

**TITLE 12
STREETS AND PUBLIC PLACES**

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**Chapter 12.04
Street Excavations**

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12.04.010 Permit--Required. No person shall make any excavation in a public street or alley or right-of-way, or tunnel under the surface, or cut into or remove any public sidewalk, curb or pavement, without first obtaining a permit from the City Clerk as herein provided. The permittee shall be responsible for compliance with the rules and regulations set out in this Chapter. (amended 1999)

12.04.020 Permit--Application--Contents. Application for the issuance of an excavation permit shall state the location and dimension of the proposed excavation, the purpose of the excavation, owner of the property for which the work is being done, and the time and date the excavation will be initiated. Applications shall be filed at least 48 hours in advance of the anticipated start of construction when possible.

If an emergency occurs after normal working hours, the permittee shall notify the Supervisor of Public Works or Police Department and give the location and nature of the emergency before starting work. The contractor shall make application for the permit covering the emergency work by noon on the next working day.

12.04.030 Permit--Application--Determination. A. Failure to apply to the City Clerk with the above required information, shall be sufficient cause to deny issuance of an excavation permit. The City Clerk shall, in making the determination whether to issue an excavation permit, consider whether the street has been improved within ten years prior to the date of application of said permit.

If the street, avenue, highway, alley, or other public place of the City has been improved within the past ten-year period, the City Clerk shall determine whether the applicant, or any person from whom the applicant derives his or her interest in the property, had notice of the public improvement and had opportunity to make any underground gas, water, heating, sewer or electrical connections prior to the paving of the street as provided for in Section 12.04.020. If the Clerk shall determine that such applicant, or such property owner, had notice and opportunity to make the connection prior to the improvement, the Clerk shall refuse the application, and refer the application to the City Council.

B. In passing upon any application, the City Clerk may consult with any engineer which is in the City's employ.

12.04.040 Permit--Insurance and Bond Required. *Permits for driveways and sidewalks shall require proof of liability insurance from the permittee.* No permit for underground excavations will be granted to any person, company or corporation unless they shall first have deposited a surety bond in the amount of \$5,000, or a 2 yr. irrevocable letter of credit, conditioned that the permittee will perform faithfully all work with due care and skill and save harmless the City and the owner of the premises against all damages, expenses, and claims of every nature arising out of unskillfulness or negligence on the part of the permittee. The City shall also have deposited a certificate of liability insurance and the City shall be notified of any material changes or termination of insurance coverage. The grantee shall also be required to take out and maintain Workers Compensation Insurance for all his employees employed at the site of the project. (Ord 9-04, 2004)

12.04.050 Permit--Application--Fee. The application for the permit required by this chapter shall be accompanied by payment to the City Clerk of a fee of \$10.00 and no permit shall be issued until such fee has been paid. (amended 1999, revised Ord 9-04 2004)

12.04.060 Permit--Application--Refusal. The City Clerk may refuse to issue the permit provided for in this chapter to any former permit holder who has intentionally violated the provisions of this chapter relating to excavations in streets, highways, avenues or alleys, or failed to conform to the requirements of any permit granted to him, or violated the orders or instruction of the City Clerk.

12.04.070 Regulations for Excavation.

The permittee shall notify all utility companies and other parties affected by the work, and shall be wholly responsible for damage to adjacent utilities and other public or private property.

The permittee shall comply with all applicable laws, rules and regulations governing safety, health and sanitation and shall make available such additional safeguards, safety devices, and protective equipment and take such actions as reasonably necessary to protect the life and health of his employees and the public.

The permittee is responsible for placing and maintaining proper barricades, warning signs, and traffic cones so as to protect the public from injury or damage as a result of the excavation. Backfilling shall be done under the direct supervision of the Supervisor of Public Works or his designee. The City further reserves the right to require an excavation to be re-opened for the purpose of compaction testing where there is sufficient cause to believe that proper density was not

achieved. If the excavator fails to backfill within forty-eight hours of the completion of the underground work, the City reserved the right to backfill and resurface and charge the cost thereof to the party excavating. Backfill material be clean sand.

Until the permanent pavement patch is made, the excavator is required to place and maintain a temporary placement of eighteen inches of 3/4 inch rolled stone base, with a crown not to exceed one inch above the adjoining pavement. The street shall be saw cut to a width of six inches beyond the limits of the excavated ditch. Between the months of November and May the Supervisor of Public Works may order an excavation be covered with three inches of asphalt cold mix until such time as the permanent patch can be made.

