

## CHAPTER 6

### PUBLIC WORKS

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#### 6.01 STREET AND SIDEWALK GRADES

- (1) **Establishment** The grade of all streets, alleys and sidewalks shall be established by resolution by the City Council and the same recorded by the City Clerk in his/her office. No street, alley or sidewalk shall be worked until the grade thereof is established.
- (2) **Alteration of Grade Prohibited** No person shall alter the grade of any street, alley, sidewalk, or public ground or any part thereof in the City of Augusta by any means whatsoever unless authorized or instructed to do so by the City Council or the Director of Public Works. All such alterations of grade shall be recorded in the office of the City Clerk by the Clerk or the officer who authorized the alteration.
- (3) **Penalty** The penalty for violation of any provision of this section shall be a penalty as provided in Section 15.04 of this code.

#### 6.02 SIDEWALK CONSTRUCTION AND REPAIR

- (1) **Owner to Construct** It shall be the duty of the abutting owner to build, repair, construct and perpetually maintain sidewalks along or upon any street, alley or highway in the City of Augusta and to pay forty (40%) percent of the cost thereof. The City of Augusta shall pay sixty (60%) percent of the cost provided that the owner complies with all of the provisions of this section. In the event that the owner provides labor to construct or repair sidewalks required under this section, the city's contribution shall be limited to forty (40%) percent of the cost of materials only. The Director of Public Works shall inspect and approve the sidewalk prior to the time that the City reimburses the landowner. Whenever the City Council shall by resolution determine that a sidewalk be laid, rebuilt, repaired, lowered or raised along or upon any public street, alley or highway with the City of Augusta, it shall proceed according to §66.615.
- (2) **Permit Required** No person shall hereafter lay, remove, replace or repair any public sidewalk within the City of Augusta unless he is under contract with the city to do such work or has obtained a permit thereof from the Director of Public Works at least seven (7) days before the work is proposed to be undertaken. No fee shall be charged for such permits.

(3) **Specifications** All sidewalks within the City of Augusta hereafter shall be repaired, rebuilt and constructed in accordance with the following specifications:

(a) **Sub grade** The sub grade shall be prepared by excavating to the line, grade and cross section as established by the City Council. Soft and suitable material shall be removed and replaced with sand or other satisfactory material to the depth of at least four (4) inches, and the sub grade shall be thoroughly and uniformly compacted and moistened immediately before the concrete is placed. When so specified by the Director of Public Works a sub-base of sand, sand and gravel or other approved porous material shall be placed under the sidewalk. The embankments of the sub grade shall extend at least one (1) foot beyond each edge of sidewalk.

To provide adequate drainage the sidewalk shall slope toward the curb at a minimum rate of 1/4 inch per foot of width of sidewalk. All joints and edges shall be finished with a 1.4 inch radius edging tool.

(b) **Material** All sidewalks shall be of air entrained concrete composed of six (6) bags per cubic yard of one course construction, and built to the established line and grade. Gravel shall be of good quality and washed. Concrete shall be mixed thoroughly for a minimum of one (1) minute after all materials have placed in the mixer.

(c) **Forms** Concrete shall be placed in straight forms of wood or metal of sufficient strength to resist springing, tipping or other displacement during the process of depositing and consolidating the concrete. Wood forms shall be surfaced plank of at least two (2) inches thickness except for sharply curved sections. Metal forms shall be of approved section. The form shall be of full depth of the required walk and shall be of such design as to permit pg42 secure fastening. Forms shall be thoroughly cleaned and oiled before the concrete is placed against them. Concrete shall be placed in the forms on a moist sub grade, deposited just above the furnished grade and consolidated and spaded sufficiently to bring the mortar to the surface and to prevent honeycombing. It shall then be struck off level with the top of the forms and finished with wooden flats.

To provide adequate drainage the sidewalk shall slope toward the curb at a minimum rate of 1/4 inch per food of width of sidewalk. All joints and edges shall be finished with a 1/4 inch radius edging tool.

(d) **Width and Thickness** Residential walks shall be a minimum of forty-eight (48) inches and a maximum of sixty (60) inches in width and not less than four (4) inches thick except within driveway approaches where the minimum thickness shall be six (6) inches; provided that walks in residential areas may be repaired or replaced to a width not less than the existing width on the effective date of this section.

