

TITLE 25. STREETS AND SIDEWALKS

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Chapter 1. Street Numbers

- 25-1-1. Numbering Requirement.
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25-1-1. Numbering Requirement. It shall be unlawful for any person to erect a house or building within the city without numbering such house or building with a number designated by the city manager or his designee, or for the occupant of any house or building or for the owner or agent of any unoccupied habitable house or building to fail for a longer period than ten (10) days after notice from the city so to do to number such house or building with the number designated. When such number has been designated by the city, the owner or occupant of such house or building shall cause a painted, carved, or cast duplicate of such number at least three (3) inches in height and a shade opposite to the background upon which the number is mounted to be placed in a conspicuous position upon the front of such house or building in a permanent, stationary, and durable manner unobstructed at all times by vines, screens, or anything that would tend to hide or obscure the number, and so that the number will be clearly perceptible from a distance of 50 feet.

History: 7/79, 9/84

25-1-2. Numbering System. It shall be the responsibility of the city manager, or designated employee, to assign house and building numbers as follows:

- (1) 500 numbers, or the necessary part thereof, shall be allotted to each one-half (1/2) mile block.
- (2) One (1) number shall be assigned consecutively and alternatively as to odd and even.
- (3) Even numbers shall be assigned to the north and east sides of the street and avenues.

(4) Odd numbers shall be assigned to the south and west of the streets and avenues.

History: 7/79, 9/84

25-1-3. Definition. The word "person" includes any individual, firm, partner, corporation, association or any other group or combination.

History: 7/79

25-1-4. Clear Sidewalks. All owners with property abutting and fronting any street, alley or public right-of-way within the corporate limits of the city are required to keep the public sidewalks immediately abutting their property clear of snow for the full width and length of the sidewalk. Vegetation shall not be allowed to overgrow any portion of the sidewalk or curb from the yard or parkstrip. No part of the sidewalk shall be obstructed with dirt, trash, vehicles, debris or other obstruction to pedestrian traffic.

History: 6/96

25-1-5. Penalties. A person violating any of the provisions of this chapter shall be guilty of a class C misdemeanor. Each notice shall be a separate violation.

History: 7/79, 9/84, 6/96

Chapter 2. Curb, Gutter and Sidewalk

- 25-2-1. Permits Required.
 25-2-2. Inspection of Work.
 25-2-3. Sidewalk Repair--Failure to Repair.
 25-2-4. Curb and Gutter Repair.
 25-2-5. City Participation.
 25-2-6. Time Limits and Precautions.
 25-2-7. Penalties.

25-2-1. Permits Required. No curb, gutter or sidewalk shall be repaired or installed by any person without first having a written permit from the city building department. A permit shall be required to make repairs. However, a permit to repair a sidewalk, curb or gutter shall be issued free of charge, provided the proposed work does not change the grade, location or dimensions of the improvement.

History: 3/82, 9/84

Cross reference: For initial installation of curb, gutter and sidewalk, see Section 5-6-1, et seq

25-2-2. Inspection of Work. All work shall be subject to inspection by the city during construction and upon

completion. Written specifications must be adhered to, a copy of which shall be obtained from the city.

History: 3/82, 9/84

25-2-3. Sidewalk Repair--Failure to Repair. All owners or agents of owners with property abutting and fronting any street, alley or public right-of-way within the corporate limits of the city are required to keep the public sidewalks immediately abutting their property in good order and repair. Each such owner shall be liable to the city for all losses to the city or recoveries from the city for damages to person or property of others caused by his failure or that of his agents to repair and keep in good order and reasonably safe condition all such sidewalks abutting and fronting his property upon any street, alley or public right-of-way. The city council may notify in writing by certified mail the property owner or his agent that repairs are necessary to put such sidewalk in good order. If the person fails to make the required repairs within 30 days, the city may repair the same, and the owner shall be liable to the city for the cost of repairs.

History: 3/82, 9/84

25-2-4. Curb and Gutter Repair. Clinton City shall have the responsibility of maintaining curb and gutter; however, where a property owner, his agent or person under his direction shall damage the curb or gutter, said owner shall then be fully responsible for its repair and/or replacement.

History: 3/82, 9/84

25-2-5. City Participation. The city shall remove curb and gutter on a first-come first-serve basis, with written application being made to the public works department at least ten (10) days prior to the time work is commenced, as it is convenient for the city and as funds are available for the repairs.

History: 3/82, 9/84

25-2-6. Time Limits and Precautions. The property owner or his agent shall have 48 hours in which to replace curb and gutter after removal by the city, except in instances of an extension of time granted by the city manager. The property owner shall be responsible for barricading and protecting the project during its course and shall be liable for all claims by person or property which may be damaged by his failure to do so.

History: 3/82, 9/84

25-2-7. Penalties. Any person or legal entity violating any of the provisions of this chapter or committing any acts prohibited by this chapter shall be deemed guilty of a class C misdemeanor.

History: 3/82, 9/84, 05/99

Chapter 3. Right-of-Ways and Parking Strips

- 25-3-1. Use of Public Right-of-Way.
- 25-3-2. Placement of Concrete.
- 25-3-3. Abatement of Nuisances-Definition.
- 25-3-4. Root Poisoning.
- 25-3-5. Penalties.

