

Chapter 58 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES*

***Cross reference(s)**--Administration, ch. 2; repair of sidewalks, alleys, § 2-116; street sprinkling and flushing, § 2-118; buildings and building regulations, ch. 14; fees, ch. 26; manufactured homes and trailers, ch. 42; subdivisions, ch. 62; traffic and vehicles, ch. 70; utilities, ch. 74; vehicles for hire, ch. 78.

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ARTICLE I. IN GENERAL

Secs. 58-1--58-25. Reserved.

ARTICLE II. SIDEWALKS*

*Cross reference(s)--Snow, ice and rubbish removal from
sidewalks, § 2-112.

DIVISION 1. GENERALLY

Secs. 58-26--58-35. Reserved.

DIVISION 2. CONSTRUCTION

Sec. 58-36. Permit required.

No person shall construct, repair or alter any sidewalk on any city street or on any other public property without a permit from the council. Application for such permit shall be made on forms to be approved by the council and shall sufficiently describe the contemplated improvements, the contemplated date of beginning work and the length of time for completion of such. No permit shall be required for any such improvement ordered to be made by the city.

(Code 1977, § 20.03(1))

Sec. 58-37. Specifications and regulations.

All sidewalks as defined in section 58-36 shall be constructed according to plans and specifications prepared by the city, and set forth in the permit. Expenses incurred by the city in establishing grades, assisting in determining location, and preparing basic engineering plans and specifications, if any, may be paid in full or part by the city or charged against the applicant, in which event such expenses shall be payable by him in full as a condition precedent to issuance of the permit.

(Code 1977, § 20.03(2))

Secs. 58-38--58-60. Reserved.

ARTICLE III. SNOW REMOVAL*

***Cross reference(s)**--Snow, ice and rubbish removal from sidewalks, § 2-112; traffic and vehicles, ch. 70.

Sec. 58-61. Definition.

As used in this article, ``business district'' means the C-1 and C-2 zoning districts.

Cross reference(s)--Definitions generally, § 1-2.

Sec. 58-62. Penalty.

Any person violating any provision of this article is guilty of a petty misdemeanor.

(Code 1977, § 20.04)

Sec. 58-63. Certain parking prohibited.

No person shall park any vehicle on the city streets south of Highway 61, within the business district, between the hours of 2:00 a.m. and 7:30 a.m. on any day, from November 1 of each year through April 30 of the following year, both dates inclusive.

(Code 1977, § 20.01(1))

Sec. 58-64. Business district sidewalks.

Removal of snow from the sidewalks in the business district shall be the responsibility of the abutting property

owners. The snow shall be removed by the property owner from the sidewalks within 24 hours of the end of a snowfall. Snow not removed within the 24-hour period may be removed by public forces and the costs charged to the abutting property owners.

(Code 1977, § 20.01(2))

Sec. 58-65. Curblin deposits restricted.

No snow shall be deposited inside the curblin after the streets have been cleared of snow. Any snow so deposited on a cleared street will be loaded and hauled away by the city and the costs thereof charged to the party placing the snow thereon.

(Code 1977, § 20.01(3))

Sec. 58-66. No 24-hour parking.

No vehicle shall be parked on any of the city streets for more than 24 continuous hours during the restricted period, from November 1 to May 1, inclusive.

(Code 1977, § 20.01(4))

Sec. 58-67. Calendar parking.

Calendar parking shall be in effect from November 1 to May 1, on all of the city streets in the residential district.

(Code 1977, § 20.01(5))

Sec. 58-68. Even-day parking restrictions.

Parking between the hours of 7:00 a.m. to 5:00 p.m. shall be prohibited on the north and west sides of the city streets and avenues on even-numbered days.

(Code 1977, § 20.01(6))

Sec. 58-69. Odd-day parking restrictions.

Parking between the hours of 7:00 a.m. to 5:00 p.m. shall be prohibited on the south and east sides of the city streets and avenues on odd-numbered days.

