

## CHAPTER 6

### STREETS, ALLEYS AND SIDEWALKS

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#### 6.01 CURB AND GUTTER

(1) Plans and Specifications. All permanent curbs and gutters constructed within the City of Wisconsin Dells, as hereinafter provided, shall be done according to plans and specifications on file with the Board of Public Works and under supervision of the Director of Public Works; said plans and specifications shall apply to all curbs and gutters.

(2) Work Done Directly by City. Any and all permanent curb and gutter work may be done directly by the City without submitting the same for bids.

(3) Cost of Construction. The cost of constructing the first curb and gutter on any street in the City of Wisconsin Dells shall be charged to the particular property abutting thereon according to the cost of construction of said curb and gutter if done by the City of Wisconsin Dells, or the amount of the lowest bid as awarded by the Common Council of the City of Wisconsin Dells.

(4) Payment. The payment for cost of constructing the first curb and gutter may be paid in 5 annual installments with interest at the rate determined by resolution of the Common Council for each project. The City Clerk is hereby authorized and directed to enter on the tax roll for the year, such work as completed, as a special tax on the real estate affected by such special assessment, an amount equal to one-fifth of the principal sum without interest to December 1st of that year, and he is further authorized and directed on each subsequent tax roll to enter a like proportion of the said principal sum and one year's interest upon the unpaid balance of the said assessment until the same is paid in full.

Any assessment may be paid in full by any owner of property subject to a special assessment at any time before the same comes due without penalty.

If any special assessment or installment thereof so entered on the tax roll shall not be paid to the City Treasurer with the other taxes, it shall be returned to the county as delinquent and accepted and collected by the county in the same manner as delinquent general taxes on real estate unless otherwise provided by law.

## **6.02 DRIVEWAYS**

(1) Permit. No person, firm or corporation shall construct or maintain any driveway across any sidewalk or curbing without first obtaining a permit from the Director of Public Works for such construction, as authorized by the Common Council.

(2) Standards. All construction of such driveways shall be done in conformity with approved standards of workmanship.

(3) Width. No such driveway shall exceed 35 feet in width at the outer or street edge of the sidewalk for commercial and industrial; and shall not exceed 24 feet in width at the outer or street edge of the sidewalk for residential unless special permission be obtained from the Common Council.

(4) Curbing. In the construction of such driveways no curbing shall be disturbed within 7 feet of the regular street crosswalk.

(5) Safety Island. Where 2 or more adjoining driveways are provided for the same property or separate properties a "Safety Island" space of 3 feet measured along the outer edge or street side of the sidewalk shall be provided between said driveways.

(6) Driveway Apron. No driveway apron shall extend into the street further than the face of the curb, and under no circumstances shall such driveway apron extend into the gutter areas.

## **6.03 STREETS**

(1) (Unused section)

(2) Permit for Excavation. No person, firm or corporation shall make any excavation into any public street without first obtaining a permit therefore from the Director of Public Works. In issuing the permit, the Director of Public Works may impose conditions to establish the times and days in which said work may be done, the manner in which the surface will be restored and any other conditions he deems reasonable to protect the public.

(3) Unusual Use of Streets. No building shall be moved through the streets without a written permit therefore granted by the Public Works Committee. Said Board shall determine the time and manner of using the streets for laying or changing water or gas pipes, or placing or maintaining electric light, telegraph and telephone lines therein, provided, that its decision in this regard may be reviewed and modified and changed by the Common Council.

(4) Restoration of Streets. In case any corporation or individual shall neglect to repair or restore to its former condition any street, alley or sidewalk excavated, altered or taken out, within the time and in the manner directed by the Public Works Committee, said Committee shall cause the same to be done at the expense of said corporation or individual. The expense thereof, when chargeable to a lot owner, shall be certified to the City Clerk-Treasurer by the Committee, and if not paid shall be carried into the tax roll as a special tax against the lot.

(5) No permanent, hard surfaced streets shall be constructed within the City of Wisconsin Dells until Section 6.01 of this Chapter has been complied with and all curb and guttering have been installed.

#### **6.04 HOODS AND CANOPIES OVER SIDEWALKS**

(1) Projection Beyond Curb. The projection of permanent hoods or canopies shall not extend beyond a point which is one foot from the outside face of the curb.