25-3-1. Use of Public Right-of-Way. All public right-of-ways in the city shall be maintained in such a condition as to enhance the aesthetic appearance of the city. Accordingly, the following uses and restrictions shall apply:

- (1) No vehicles shall be parked or driven upon any public right-of-way.
- (2) No structure other than a mailbox shall be placed upon the property.
- (3) The planting of shrubs is encouraged, so long as their planting and growth do not obscure or cover meter boxes.
- (4) Trees may be planted only upon obtaining a permit from Clinton City, which shall be issued without charge. Applications for these permits must state the type and variety of trees as well as the location of each tree to be planted.
- (5) All shrubs and trees shall be pruned to permit plain view of regulatory and caution signs, utility accesses, and so that they do not overhang the curb in the street twelve (12) feet or sidewalk eight (8) feet.
- (6) No basketball standards, recreation structures or other similar items that may entice children or others to play or gather within the right-of-way shall be constructed or placed within or adjacent to the right-of-way.
- (7) Obstructions, within or immediately adjacent to a public right-of-way such as dumpsters, portable toilets or other temporary structures or objects shall be provided with proper caution signs, placards and or barricades as outlined in The Manual On Uniform Traffic Control Devices. Marking may be provided by the permanent attachment of two red reflectors, a minimum of three inches in diameter on all sides.

Reflectors are to be visible from a distance of 1000 feet when illuminated by the lawful high beams of vehicle headlamps.

History: 3/82, 9/84, 06/00

25-3-2. Placement of Concrete. Placement of concrete in parking strips is discouraged and will be permitted only if the property owner obtains a necessary permit from the city inspector, without charge. Any placement of concrete, even though a permit is granted for its placement, shall be the sole responsibility of the owner of the property.

History: 3/82, 9/84

25-3-3. Abatement of Nuisances-Definition. (1) As an alternative to the prosecution for violations of this ordinance, the city may have the alternative of notifying in writing the property owner or his agent of violations of this ordinance and to give the violator 15 days in which to correct the violation or to abate a nuisance. All charges and expenses connected with the correction of the violation or the abatement of the nuisance shall be the liability of the property owner.

(2) "Nuisances," as defined by the chapter, shall include the following: tree roots entering the city's field and land drain systems, sewer systems, or causing the heaving of sidewalks, curbs, gutters or streets; trees or shrubs which obstruct clear view of regulatory and caution signs, fire hydrants, city utilities, and public right-of-ways; parked vehicles, debris and other abandoned items; and other items which are unsightly, endanger the health, safety and welfare of people or property.

History: 3/82, 9/84

25-3-4. Root Poisoning. During the course of maintenance of its storm and sewer systems, the city may employ the use of poisons, gases and chemicals without liability for the death or damage of any trees or shrubs during the course of its normal work or maintenance of its system, provided the same was done with ordinary care.

History: 3/82, 9/84

25-3-5. Penalties. Any person or legal entity violating any of the provisions of this chapter or committing any acts prohibited by this chapter shall be deemed guilty of a class C misdemeanor.

History: 3/82, 9/84, 6/96

Chapter 4. Depositing of Water and Litter

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| 25-4-1. | Overflowing of Water on Streets and | Sidewalks. |
| 25-4-2. | Littering. | |
| 25-4-3. | Control of Runoff from Property. | |
| 25-4-4. | Dumping onto Streets Prohibited. | |
| 25-4-5. | Violation and Penalty. | |

25-4-1. Overflowing of Water on Streets and Sidewalks. No person shall allow water to overflow from any ditch or canal or from a well or as the result of improper irrigation or other watering of property upon the streets or sidewalks of the city.

History: 8/72

25-4-2. Littering. It shall be unlawful for any person intentionally or carelessly to throw, drop or otherwise permit materials to fall from a vehicle or from his possession and to remain in any street, gutter, sidewalk or public place such as but not limited to stones, gravel, sand, coal, dirt, manure, garbage, leaves, lawn or hedge clippings or rubbish of any kind or any other substances which shall render the street, sidewalk or gutter unsafe or unsightly or shall interfere with travel thereon or the conduct of water therein.

History: 8/72

25-4-3. Control of Runoff from Property. All owners with property within the corporate limits of the city are required to control run-off from roofs, downspouts, concrete slabs, and other impervious surfaces or excess water from landscape maintenance from flowing onto neighboring properties.

History: 6/96

25-4-4. Dumping onto Streets Prohibited. Owners with property abutting and fronting any street, alley or public right-of-way within the corporate limits of the city shall not remove from their driveways, sidewalks, parkstrips, or other area under their control, into any street, alley or public thoroughfare snow, dirt, trash, debris or other hazards to public safety. Material deposited in streets for repair or construction of public utilities, infrastructure, or rights-of-way may be deposited within a street provided proper caution placards, as outlined elsewhere in this ordinance are provided and permission from the city public works department is obtained. Material is to be placed as far off of the traveled right-of-way as is practical.

History: 2/98

25-4-5. Violation and Penalty. Any person who violates this chapter shall be guilty of a class C misdemeanor. Each day such violation is committed or continued or permitted to continue shall be a separate offense.

History: 8/72, 9/84, 6/96, 2/98, 6/96