(Code 1977, § 20.01(7))

Sec. 58-70. Towing.

Any vehicle left parked contrary to this article will be tagged and towed away at the owner's expense.

(Code 1977, § 20.01(8))

Sec. 58-71. Unauthorized signs and obstructions.

(a) No person shall construct, erect or maintain any sign or other obstruction upon any street, sidewalk or other public way within the city.

(b) This section shall not prohibit awnings or signs that are attached to and part of buildings abutting streets, sidewalks or other public ways; provided such awnings or signs are at least 7 1/2 feet in height and are so supported and maintained as to not be a public hazard.

(Code 1977, § 20.02)

Cross reference(s)--Signs generally, § 82-321 et seq.

Secs. 58-72--58-90. Reserved.

ARTICLE IV. PERMIT FOR SPECIAL USE OF STREET OR SIDEWALK

Sec. 58-91. Uses requiring permit.

The streets and sidewalks as the same are platted on the official plats of the city in the C-1 central business district and C-2 commercial-industrial district are for pedestrian and vehicular traffic only. No other activities on

or other use of the streets and sidewalks are permitted, except that the council, upon application on forms supplied by the city and approved by the council, may issue permits for:

- (1) Benches for sitting. The design, construction and placement to be subject to the approval of the council. A simple statement or logo identifying the donor and approved by the council may appear on the bench.
- (2) Flowers for display purposes only. The manner and location of the display shall be approved by the council.
- (3) Sale of flowers and ancillary items. The council may, in its discretion, grant permits allowing the sale of flowers and items ancillary thereto, to be sold in front of an established place of business. The council, in granting the permit, shall specify the area of the sidewalk which may be utilized, displays which may be hung or suspended from canopies or other supports and the minimum height thereof, the items which may be displayed and sold, and the period of time such sales and display will be allowed.
- (4) Community events. Such community events as the council may approve.

(Ord. No. 139, § 1, 10-25-89; Ord. No. 146, §§ 1, 2, 7-11-90)

Sec. 58-92. Expiration.

Each permit under this article shall expire on December 31 of the year it is granted or renewed, or shall expire on any other date the council may decree.

(Ord. No. 139, § 2, 10-25-89)

Sec. 58-93. Fee.

A minimum fee of \$25.00 will be charged for each permit granted under this article. This fee may be waived by the council for permits granted to nonprofit, veterans, charitable, other community nonprofit groups, or other groups or persons desiring to beautify or enhance the city with flowers or benches. In addition to, or in place of the fee specified in this section, the council may require the payment of any anticipated costs or expenses to the city, including, but not limited to, a reasonable charge for use of city equipment or the expense of using city personnel.

(Ord. No. 139, § 3, 10-25-89)

Sec. 58-94. Insurance requirements.

No permit shall be granted under this article unless the applicant shall file with the clerk proof of insurance, naming the city as an additional insured, insuring the city against loss occasioned by the granting of the permit in at least the aggregate sum of \$500,000.00. This provision may be waived in whole or in part by the council in its discretion, taking into consideration possible exposure to liability on the part of the city; the possible financial benefit to the applicant or to others; and the recreational, educational, social or other nature of the event and the benefit to the city.

(Ord. No. 139, § 4, 10-25-89)

Sec. 58-95. Conditions, restrictions on issuance.

Before granting any permit under this article, the council may add such other conditions and restrictions as it may deem reasonable and in the best interest of the city.

(Ord. No. 139, § 5, 10-25-89)

Sec. 58-96. Council approval required.

No permit granted under the terms of this article may be assigned without the consent of the council.

(Ord. No. 139, § 6, 10-25-89)

Sec. 58-97. Violations; revocation.

Any violation of this article or of the terms and conditions of any permit granted under this article shall constitute a petty misdemeanor and may be cause for revocation of the permit.

(Ord. No. 139, § 7, 10-25-89)