

STREETS AND SIDEWALKS

Chapter 20

STREETS AND SIDEWALKS

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STREETS AND SIDEWALKS

Chapter 20

STREETS AND SIDEWALKS

**ARTICLE I
IN GENERAL**

Sec. 20-1. Obstructions Prohibited.

It shall be unlawful for any person to place an obstruction of any kind or character whatsoever upon any street, alley, sidewalk, or parkway within the City. (1975 Code)

Sec. 20-2. Failure to Remove Obstruction after Notice.

It shall be unlawful for any person owning or occupying any property within the City, or his agent in charge of said premises, to allow an obstruction of any kind or character whatsoever to remain upon any street, alley, sidewalk or parkway within the City after being notified to remove the same by the City. (1975 Code)

Sec. 20-3. Removal by City of Obstruction.

In the event any person notified to remove an obstruction of any kind upon any street, alley, sidewalk or parkway shall fail to do so within the time allowed in such notice, the City shall cause the same to be done; and the costs and expenses of the City in so doing shall constitute a lien upon the premises and may be collected as taxes. (1975 Code)

Sec. 20-4. Waste Water Prohibited.

It shall be unlawful for any person to pour or empty any wash water, dish water, slop or other waste upon any of the streets, avenues, highways, or alleys of the City or to maintain any drain or sewer for the purpose of so doing. (1975 Code)

Sec. 20-5. Driving on Unopened Streets.

Whosoever shall, within the City drive upon any paved street before the same has been opened for traffic shall be guilty of a misdemeanor; provided, that any person, when contingencies arise necessitating travel over a street before it is open, may travel upon same if they procure a written permit from the building inspector. (1975 Code)

STATE LAW REFERENCES:

Public improvements, RSMo. §71.290 to §71.367; Public works and special assessments, RSMo. Ch. 88.

Sec. 20-6. Ordinances Saved from Repeal.

Nothing contained in the Code of Ordinances or the Ordinance adopting this Code shall be construed to repeal or otherwise affect the following.

(a) Any ordinance dedicating, naming, establishing, locating, relocating, opening, closing, paving, widening, vacating, etc., any street or public way in the City.

(b) Any ordinance establishing and prescribing the street grades of any street in the City. (1975 Code)

Sec. 20-7. Bringing to Grade.

The City shall bring all streets, avenues and other highways to a grade as the occasion demands and the building of bridges, culverts, public sewers and foot walks across streets, avenues, alleys and other public highways. (1975 Code)

Sec. 20-8. Specifications Adopted by Reference.

The specification for the construction and repair of streets, alleys and other public ways within the City shall be as established by the State Highway Department, copies of which shall be on file in the office of the City Clerk. (1975 Code)

Secs. 20-9 to 20-18. Reserved.

**ARTICLE II
EXCAVATIONS**

Sec. 20-19. Permit Required.

It shall be unlawful for any person to make any excavation through or under any sidewalk or in any public street, avenue, alley or other public place within the City without first having obtained the written permission of the City Administrators. (1975 Code)

Sec. 20-20. Application for Permit.

Before any permit shall be issued under this Article, the applicant therefore shall file with the City Clerk, in writing, a statement of the particular part of the public street, sidewalk, alley or avenue to be excavated, broken, cut through, or tunneled under, describing it as to its location in the City, the size of opening to be made, purpose of making said opening, the length of time necessary to do the work desired to be done, and the name of the person employed to do the work above mentioned, who shall in all cases be a man skilled in concrete work and acceptable to the Board of Aldermen. (1975 Code)

Sec. 20-21. Bond Required.

No person shall tear up, dig through or in anywise disturb any street in the City unless he shall first have furnished the City Clerk with a good and sufficient bond in an amount as determined by the building official, but not less than one hundred dollars (\$100.00) which said bond shall be conditioned that such person fully and faithfully replaces said street to its former condition. If said street shall not be repaired so as to place it in its former condition then the City may repair said street out of the bond furnished, returning so much thereof to the party furnishing same as may be in excess of the costs of repair. (1975 Code)

Sec. 20-22. Supervision.