Sidewalks in front of commercial or industrial establishments shall be not less than eight (8) feet in width and five (5) inches in thickness except within driveway approaches where the minimum thickness shall be seven (7) inches.

- (e) **Finishing** Before the last finish has set, the sidewalk shall be steel trowel led and brushed in transverse direction. Before final finishing, the surface shall be checked with a ten (10) foot straight edge and any areas departing more than 1/8 inch from the testing edge shall be corrected by adding or removing concrete while the concrete in the walk is still plastic.
- (f) **Jointing** Transverse, full depth, 1/2 inch thick expansion joints of premolded expansion material shall be located every forty (40) feet and at the property line, and where the walk intersects another walk, curb line, building or driveway approach, and at buildings, walls, poles and stop boxes. The expansion joint material shall be placed in a neat and workmanlike manner with its upper edge slightly below the finished sidewalk surface. Dummy groove joints for controlled cracking, at least one (1) inch in thickness and 5/16 inch in depth, shall be placed at intervals of approximately five (5) feet. Steel division plates shall be placed at right angles to the center line of the sidewalk at intervals of not less than fifteen (15) feet. All joints shall be right angles to the direction and grade of the walk. Diagonal joints may be used only when approved by the Director of Public Works.
- (g) **Curing and Drying** As soon as any of the concrete work herein before mentioned has been finished and hardened sufficiently to prevent excessive marring of the surface, it shall be cured and protected against rapid drying. Failure to comply with this requirement shall be deemed sufficient cause for suspension of the work. Curing shall be accomplished by the "Impervious Coating," "Wet Fabric" or "Paper" methods. For impervious coating or membrane curing, only those materials meeting requirements of ASTM Specs. C156-44T, "Method of Test for Efficiency of Materials for Curing Concrete" shall be used. Said specifications are hereby adopted by reference as is fully set forth herein. Walks shall be kept free from all traffic at normal temperatures for forty-eight (48) hours and in cold weather (below 50 degrees F.) for ninety-six (96) hours. No concrete shall be poured when the temperature may be expected to fall below thirty-five (35) degrees F. in any seventy-two (72) hour period or upon frozen sub grade.
- (4) **Penalty** The penalty for violation of any provision of this section shall be a penalty as provided in Section 15.04 of this code.

### 6.03 DRIVEWAYS

- (1) **Approval Required** No person shall construct or maintain any driveway across any sidewalk or curbing without first obtaining a driveway permit from the Director of Public Works.
- (2) **Specifications for Driveway Construction**
  - (a) **Width** No driveway shall exceed twenty-four (24) feet in width at the outer or street edge of the sidewalk unless special permission is obtained from the City Council.
  - (b) **Interference With Intersections Prohibited** At street intersections a driveway shall not provide direct ingress or egress to or from the street intersection area and

shall not occupy areas of the roadway deemed necessary by the City Council for effective traffic control or for highway signs or signals.

- (c) **Interference with Street** No driveway apron shall extend out in to the street further than the face of the curb, and under no circumstances shall such driveway apron extend into the gutter area. All driveway entrances and approaches shall be so constructed that they shall not interfere with the drainage of streets, side ditches or road wide areas or with any existing structure on the right of way. When required by the Director of Public Works to provide for adequate surface water drainage along the street, the property owner shall provide any necessary culvert pipe at his own expense.
- (d) **Number of Approaches Limited** No more than one (1) driveway entrance and approach shall be constructed for any lot or premises except where deemed necessary and feasible without undue impairment of safety, convenience and utility of the street by the Director of Public Works. Any two (2) approaches shall be at least ten (10) feet apart.
- (e) **Workmanship and Materials** All driveway entrances and approaches which are constructed across sidewalks shall be paved in accordance with the requirements for sidewalk construction in Section 6.02(3) of this code such requirements are applicable, including thickness requirements in Section 6.02(3)(d).
- (f) **Permittee Liable for Damage or Injury** The permittee shall assume all responsibility for any injury or damage to persons or property resulting directly or indirectly during construction or repair of driveway approaches or entrances. When curb or gutter is removed, the new connection shall be of equivalent, acceptable material and curb returns provided or restored in a neat, workmanlike manner. Driveway surfaces shall connect with the street pavement and sidewalk in a neat, workmanlike manner. Any sidewalk areas which are damaged or are inadequate by reason of vehicle travel across the sidewalk shall be replaced in accordance with the requirements of Section 6.02(3).