Sod or seeding shall be placed on the entire area disturbed during construction and shall be maintained by the permittee until such is self-sustaining.

12.04.080 Permanent Restoration by City: Permanent patches shall be made by or contracted for by the City Street Division of Public Works. The permittee will be responsible for the payment of City inspection and pavement restoration fees. These rates will be adjusted from time to time depending upon the City's cost of providing the service. Permanent restoration shall be in compliance with the following: Asphalt paving replacement shall consist of 6 inches of asphalt surface; Concrete paving thickness shall be 2 inches greater than the original pavement.

(All sections amended or added 1994 codification, or amended as noted)

Chapter 12.05 Driveway Specifications

12.05.010 Driveway Specifications:

Driveway standards shall be issued with the permit and shall be placed under the direction of the Street Division of Public Works. Any curb cut exceeding thirty (30) feet including radius shall first be reviewed by Public Works personnel. Curb cuts must be sawed. Driveway installation or replacement shall require the replacement of the apron or approach and a blended curb section. (added 1994 codification, amended Ord. 35-03, 2003)

Chapter 12.06 Sidewalks

Sections:

- 12.06.010 Purpose
- 12.06.020 Definitions
- 12.06.030 Permits for Construction or Removal
- 12.06.040 Inspection of Work; Remedies
- 12.06.050 Specifications for the Construction of Sidewalks
- 12.06.060 Repairing Defective Sidewalks
- 12.06.070 Cleaning Snow, Ice and Accumulations

- 12.06.080 Notice of Assessment for Repair or Cleaning Costs
- 12.06.090 Ordering Sidewalk Improvements
- 12.06.100 Billing and Certifying to County
- 12.06.110 Pedestrian Trail System Established
- 12.06.111 Pedestrian Trail System Designated
- 12.06.112 Municipality's Responsibility for Pedestrian Trail System
- 12.06.113 Responsibilities Not Specifically Assumed by Municipality.

12.06.010 Purpose. The purpose of this chapter is to improve and maintain sidewalks in a safe condition, to require owners of abutting property to maintain, repair, replace, construct, or reconstruct sidewalks and to minimize the City's liability as provided in Section 364.12 of the Code of Iowa. (Ord. 35-03)

12.06.020. Definitions. As used in this chapter the following terms have these meanings:

- 1) The term "broom finish" shall mean a sidewalk finish that is made by sweeping the sidewalk with a fine hair broom when it is hardening.
- 2) Defective sidewalk. Any public sidewalk exhibiting one or more of the following characteristics:
 - (a) vertical separations equal to three-fourths (3/4) inch or more,
 - (b) horizontal separations equal to three-fourths (3/4) inch or more,
 - (c) holes or depressions equal to three-fourths (3/4) inch or more and at least four inches in diameter,
 - (d) spalling over 50 percent over a single square of the sidewalk with one or more depressions equal to three-fourths (3/4) inch or more,
 - (e) spalling over less than 50 percent of a single square of the sidewalk with one or more depressions equal to one-half (1/2) inch or more,
 - (f) a single square of sidewalk cracked in such a manner that no part thereof has a piece greater than one square foot,
 - (g) a sidewalk with any part thereof missing to the full depth,
 - (h) a change in the grade equal to or greater than three-fourths (3/4) inch per foot.
- 3) Owner. Owner means the person owning the fee title and the contract purchaser for the purpose of notification required herein. For all other purposes, "owner" shall include the lessee, if any.
- 4) The term "Portland Cement" shall mean any type of cement except bituminous cement.
- 5) Sidewalk improvements. The construction, reconstruction, repair, replacement or

removal of a public sidewalk and/or the excavating, filling or depositing of material in the public right-of-way in connection therewith.