(2) Materials Required. Canopies, hoods, posts and any structural projection over the City right-of-way shall have plans submitted to and approved by the Department of Commerce, Safety and Buildings Division, State of Wisconsin, prior to issuance of a building permit by the Building Inspector.

(3) Supporting Posts. Posts for the support of the canopies or hoods will be allowed to rest on the sidewalk or other suitable footing within the right-of-way of the street provided they are located as follows: The posts shall not be more than 6 inches in diameter and/or 6 inches square and shall be spaced in a minimum of 10 feet on centers running parallel with the centerline of the street except where required by unusual construction features or limitations of frontage ownership. In such cases the posts will be spaced in a manner satisfactory to the Building Inspector. The posts shall be securely anchored at the sidewalk levels so that the support of the canopy is not in jeopardy at any time. Limitation of the location of the posts at right angles to the centerline of the street shall be not less than 3 feet nor more than 4 feet in back of the outside face of the curb.

(4) Projection Over Street Right-Of-Way. In the event no curbs or sidewalks exist where it is proposed to project a canopy or hood onto the street right-of-way the owner shall submit complete plans of the proposed canopy or hood construction to the Common council for prior approval.

- (5) Expense of Required Changes. In the event the City of Wisconsin Dells changes the location of or grades of any streets, curbs or sidewalks in the City, so that it becomes necessary to rebuild, remodel or otherwise change the canopies or hoods to meet the requirements of this chapter, the property owners or owners fronting on that portion of the street being changed shall be solely responsible for all expense of changing the canopies or hoods caused by the street changes.
- (6) Height Over Sidewalk. A minimum height from sidewalk grade to lowest appurtenance of canopy, hoods, structural projections, etc., shall be ten (10) feet.

**6.05 SIDEWALK LITTER AND DEBRIS**

(1) Merchants’ Duty to Keep Sidewalks Free of Litter. No person owning or occupying a place of business shall sweep into or deposit in any gutter, street or public place within the City the accumulation of litter from any building or lot, or from any public or private sidewalk or driveway. Persons owning or occupying places of business within the city shall keep the sidewalk in front of their business premises free of litter.

(2) Sweeping Litter Into Gutter Prohibited. No person shall sweep into or deposit in any gutter, street or other public place within the city the accumulation of litter from any building or lot, or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.

(3) Penalties. Persons who violate this section shall first receive a warning. Thereafter, the following fines, plus the cost of prosecution shall be imposed:

Second Incident	\$100
Third Incident	\$200
Fourth and Subsequent incidents	\$300

In default of payment, persons who violate this section shall be imprisoned in the county jail until such fine and costs are paid, but not to exceed ninety (90) days.

**6.06 SIDEWALKS REMOVED AND REPLACED**

Any portions of any sidewalk removed or razed by any property owner shall be replaced by the property owner.

## **6.7 BUSINESS IMPROVEMENT DISTRICT SIDEWALKS**

Sidewalks in the Business Improvement District shall be replaced, repaired and maintained consistent with the design standards of the sidewalks installed as part of the Business Improvement District project. Owners of property in the Business Improvement District shall give the Director of Public Works notice of planned sidewalk replacement or repair; and no such activity shall take place without the written consent of the Director of Public Works.

## **6.08 PENALTIES**

Any person who shall violate any provision of this chapter shall, upon conviction, forfeit not less than \$50.00 nor more than \$200.00, together with the costs of prosecution and, in default of payment thereof, shall be imprisoned in the county jail until such forfeiture and costs are paid but not to exceed ninety (90) days. Each violation and each day a violation continues or occurs shall constitute a separate offense. This section shall not preclude the City from maintaining any appropriate action to prevent or remove a violation of this Chapter.

## CHAPTER 6 REVISIONS

09-20-76		
03-21-77	A-9	
07-18-83	A-116	
07-18-83	A-117	
07-16-84	A-128	
08-27-84	A-134	
09-18-89	A-234	
09-18-89	A-235	
06-21-99	A-439a	Re: canopies and hoods is amended, 6.05 is repealed. 6.04
09-26-01	A-491	Repairs or replacement to BID sidewalks. 6.07
06-30-04	A-555	Changes Public Works Board to Committee.
03-02-05	A-571	Set maximum width for driveways. 6.02(3)
11-21-09	A-667	Repeals 12.02 and Recreates it as 6.05.