- (3) **Penalty** The penalty for violation of any provision of this section shall be a penalty as provided in Section 15.04 of this code.

#### 6.04 STREET AND SIDEWALK EXCAVATIONS AND OPENINGS

- (1) **Permit Required** No person shall make or cause to be made any excavation or opening in any street, alley, highway, sidewalk or other public way within the City of Augusta without first obtaining a permit there for from the Director of Public Works.
- (2) **Fee** The fee for a street opening permit shall be \$2.00 and shall be paid to the City Treasurer who shall issue his receipt thereof.
- (3) **Bond** Before a permit for excavating or opening any street or public way may be issued, the applicant must execute and deposit with the City Clerk an indemnity bond, approved by the Director of Public Works, in the sum of \$5,000.00 conditioned that he will indemnify and hold harmless the City of Augusta and its officers from all liability for accidents and damage caused by any of the work covered by his permit, and that he will fill up and place in good and safe condition all excavations and openings made in the

street, and will replace and restore the pavement over any opening he may make as near as can be to the state and condition in which he found it, and keep and maintain the same in such condition, normal wear and tear expected, to the satisfaction of the Director of Public Works for a period of one (1) year, and that he will pay all fines imposed upon him for any violation of any rule, regulation or ordinance governing street openings or drain laying adopted by the City Council, and will repair any damage done to existing improvements during the progress of the excavation in accordance with the ordinances, rules and regulations of the City. Such bond shall also guarantee that if the City shall elect to make the street repair, the person opening the street will pay all costs of making such repair and of maintaining the same for one year.

(a) Recovery on such bond for any accident, injury, violation of law, ordinance, rules or regulations shall not exhaust the bond it shall cover any and all accidents, injuries or violations during the period of excavation for which it is given.

(b) An annual bond may be given under this section covering all excavation work down by the principal for one (1) year beginning January 1, which shall be conditioned as specified above and in the amount determined by the City Council as necessary to adequately protect the public and the City.

(4) **Insurance** Prior to commencement of excavation work, a permittee must furnish the Director of Public Works satisfactory written evidence that he has in force and will maintain during the life of the permit and the period of excavation, public liability insurance of not less than \$100,000 for one (1) person, \$300,000 for one (1) accident and property damage insurance of not less than \$50,000.

(5) **Regulations Governing Street and Sidewalk Openings**

(a) **Frozen Ground** No opening in the streets or sidewalks for any purpose shall be permitted when the ground is frozen, except where necessary as determined by the Director of Public Works.

(b) **Removal of Paving** In opening any street or other public way, all paving or ballasting materials shall be removed with the least possible loss of or injury to surfacing material and together with the least practicable inconvenience to the public and permit free flow of water along streets.

(c) **Protection of Public** Every person shall enclose with sufficient barriers each opening which he may make in the streets or public ways of the City. All machinery and equipment shall be locked or otherwise effectively safeguarded from unauthorized use when not being used by the permittee, his agents or employees. Red lights or torch lamps shall be kept burning from sunset to sunrise, one (1) red light or torch lamp to be placed at each end of the opening in the street or way and other lights sufficient in number and properly spaced to give adequate warning. Except by special permission from the Director of Public Works no trench shall be excavated more than two hundred fifty (250) feet in advance of pipe laying nor left unfilled more than two hundred fifty (250) feet where pipe has been laid. All necessary precautions shall be taken to guard the public effectually from accidents or damage to persons or property through the period of the work. Each person making such opening shall be held liable for all damages, including costs incurred by the City in defending any action brought

against it for damages, as well as the cost of any appeal that may result from the neglect precaution against injury or damage to persons, vehicles or property of any kind.