- 6) The term “sidewalk” shall mean all permanent public walks in business or residential areas.
- 7) The term “one-course construction” shall mean that the full thickness of the concrete is placed at one time, using the same mixture throughout. (Ord. 35-03)

12.06.030. Permits For Construction Or Removal. No person shall make any sidewalk improvements whether ordered by the City Council or not, unless such person shall obtain a permit from the City Clerk and shall agree in writing that he will, in making the sidewalk improvements comply with the ordinances of the City and with the specifications for sidewalks adopted by the City and on file in the office of the Clerk. (Ord 35-03)

12.06.040 Inspection Of Work; Remedies. Whenever any sidewalk improvements are made which do not conform to the provisions of this Chapter and with the specifications herein referred to, or where any sidewalk improvements are made without obtaining a permit (as required by this Chapter, or the work is not performed within the time stated in the permit) the City Clerk shall serve upon the property owner or his agent, and upon the contractor doing the work, a notice to obtain a permit, if not already obtained, or, if the sidewalk is in the course of construction, to stop until a permit is obtained or work is corrected to comply with the specifications. If the sidewalk work has been completed, the owner shall obtain a permit immediately and perform any needed corrections within five days from the receipt of the permit, in the proper manner and of proper materials as required by the specifications. If the owner fails to comply with this notice, the Mayor shall have the work completed and the costs assessed to the property owner for collection in the same manner as a property tax. (Ord. 35-03)

12.06.050 Specifications For The Construction Of Sidewalks. Sidewalks constructed under the provisions of this chapter shall be of the following construction and meet the following standards:

- (1) Preparing subgrade. The subgrade upon which the sidewalk is to rest shall be prepared by excavating or filling the finished grade line that when tamped or rolled till smooth and firm, the subgrade will be uniform in density and at the desired depth below the finished grade lines before the forms are placed. The subgrade material and fill section shall contain no nested clods and shall be prepared to allow the forms to rest on the prepared subgrade.
- (2) All permanent sidewalks constructed shall be constructed to conform to the established grade of the street upon which the sidewalk is laid. Sidewalks shall be laid in accordance with grades set by the Public Works personnel.

Typical sidewalks shall be elevated one-half ($\frac{1}{2}$) inch per foot from the height of the adjoining curb and shall be elevated one (1) inch above the adjoining ground, however the public works department may set elevations on a case-by-case basis. Typical sidewalks shall slope a target of 1.5% (maximum 2%) toward the curb.

The distance from the curb line shall be set on a case-by case-basis.

- (3) Forms. Forms of a suitable material may be used. The forms shall always be cleaned of mortar and dirt, be free from warp and of sufficient strength to resist springing out of shape. The forms shall be well staked or otherwise held to the established lines and grades and their upper lines shall conform to the finished grade of the walk.
- (4) Expansion Joints. An expansion joint shall be constructed at all points where the walk meets other walks, curbs, or fixtures in the surface, and at intervals of not greater than fifty (50) feet. Joints shall have a width of one-half (1/2) inch and after the cement for the walk has been run into place and has set sufficiently, the expansion joints shall be filled with a mastic material of such consistency that it will not become soft and run in hot weather, and will not become brittle and chip off in extreme cold weather. Expansion joints must be provided where the end of the walk abuts against a curb and at all corners where two walks meet at right angles.
- (5) Contraction joints shall be installed as specified in the Standard Sidewalk Detail.
- (6) Concrete Mix. The concrete mix shall be of a proportion to develop a minimum ultimate twenty-eight (28) day compressive strength of three thousand five hundred (3,500) pounds per square inch.
- (7) Width and Thickness of Sidewalks. All sidewalks shall be at least four (4) feet in width and four (4) inches thick, and each section, separated by a construction joint at a maximum one-third (1/3) the thickness, shall be equal to the sidewalk width. Sidewalks through driveways shall be six (6) inches thick. Sidewalks through industrial and commercial driveways shall be a minimum of eight (8) inches thick and designed for the type of traffic the industry or business generates.
- (8) Load. Whatever form of construction is used, it shall be designed to have sufficient strength to bear safely a uniformly distributed load of one hundred fifty (150) pounds per square foot of surface.
- (9) Care and Protection. Workmen shall not be permitted to walk on freshly laid concrete, and where any sand or dirt gets on the surface it shall be carefully removed before finishing. When completed, the walk shall be protected from traffic and the elements for at least two (2) days, and from vehicle traffic at driveways and be removed before twenty-four (24) hours, and when removed the earth shall be banked against the edge of the walk.
- (10) Tests and Inspection. Public Works personnel shall have the right to go upon any work wherein sidewalks are being constructed as provided in this section and make tests and do such other acts as may be necessary to determine whether or not the provisions of this Chapter are being complied with.

- (11) All sidewalks shall be finished with a steel float and groomed in a traverse direction to the slab with a “broom finish”.
- (12) All sidewalks shall comply with SUDAS - Iowa Statewide Urban Design & Specifications (www.iowasudas.org).

