snow and/or ice, which shall create a condition that shall cause the obstruction, diversion or blockage, temporary or otherwise, of water, which blockage causes the backing up of the water flow or stagnation of the water, or causes said water to flow upon property of another or of the Village, outside of the area of said easement for said ditch or watercourse, the property owner shall be required to remove such blockage, obstruction or materials causing diversion within 48 hours of notice in writing from the Village. If the owner of said property or premises shall fail to remove such blockage, obstruction or diversion, as required by this section, the Village shall complete said work, and the expense thereof shall be made a special tax upon the property adjacent to which the work was done pursuant to the above definition of areas of responsibility of the property owners.<sup>[1]</sup>
- [1] *Editor's Note: Amended at time of adoption of Code (see Ch. 25, Construction and Effect of Ordinances, Art. II).*
- C. Ditch enclosure. Ditches may be enclosed with the installation of an appropriately sized pipe or culvert upon the written request of the abutting property owners and the approval of the Village Board. The full cost of such an installation and restoration shall be borne by the property owners requesting the same. Recommendation on the project must be given by the Village Engineer prior to commencement of the work, and the work must be inspected during the installation, along with final inspection. Manholes or cleanouts may be required for culvert lengths exceeding 50 feet. All costs of clearing, ice removal and other maintenance work shall be borne by the abutting property owners.<sup>[2]</sup>
- [2] *Editor's Note: Amended at time of adoption of Code (see Ch. 25, Construction and Effect of Ordinances, Art. II).*

## § 5-9. Violations and penalties.

Violations of this article shall be punishable as prescribed in Chapter 40, Fees and Penalties, of this Code.

[1] *Editor's Note: Added at time of adoption of Code (see Ch. 25, Construction and Effect of Ordinances, Art. II).*