- (d) **Replacing Street Surface** In opening any street or sidewalk, the paving materials, sand, gravel, and earth or other material moved or penetrated and all surface monuments or hubs must be removed and replaced as nearly as possible in their original condition or position and the same relation to the remainder as before. Any excavated material which in the opinion of the Director of Public Works is not suitable for refilling shall be replaced with approved backfill material. All rubbish shall be immediately removed, leaving the street or sidewalk in perfect repair, the same to be so maintained for a period of one (1) year. In refilling the opening, the earth must be puddled or laid in layers not more than six (6) inches in depth and each layer rammed, tamped or flushed to prevent after-perpendicular, sheathing and braces must be used to prevent caving. No timber, bracing, lagging, sheathing or other lumber shall be left in any trench. The City may elect to have the City make the pavement repair for any street or sidewalk opening, in which case the cost of making such repair and of maintaining it for one (1) year shall be charged to the person making the street opening.
- (6) **Excavation in New Streets Limited** Whenever the City Council determines to provide for the permanent improvement or repaving of any street, such determination shall be made not less than thirty (30) days before the work of improvement or repaving begins. Immediately after such determination of the City Council, the Director of Public Works shall notify in writing each person, utility, city department or other agency owning or controlling any sewer, water main, conduit or other utility in or under said street or any real property abutting said street, that all such excavation work in such street must be completed within thirty (30) days. After such permanent improvement or repaving, no permit shall be issued to open, cut or excavate said street for a period of five (5) years after the date of improvement or repaving unless in the opinion of the Director of Public Works an emergency exists which makes it absolutely essential that the permit be issued.
- (7) **Emergency Excavation Authorized** In the event of an emergency, any person owning or controlling any sewer, water main, conduit or utility in or under any street and his agents or employees may take immediate proper emergency measures to remedy dangerous conditions for the protection of property, life, the next succeeding business day and shall not make any permanent repairs without first obtaining an excavation permit hereunder.
- (8) **City Work Excluded** The provisions of this section shall not apply to excavation work under the direction of the Director of Public Works by city employees or contractors performing work under contract with the City necessitating openings or excavations in city streets.
- (9) **Penalty** The penalty for violation of any provision of this section shall be a penalty as provided in Section 15.04 of this code.

## 6.05 OBSTRUCTIONS AND ENCROACHMENTS

- (1) **Obstructions and Encroachments Prohibited** No person shall encroach upon or in any way obstruct or encumber any street, alley, sidewalk, public grounds or land dedicated to public use, or any part thereof or permit such encroachment or encumbrance to be placed or remain on any public way adjoining the premises of which he is the owner or occupant, except as provided in Sub.(2).
- (2) **Exceptions** The prohibition of Sub.(1) shall not apply to the following:
- (a) Signs or clocks attached to buildings which project not more than six (6) feet from the face of such building and which do not extend below any point ten (10) feet above the sidewalk, street or alley.
  - (b) Awnings which do not extend below any point seven (7) feet above the sidewalk, street or alley.
  - (c) Public utility encroachments duly authorized by state law or the City Council.
  - (d) Goods, wares, merchandise or fixtures being loaded or unloaded which do not extend more than three (3) feet on the sidewalk, provided such goods, wares, etc., do not remain thereon for a period of more than two (2) hours.
  - (e) Temporary encroachments or obstructions authorized by permit under Sub.(3).
  - (f) Excavations and opening permitted under Section 6.04.
- (3) **Street Privilege Permit**
- (a) **When Required** Permits for the use of the streets, alleys, sidewalks or other public ways or places of the City may be granted to applicants by the Director of Public Works for the purpose of moving any building or structure or of encumbering the street, alley, sidewalk or way with materials necessary in and about the construction or demolition of any building or structure, provided such applicant has complied with the other requirements of this subsection and has obtained a building permit if required by Section 8.01 of this code.
  - (b) **Bond** No street privilege permit shall be issued until the applicant shall execute and file with the City Clerk a bond in an amount determined by the Director of Public Works, conditioned that the applicant will indemnify and save harmless the City of Augusta from all liability for accidents or damage caused by reason of operations under such permit and will remove such encumbrance upon termination of the operations and will leave the vacated premises in a clean and sanitary condition and repair any and all damage to the streets, alleys, sidewalks or public property of the City resulting from such building or moving operations.
  - (c) **Fee** The fee for a street privilege permit shall be \$10.00.
  - (d) **Conditions of Occupancy** The permission to occupy or obstruct the streets, alleys, sidewalks or public grounds is intended only for use in connection with the actual erection, alteration, repair, removal or moving of buildings or structures and shall be given upon the following terms and conditions and subject to revocation without notice by the Director of Public Works for violation thereof:

1. Such temporary obstruction shall cover not more than 1/3 of any street or alley.
  2. Obstruction shall be sufficiently lighted at night so as to be in full view of the public from all directions.
  3. Sidewalk traffic shall not be interrupted, but temporary sidewalks of not less than four (4) feet in width guarded by a closed fence at least four (4) feet high on both sides may be maintained during the period of occupancy.
  4. The process of moving any building or structure shall be as continuous as practicable until completed, and if ordered by the Director of Public Works, shall continue during all hours of the day and night.
  5. No building or structure shall be allowed to remain overnight on any street crossing or intersection or so near thereto as to prevent easy access to any fire hydrant.
  6. Buildings shall be moved only in accordance with the route prescribed by the Director of Public Works.
  7. Upon termination of the work necessitating such obstructions, all parts of the streets, alleys, sidewalks or public grounds occupied under the permit shall be vacated, cleaned of all rubbish and obstructions and placed in a safe condition for public travel at the expense of the permittee.
- (e) **Termination** All street privilege permits shall automatically terminate at the end of three (3) months from the date of issuance unless an earlier termination date is specified thereon at the direction of the Director of Public Works.
- (4) **Removal By City** In addition to any other penalty imposed, if the owner or occupant of the premises adjoining any unlawfully obstructed sidewalk shall refuse or neglect to remove such obstruction within twenty-four (24) hours after notice from the Director of Public Works to do so, it shall be the duty of the Director of Public Works to remove such obstruction and make return of the cost and expense thereof to the City Clerk who shall enter such cost on the next annual tax roll as a special charge against the property abutting such obstructed sidewalk, and such sum shall be levied and collected as other special taxes against real estate.
- (5) **Penalty** The penalty for violation of any of the provisions of this section shall be a penalty as provided in Section 15.04 of this code.

## 6.06 SNOW AND ICE REMOVAL: DIRT, RUBBISH OR OTHER ENCUMBRANCES

- (1) **Responsibility of Owner, Occupant, etc.** Any person owning or occupying any lot or premises, within the corporate limits of the City of Augusta, along which any sidewalk has been constructed, or shall hereafter be constructed, shall remove all snow, ice, dirt, rubbish or other encumbrance from the sidewalk adjacent to such lot or premises. Any person who shall neglect to comply with any of the requirements of this section for three (3) hours after receiving notice from any member of the City Council, street commissioner or police officer to remove any snow, ice, dirt, rubbish or other

encumbrances from such sidewalk shall be in violation of this ordinance. Upon failure of such person to remove any snow, dirt, rubbish or other encumbrance, it shall be the duty of the Street Commissioner of said City to remove the same at the expense of the owner or occupant of the premises adjacent thereto.

- (2) **Penalty** The penalty for violation of any provision of this section shall be a penalty as provided in Section 15.04 of this code. A separate offense shall be deemed committed during each hour or part thereof during which a violation occurs or continues.

## **6.07 TREE TRIMMING AND SANITATION**

- (1) **Trees To Be Kept Trimmed** Trees standing in and upon any public street or place, or upon any lot or land adjacent thereto shall be pruned and trimmed by the owner or owners or occupants of the property on or in front of which such trees are growing so that the lowest branches projecting over the public street or alley will provide a clearance of not less than ten (10) feet over any other public place and so that no dead, broken or otherwise hazardous branches shall be likely to fall and do injury to the public. Any tree not trimmed as herein provided shall be deemed hazardous.
- (2) **Hazardous and Infected Trees** Any tree or part thereof, whether alive or dead, which the Director of Public Works shall find to be infected, hazardous or a nuisance so as to endanger the public or other trees, plants or shrubs growing within the City, or to be injurious to sewers, sidewalks or other public improvements whether growing upon public or private premises shall be removed, trimmed or treated by the owner of the property upon or adjacent to which such tree or part thereof is located. The Director of Public Works shall give written notice to said owner to remedy the situation which shall be served personally or posted upon the affected tree. Such notice shall be specifically state the period of time within which the action must be taken, which shall be within not less than twenty-four (24) hours nor more than fourteen (14) days as determined by the Director of Public Works on the basis of the seriousness of the condition of the tree or danger to the public. If the owner shall fail to remove, treat or trim said tree within the time limited, the Director of Public Works shall cause the tree to be removed, treated or trimmed and shall report the full cost thereof to the City Clerk who shall thereupon enter such cost as a special charge against the property.
- (3) **Cottonwood and Box Elder Trees Prohibited** No person shall plant or maintain within the City of Augusta any female tree of the species Populus Deltoides, commonly called the "Cottonwood", or any tree commonly called the seed bearing Box Elder or Acer Negundo, which may now or hereafter become infected with Elder bugs, and such trees are hereby declared a nuisance. Any person having any such trees on his premises shall cause the same to be removed. If any owner shall fail to remove any such tree within thirty (30) days after receiving written notice form the Director of Public Works, the Director shall cause the page51 removal of such tree and report the full cost thereof to the City Clerk who shall place such charge upon the next tax roll as a special charge against the premises.
- (4) **Planting of Certain Tree Prohibited** No person hereafter plant any Catalpa, Chinese Elm, White Poplar, Lombardy Poplar, or any fruit or nut tree in or upon any public street, parkway, boulevard or other public place within the City of Augusta unless he shall first secure written permission from the Director of Public Works, who shall not approve any such planting if in his opinion said tree will constitute a nuisance to the public or