(Ord. 35-03, Ord. 29-16)

12.06.060 Repairing Defective Sidewalks. It shall be the duty of the abutting property owner at any time, or upon thirty (30) days written notice from the City, to repair, replace or reconstruct all defective sidewalks in the street right-of-way abutting his property. If, upon the expiration of thirty (30) days as provided in said notice, the required work has not been done or is not in the process of completion, the City may proceed to repair, replace or reconstruct said sidewalks, or cause the same to be repaired, replaced or reconstructed. There shall be returned to the Council an itemized and verified statement of expenditures of material and labor, and the legal description of the property abutting the sidewalk on which work has been performed. The cost shall be assessed to the property as a property tax, and the Clerk shall certify the costs to the County Treasurer for collection as provided in Section 364.12 of the Code of Iowa. (Ord. 35-03)

12.06.070 Cleaning Snow, Ice And Accumulations. It shall be the duty of the abutting property owner to keep his sidewalk clean by promptly removing, or causing to be removed, all snow, ice, or accumulations such as mud, sand, or other debris. The sidewalk must be cleared the entire width of the sidewalk down to concrete. If the owner fails to so clean or remove such materials within twenty-four (24) hours the City may cause such materials to be removed. When the Epworth Police Department receives a complaint about a property not being cleared of debris or after an accumulation of 2 inch of snow or ice, the officer shall verify the violation. The officer re-inspects the property forty-eight (48) hours later and if the material is still not removed the City hires a private contractor to remove the material. A bill for the removal will be mailed to the property owner. All costs unpaid after 30 days shall be assessed to the property as a property tax, and the Clerk shall certify the costs to the County Treasurer for collection as provided in Section of 364.12 of the Code of Iowa. (Ord. 35-03, amended Ord. 13-08)

12.06.080 Notice of Assessment for Repair or Cleaning Costs. When the Mayor submits bill for sidewalk improvements or for removal of accumulations as provided in this chapter the City Clerk shall send a notice of such facts to the owner of the abutting property. The notice shall contain a statement of the work performed, the cost of the work that is being assessed, a description of the property affected, and the fact that the person may pay the amount assessed within thirty (30) days without interest or penalty. The notice shall also indicate that the person may object to such assessment and given the place and time at which Council will hear objections. The time set for the hearing shall be at least (15) days after the service or mailing of the notice. (Ord. 35-03)

12.06.090 Ordering Sidewalk Improvements. The Council may order the construction, reconstruction, repair or replacement of sidewalks upon any street or court. The notice shall

include the fact that the owner may request a hearing by the Council within (15) days of receipt of the notice.

The City Council shall require the construction of sidewalks when any of the following criteria are met:

- a) Within 12 months of occupancy of any new construction, unless deferred.
- b) Vacant lots shall install sidewalks within 12 months when 75 percent of the lineal block or 90 percent of a square block already have sidewalks, unless specifically deferred. (Ord 24-05)

12.06.100 Billing And Certifying To County. After 30 days notice, the City Clerk shall certify unpaid amounts to the County Treasurer. The unpaid assessments shall constitute a lien against the property and shall be collected by the County Treasurer in the same manner as other taxes. Any assessment that exceeds \$100 may be paid in installments as set by Council, not exceeding ten, in the same manner and at the same interest rates as for special assessments under Chapter 384 Code of Iowa. No interest shall be charged for assessments, or parts thereof, paid within thirty (30) days of the time the Council determined final amounts. (Ord. 35-03)

12.06.110 Pedestrian Trail System Established. Cognizant of the unique purpose and design of certain walkways installed in the City and their enhanced public benefit, certain walkways shall be designated as part of the Pedestrian Trail System. Designation of the System shall be made by Ordinance. (Ord. 27-11)

12.06.111 Pedestrian Trail System Designated. The following areas are hereby designated as part of the Pedestrian Trail System:

- a. Jacoby Drive Walkway. The eight (8') foot wide walkway running parallel to northern side of Jacoby Drive, beginning at a western terminus of Fifth Avenue Southwest, continuing westward through Center Avenue South and ending at an eastern terminus of Bierman Road.
- b. Bierman Road Walkway. The eight (8') foot wide walkway running parallel to western side of Bierman Road, beginning at a southern terminus of Jacoby Drive East, continuing northward and ending at northern terminus of the southern boundary of Lot 1 of 5-M Realty First Addition. (Ord. 27-11)

12.06.112 Municipality's Responsibility for Pedestrian Trail System. The City of Epworth shall assume responsibility as follows for areas designated as part of the Pedestrian Trail System.