Any excavation made in any public street, avenue, alley or other public place in the City shall be under the direct supervision and control of the supervisor of city employees. (1975 Code)

Sec. 20-23. Manner of Repair.

All paving, curbing or guttering taken up in the process of excavating any street, sidewalk, alley or avenue in the City shall be replaced in a workmanlike manner and finished to conform to the finish of the present surface. (1975 Code)

Sec. 20-24. Tamping.

All dirt replaced in any excavation under any paving, curbing or guttering shall be heavily tamped in place before replacing the part so removed. (1975 Code)

Sec. 20-25. Removal of Debris.

All refuse, rubbish, dirt, and debris remaining after doing any work performed under the provision of this Article shall be removed at once by the person to whom the permit shall have been issued. (1975 Code)

Sec. 20-26. Protection of Public.

Any person who has made an excavation in any of the public streets, sidewalks, alleys or avenues in the City shall cause such excavation to be barricaded in such manner as to adequately protect traffic, both vehicular and pedestrian, and shall cause such excavation/barricades, excavated materials, tools, supplies or equipment at such excavation site to be lighted with proper and suitable danger signals in such manner that all traffic may be amply warned of the existence of such excavation. (1975 Code)

Secs. 20-27 to 20-36. Reserved.

**ARTICLE III
SIDEWALKS**

Sec. 20-37. Snow, ice Removal.

It shall be the duty of the owner or occupant of all property within the City to keep the sidewalks along and in front of said property clean and free from snow and ice. (1975 Code)

Sec. 20-38. Specifications Adopted Generally.

Unless otherwise specifically provided by this Article, all sidewalks constructed or repaired within the City shall conform to the latest state engineering specifications therefore on file in the office of the building official and at the direction of the Board of Aldermen or its advisors and such sidewalks shall have a minimum width of forty-eight (48) inches. (1975 Code)

Sec. 20-39. Lot Owners Bear Expense.

All sidewalks built along any street, avenue, or highway of the City, shall be at the expense of the owners of the lot fronting on such street, avenue or highway along the distance improved. (1975 Code)

Sec. 20-40. Notice to Construct, Repair.

Whenever the City shall determine that sidewalks, with or without curb and gutters, should be constructed or repaired within the City, the Board of Aldermen shall give notice to owners of property adjoining such sidewalks to be constructed or repaired to do the same; in the event such owners be nonresidents of the City or unknown, such notice shall be published in some newspaper of general circulation within the City or served upon the tenants of such owners. (1975 Code)

Sec. 20-41. Failure to Comply with Notice.

Failure of the owners of property adjoining sidewalks so ordered to be constructed or repaired within the City in compliance with a notice so to do issued under this Article within fifteen (15) days thereof shall be deemed a misdemeanor. (1975 Code)

Sec. 20-42. Work Performed by City.

In the event of failure by the owners of property adjoining sidewalks ordered to be constructed or repaired within the City in compliance with the provisions of this Article, the City shall cause such work to be done at the expense of such owner. The City may recover its costs and expenses incurred by such work by special assessment or by

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imposing a lien therefore, either of which shall be collected as provided by law. (1975 Code)

Secs. 20-43 to 20-52. Reserved.

**ARTICLE IV
HOUSE NUMBERING**

Sec. 20-53. Building to be Numbered.

All buildings erected in the City shall bear an identification, commonly known as a “House number”, which shall serve to identify such building in such block. (Ord. 1998-5; Ord. 2000-9)

Sec. 20-54. Method of Numbering.

All buildings fronting on public streets and avenues of the City shall be numbered in conformity, with the numbering map of the City on file in the office of the building official which complies with the counties 911 format. (Ord. 1998-5; Ord. 2000-9)

Sec. 20-55. Size and Location.

The numbers shall be 3 ½ inch color-contrasting type and shall be placed so as to be viewed from street. Numbers on the curbing will be permitted, but only in addition to the number on the building. (Ord. 1998-5; Ord. 2000-9)

Sec. 20-56. Expense.

The expense incurred in compliance with the provisions of this Article shall be borne by the party placing the number. (Ord. 1998-5; Ord. 2000-9)

Sec. 20-57. Penalty.