adjoining property owners or interfere with the safety of the public or the operation of any sewer or water system. The Director of Public Works shall cause the removal of any tree planted in violation of this subsection.

- (5) **Penalty** The penalty for violation of any provision of this section shall be a penalty as provided in Section 15.04 of this code.

## 6.08 SPECIAL ASSESSMENT POLICY

- (1) **Forward** Lot owners desiring public improvements such as water main, sewers, and curb and gutter should file a petition with the City Clerk. Sample petitions are available at the City Clerk's office. These petitions should be filed before September 30, in order to be considered in the budget for the following year. The amount of construction is limited within the budget of the City and additional work is delayed until funds are available.

The City Council will hold a public hearing prior to levying special assessments, unless 100% of adjacent property owners have signed the petition.

Normally, the City Council approves petitions which are signed by property owners who own over 50% of the frontage abutting the proposed improvements. However, the City Council has authority to reject any petition and on its own motion, order a public improvement.

Special assessment charges are based on the cost of improvement and the benefits to adjoining property. It is impossible for the City to evaluate adjacent property, so the maximum benefit to the property is usually considered equal to the total cost of the improvement. Present use of property by non-profit organizations does not reduce or eliminate assessments, because the property itself is benefited directly and the use of property may change.

### (2) **Definitions**

- (a) **Sewer Main** Sanitary Sewer eight (8) inches in diameter or larger installed within a public easement or right-of-way for the purpose of serving adjacent properties.
- (b) **Sewer Lateral** Sanitary Sewer connecting a single property or building with the sewer main.
- (c) **Water Main.** Water main four (4) inches in diameter or larger installed within a public easement of right-of-way.
- (d) **Water Lateral** Water line connecting a single property or building to a water main.
- (e) **Lot.** A lot shall be defined as a parcel of land adequate in size to allow construction of a residential dwelling in accordance with city requirements. Property of sufficient size to be developed as more than one lot shall not be considered a lot when determining maximum assessment as irregular shaped lots or as lots with double frontage.

- (f) **Corner Lot** A corner lot shall be defined as a lot with adjacent sides fronting on streets with the frontage on the two (2) streets equal to approximately 50% of the perimeter of the lot.

(3) **Street Construction**

The City improves streets at the request of adjacent property owners, by petition, and where it becomes necessary to facilitate the movement of traffic.

- (a) **Right-of-Way** The right-of-way is dedicated in all plats. No street will be improved unless adequate right-of-way has been established.
- (b) **Grading** When requested or necessary, the City will grade streets. When existing streets are reconstructed, it shall be the policy of the City to absorb 100% of the costs. When new streets are constructed, the City will assess 50% of the grading costs to the adjacent property owners. On corner lots in areas of new construction, the City will absorb 75% of a flank age street assessment up to one hundred thirty-two (132) feet and 50% of the costs for the remaining frontage.
- (c) **Gravel** When requested or necessary, the City will gravel streets. When existing streets are reconstructed, it shall be the policy of the City to absorb 100% of the costs. When new streets are constructed, the City will assess 50% of the graveling costs to the adjacent property owners. On corner lots in areas of new construction, the City will absorb 75% of a flank age street assessment up to one hundred thirty-two (132) feet and 50% of the costs for the remaining frontage.
- (d) **Curb and Gutter** Curb and gutter shall be installed only after a petition has been approved by the City Council. The City Council of the City of Augusta reserves the right to construct curb and gutter at the expense of the abutting property owners as a part of any street improvement project and to authorize the construction of said curb and gutter as part of the contract for the street improvement.