- a. Removal of ice, snow, and other accumulations from the walkway.
- b. Mowing, clearing, and maintenance of grass and weeds in the public right of way adjacent to those areas designated as part of the Pedestrian Trail System.
- c. Repair and routine maintenance of the walkway surfaces. (Ord. 27-11)

12.06.113 Responsibilities Not Specifically Assumed by Municipality. Any responsibilities related to the Pedestrian Trail System not specifically assumed by the City of Epworth under this Chapter or under any other ordinance shall remain with the adjacent property owner. (Ord. 27-11)

Chapter 12.07 Duty to Trim Trees

12.07.010 Duty to Trim Trees

12.07.010 DUTY TO TRIM TREES. The owner or agent of the abutting property shall keep the trees and shrubbery trimmed so that all branches will be at least fifteen (15) feet above the surface of the street and eight (8) feet above the surface of sidewalks. If the abutting property owner fails to trim the trees, the City may serve notice on the abutting property owner requiring that such action be taken within five (5) days. If such action is not taken within that time, the City may perform the required action and assess the costs against the abutting property for collection in the same manner as a property tax. (Ord. 13-08)

Chapter 12.08 Street Naming

Sections:

- 12.08.010 Street Names Changed--City Divided Into Quadrants.
- 12.08.020 Main Street.
- 12.08.030 Center Street Changed to Center Avenue.
- 12.08.040 North Street Changed to First Street.
- 12.08.050 Railroad Street Changed to Second Street.
- 12.08.060 Dayton Street Changed to Third Street.
- 12.08.070 Victoria Street Changed to Fourth Street.
- 12.08.080 South Street Changed to First Street.
- 12.08.100 West Street Changed to Second Avenue.
- 12.08.110 Spring Street Changed to Second Avenue.
- 12.08.120 Clay Street changed to Third Avenue.
- 12.08.130 Dubuque County Road Changed to Fifth Avenue.
- 12.08.140 Cornell Street Changed to Sixth Avenue.
- 12.08.150 East Street Changed to First Avenue.
- 12.08.160 Oak Street Changed to Second Avenue.
- 12.08.170 Streets to Retain Existing Names.

12.08.010 Street Names Changed--City Divided Into Quadrants. The names of the following existing streets in the City shall be changed and that for identification purposes, the City shall be divided into four quadrants, divided north and south by the street known as Main Street and divided east and west by the street known as Center Street, and that said street be hereafter known as set forth in Sections 12.08.020 through 12.04.060. (Ord. 151 (part), 1961).

12.08.020 Main Street. Main Street, beginning at the east city limits and proceeding west to the west city limits, shall not be changed and shall be as heretofore known as Main Street, except

that Main Street from Center Street, east to the city limits, shall be known as Main Street East, and Main Street from Center Street, west to the city limits, shall be known as Main Street West. (Ord. 151 Sec.1, 1961).

12.08.030 Center Street Changed to Center Avenue. A. Center Street, north from Main Street to Victoria Street, shall be known as Center Avenue North.

B. Center Street, south from Main Street to City Limits, shall be known as Center Avenue South. (Ord. 151 Secs. 2, 3, 1961, amended 1988).

12.08.040 North Street Changed to First Street. A. North Street, west from Center Street to termination point, shall be known as First Street Northwest.

B. North Street, east from Center Street to termination point, shall be known as First Street Northeast. (Ord. 151 Secs. 4, 5, 1961).

12.08.050 Railroad Street Changed to Second Street. A. Railroad Street, east from Center Street to termination point, shall be known as Second Street Northeast. B. Railroad Street, west from Center Street to termination point, shall be known as Second Street Northwest. (Ord. 151 Secs. 6, 7, 1961).

12.08.060 Dayton Street Changed to Third Street. Dayton Street, east from Center Street to termination point, shall be known as Third Street Northeast. (Ord. 151 Sec. 8, 1961).

12.08.070 Victoria Street Changed to Fourth Street. Victoria Street, from the intersection of Victoria Street and Center Street, east to termination point, shall be known as Fourth Street Northeast. (Ord. 151 Sec. 9, 1961).