Failure to comply with this Article will result in maximum \$50.00 fine. (Ord. 2000-9)

Secs. 20-58 to 20-66. Reserved.

**ARTICLE V
SIGHT OBSTRUCTIONS AT INTERSECTIONS**

Sec. 20-67. Definition.

For the purposes of this Article, the phrase “street gutter flow line” shall mean the street gutter flow line of the curb adjacent to and bordering upon each such restricted area; in the event there be no such curb, the height restriction set forth in this Article shall be based upon the actual level of the paved or used portion of the public street adjacent to and bordering upon each such restricted area. (1975 Code)

Sec. 20-68. Enforcement of Article Provisions.

In addition to any penalty which may be imposed for the violation of this Article, the City shall be entitled to enter upon and remove from the triangular corner areas described in this Article any of the growths prohibited by this Article thereof. (1975 Code)

Sec. 20-69. Restricted Areas.

(a) The areas in the City restricted by the provisions of this Article are as follows:

1. All of that portion of land lying within a triangular shaped area on each street corner within the City described by metes and bounds as follows:

Beginning at the precise corner of intersection point of the curbs of each of the two (2) streets forming each corner and extending twenty (20) feet along each such curb line from said curb intersection point, the third said side being determined by the drawing of a straight line from the ends of such twenty (20) foot extensions; whether said land be privately owned or unpaved or untraveled street right-of-way property.

2. Where no curbs are in existence at such street intersection, said twenty foot lines shall coincide with the center flow line of the ditches paralleling such uncurbed streets as shall be determined by the city engineer.

(b) Provided, however, that the provision of this Article shall apply only to those areas of the city designated and classified by the City’s zoning ordinance requiring construction on lots in zoned sections to be set back from the property line of each such lot. (1975 Code)

Sec. 20-70. Maximum Height of Shrubs, etc.

No person shall plant, grow or maintain in any restricted area any plant, hedge, shrub or other growth, except trees, at a height greater than three (3) feet from the street gutter flow line. (1975 Code)

Sec. 20-71. Minimum Clearance of Trees.

Any trees planted, grown and maintained in any restricted area shall not have branches or foliage extending from the trunk thereof at a height lower than ten (10) feet from the street gutter flow line. (1975 Code)

Secs. 20-71 to 20-81. Reserved.

**ARTICLE VI
DITCHES**

Sec. 20-82. Plan, Specifications Authorized.

A licensed engineer designated by the Board of Aldermen shall lay out and plan ditches as to depth, grade and any other specifications necessary to the proper constructions of ditches along the public streets of the City as he may deem necessary in the proper exercise of his duties. (1975 Code)

Sec. 20-83. Tubes, Bridges for Access to Private Property – Authorized.

In conjunction with the laying out of ditches, as provided in this Article, the engineer shall set up specifications for tubes and bridges to be placed in said ditches as crossings into any private parties' property abutting said street upon which said engineer has deemed it necessary to construct ditches for proper drainage and protection of streets. (1975 Code)

Sec. 20-84. Same – Procedure.

Any person desiring a crossing over any ditch in front of his property shall consult with the designated engineer for the necessary specifications as to size of tube or proper method and materials to be used in the construction of a bridge. After this is done, the property owner or someone for him shall furnish the tube or materials and the City shall install the tube. In the event the construction of such crossing involves more than the simple installation of a tube, the person desiring such crossing shall be responsible for the proper construction of such crossing. (1975 Code)

Sec. 20-85. Same – Removal of Inadequate Tube, Bridge.

Any person who shall fail to consult with the engineer designated by the City through the Board of Aldermen and who shall erect or place an inadequate or insufficient tube or bridge over any ditch within the City shall be subject to removal of said tube or bridge by the City and the crossing abandoned until such time as an adequate and sufficient tube shall be placed in said ditch or until an adequate and sufficient bridge shall have been built over said ditch. (1975 Code)

Sec. 20-86. Seeding.

Permission is hereby expressly given to seed any ditch within the City if desired by the individual property owners affected thereby. (1975 Code)

Secs. 20-87 to 20-91. Reserved.