12.08.080 South Street Changed to First Street. A. South Street, east from Center Street to termination point, shall be known as First Street Southeast.

B. South Street, west from Center Street to Spring Street, shall be known as First Street Southwest. (Ord. 151 Secs. 10, 11, 1961).

12.08.090 Grove Street Changed to First Street. Grove Street, west from Spring Street to termination point, shall be known as First Street Southwest. (Ord. 151 Sec. 12, 1961).

12.08.100 West Street Changed to First Avenue. A. West Street, north from Main Street to termination point, shall be known as First Avenue Northwest.

B. West Street, south from Main Street to termination point, shall be known as First Avenue Southwest. (Ord. 151 Secs. 13, 14, 1961).

12.08.110 Spring Street Changed to Second Avenue. A. Spring Street, south from Main Street to termination point, shall be known as Second Avenue Southwest.

B. Spring Street, north from Main Street, to termination point, shall be known as Second Avenue Northwest. (Ord. 151 Secs. 15, 16, 1961).

12.08.120 Clay Street Changed to Third Avenue. A. Clay Street, north from Main Street to termination point, shall be known as Third Avenue Northwest.

B. Clay Street, south from Main Street to termination point, shall be known as Third Avenue Southwest. (Ord. 151 Secs. 17, 18, 1961).

12.08.130 Dubuque County Road Changed to Fifth Avenue. Dubuque County Road, also known as Hiram Young Road, south from Main Street, shall be known as Fifth Avenue Southwest. (Ord. 151 Sec. 19, 1961).

12.08.140 Cornell Street Changed to Sixth Avenue. Cornell Street, south from Main Street, shall be known as Sixth Avenue Southwest. (Ord. 151 Sec. 20, 1961).

12.08.150 East Street Changed to First Avenue. A. East Street, north from Main Street to termination point, shall be known as First Avenue Northeast.

B. East Street, north from Main Street to termination point, shall be known as First Avenue Southeast. (Ord. 151 Secs. 21, 22, 1961).

12.08.160 Oak Street changed to Second Avenue. Oak Street, south from Main Street to termination point, shall be known as Second Avenue Southeast. (Ord. 151 Sec. 23, 1961).

12.08.170 Streets to Retain Existing Names. All other and remaining streets, roads, highways, avenues, drives, lanes, alleys places, and-or subdivisions in the City not designated herein, the names of which have not been changed by the provisions of this chapter, shall retain their existing names, and are shown in the plat of the City as such. (Ord. 151 Sec. 24, 1961).

Chapter 12.09 Maintenance of Abutting Property

Sections:

12.09 Maintenance of Abutting Property

12.09 Maintenance of Abutting Property. The abutting property owner shall be responsible for the maintenance of publicly-owned right of way between the curb line of the street or edge of roadway shoulder and the property owner's property line. Maintenance shall include, but is not limited to, mowing, weed control, snow removal, and any other maintenance proscribed by the City. This section shall not require the abutting property owner to remove diseased trees or dead wood on the public right of way except where trees have been planted without express permission of the City after the effective date of this ordinance or contrary to any other existing ordinance. Reference: Section 364.12.2.c of the Code of Iowa (Ord. 16-15).

**Chapter 12.12
Park Regulations**

Sections:

- 12.12.010 Hours of Operation.
- 12.12.020 Extension of Hours--Permit Required.
- 12.12.030 Reservations
- 12.12.040 Keg Beer--Deposit and Permit Required.
- 12.12.060 No flags or signs

12.12.010 Hours of Operation. The City Parks of the City shall be open to the public for public use between the hours of daylight and ten p.m. Sunday through Thursday and between the hours of daylight and midnight each Friday and Saturday. (Ord. 371 Sec. 1, 1974, Ord. 16-83, Ord. 27-15).

12.12.020 Extension of Hours--Permit Required. Any person or corporation desiring an extension of the hours of closing the park for a specific date may make application to the City Council for a permit and upon granting of permission may use the park for the extended period on the specific date. (Ord 371 Sec.2, 1974, Ord. 16-83, 1983).

12.12.030 Reservations. Any person or corporation desiring reservations must submit a request to the office of City Clerk. (Ord. 16-83, Or. 18-2024)

12.12.040 Keg Beer--Deposit and Permit Required. Keg beer is allowed in City Parks only by special park permit with a deposit of \$100 to be returned if area is picked up and damage free. (Ord. 16-83, 1983)

12.12.060 No flags or Signs. No flas or signs are allowed in City Parks without City Council approval. (Ord. 18-2024)

Chapter 12.16 Snow Removal

Sections:

12.16.020 Pushing Snow into Streets

12.16.030 Mailboxes Damaged During Snow Removal

* Parking Regulations during Snow Removal - see Chapter 10.48

12.16.020 Pushing Snow into Streets. A business or residence shall not push, plow or place any snow into, onto or across any public street. Penalty per violation in 12 month period: First- Warning; Second- \$25.00 fine; Third - \$50 fine; Fourth- \$100 fine. (Ord-13-08)

12.16.030 Mailboxes Damaged During Snow Removal. Mailboxes should be constructed sturdily enough to withstand snow rolling off a plow or wing. While the installation of mailboxes on the city right-of-way is permitted, the mailbox owner assumes all risk of damage except when a mailbox is damaged through contact by a plow blade, wing, or other piece of equipment. If a mailbox is damaged due to direct contact by snow plowing equipment, the City, at its option, will repair or replace the mailbox at a cost not to exceed \$50.00. Damage resulting from snow rolling off a plow or wing is the responsibility of the resident. The City assumes no liability for mailboxes that are not installed and maintained in accordance with the United States Postal Regulations that are damaged as a result of snow removal operations. (added 1994, replaced 1999, Ord. 30-14)

Chapter 12.18 Mailboxes

Sections:

- 12.18.010 Purpose
- 12.18.020 Definitions
- 12.18.030 Cluster-style mailbox required in new developments
- 12.18.040 Curbside Mailbox Requirements
- 12.18.050 Custom-built Mailbox Requirements
- 12.18.060 Mailbox Placement
- 12.18.070 Mailboxes damaged during snow removal

12.18.010 Purpose. The purpose of this chapter is to establish standards for mailboxes in order to maintain the safety and visual character of the city's right-of-ways.

12.18.020 Definitions.

Cluster-style mailboxes means a style whereby mailboxes, meeting specifications of the United States Postal Service (USPS) with the inscription plainly legible "US Mail" and "Approved by the Postmaster General", are assembled and grouped together on a single area of land so that they are regarded as one unit.

Curbside mailbox means a mailbox consisting of a lightweight sheet metal or plastic box meeting the specifications of the United States Postal Service (USPS) with the inscription plainly legible "US Mail" and "Approved by the Postmaster General", which is erected at the edge of a roadway

or curbside of a street, is mounted on a breakaway support post, and is intended or used for the collection of mail and is to be served by a mail carrier from a vehicle.

Custom-built cluster mailbox means a multiple number (two or more) of mailboxes erected at the edge of a roadway or curbside of a street being constructed of materials that do not meet the definition of a cluster-style mailbox.

Custom-built individual mailbox means a mailbox erected at the edge of a roadway or curbside of a street constructed using materials that do not meet the definition of a curbside mailbox.

12.18.030 Cluster-style mailbox required in new developments.

1) Residential developments. All new residential developments platted or in the site plan stage which are situated on any cul-de-sac, street, avenue or other roadway that is maintained or approved by the City and receive curbside delivery of mail shall have cluster-style mailboxes. Any housing development constructed and already receiving mail service before the regulations in this chapter are enacted is not required to have cluster-style mailboxes.

2) Commercial Developments. All new commercial developments platted or in the site plan stage and wish to receive delivery of mail, shall make provisions for the delivery of their mail. If there is more than one commercial establishment, cluster-style mailboxes may be required. Approval is required by the US Post Office

3) Installation and Maintenance. The cost of installation and maintenance, including the box units and the concrete pad, shall be borne by the developer. Installation shall be approved by the US Post Office.

12.18.040 Curbside Mailbox Requirements. While curbside mailboxes may be installed in developments already receiving mail service before the adoption of this chapter, the mailbox owner must comply with USPS installation and maintenance requirements.

12.18.050 Custom-Built Mailbox Requirements. A custom-built mailbox may not be installed unless specially approved by the US Post Office.

12.18.060 Mailbox placement. Lateral placement of the face of the mailbox shall be six (6) inches behind the back of curb (12" from face of curb). All installations shall comply with USPS installation requirements and be inspected by the US Post Office.

12.18.070 Mailboxes damaged during snow removal. Refer to 12.16.030

(Ord. #19-08 July 22, 2008)

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