Curb and gutter shall be installed in units of one block or more on both sides of the street. Adequate storm sewers and surface water drainage shall be provided before curb and gutter is installed. The total cost of curb and gutter shall be paid by adjacent property owners. On corner lots, the City will absorb 33 1/3% of a flank age street assessment up to one hundred thirty-two (132) feet. The property owner will be responsible for 70% of the total cost, with the City of Augusta pay 30%. If property owner's share is not paid, it shall be the duty of the City Clerk to enter such cost on the next annual tax roll as a special charge against the property, and such sum shall be levied and collected as other special taxes against real estate.

- (e) **Temporary Asphalt Surfaces** The City may place a temporary asphalt surface on a major street in underdeveloped areas. The adjacent property owners shall generally be assessed ten (10) percent of the costs but the City Council reserves the right to either increase the assessment rate with each particular application. On corner lots, the City will absorb ninety-five (95) percent of a flank age street assessment up to one hundred thirty-two (132) feet. Frontage exceeding one

hundred thirty-two (132) feet will be assessed at ten (10) percent to the property owner.

- (f) **Seal Coating** When a seal coat is applied to a previously unpaved street for maintenance purposes, the City will bear the entire expense of seal coating. When a seal coat is applied to a previously paved street for the purpose of dust control, the City will bear the entire expense of seal coating. Seal coat applied to a construction shall be considered as a part of the paving and paid for accordingly.
- (g) **Street Paving** The City will pave streets as requested by adjacent property owners if underground improvements and curb and gutter have been installed. When existing streets are repaved, it shall be the policy of the City to absorb 100% of the reconstruction costs. When new streets are paved the City will assess 50% of the paving costs to the adjacent property owners. On corner lots in areas of new construction the city will absorb seventy-five (75) percent of a flank age street assessment up to one hundred thirty-two (132) feet and fifty (50) percent of the remaining flankage.
- (h) **Alleys** Alleys are generally not acceptable in new subdivisions. Dedicated alleys shall be graded and graveled at no cost to the property owners. Should alleys be constructed after 1969, the entire cost shall be borne by the property owner.
- (i) **Driveways** Property owners are responsible for construction and maintenance of driveways. Driveway openings are installed for existing homes when curb and gutter is installed. New driveway entrances must be concrete in the curb area and conform to the grade of the curb. Adequate provisions shall be subject to approval of the Street Commissioner.
- (j) **Sidewalks** Sidewalks shall be installed as requested by property owners and as ordered in by the City Council. Sidewalks shall be constructed in accordance with Section 6.02 of the City Ordinances. Cost of 60% involved in the construction of sidewalks will be assessed to the adjacent property owner and the City of Augusta paying 40%.

If property owner's share is not paid, it shall be the duty of the City Clerk to enter such cost on the next annual tax roll as a special charge against the property and such sum shall be levied and collected as other special taxes against real estate.

- (4) **Storm Sewer** It is the current policy of the City to bear the entire cost of storm sewers. Storm sewers are installed prior to street improvements and as needed to alleviate drainage problems. The City is not responsible for draining private property through laterals. In general, the City will install inlets in the street and ditches to receive storm sewer.

(5) **Sanitary Sewers**

- (a) **Extensions** Extensions of sanitary sewers shall be in units of one block or more, when it is determined by the City Council to be in the best interest of the public or necessary for public health and safety.
- (b) **Charges for Sanitary Sewer Extensions** Lots shall be assessed for 100% of the

frontage abutting such streets or easements where sewer extensions are laid with the following exceptions:

1. **Lots With Double Frontage** Where lots front on two (2) streets on opposite sides and do not classify as a corner lot, the following procedure shall be followed. The lots shall be assessed for 100% of the frontage on the first side served and for 20% of the frontage on the second side.
2. **Corner Lots** If service is given on the short side of the lot, the assessment will be for 100% of the frontage on the short side. If service is provided only on the long side of the lot, the lot shall be assessed for the frontage on the short side, plus the frontage on the long side exceeding one hundred thirty-two (132) feet.
3. **Irregular Shaped Lots** Lots which front on more than two (2) streets classify as a corner lot shall be assessed as a corner lot. The maximum combined assessable frontage shall not be greater than the length of the second (2nd) longest side.

Lots which have frontage of twenty (20) percent more or twenty (20) percent less than the average width of the lot shall be measured at a point twenty (20) feet back from the street line and parallel to the street in order to determine assessable frontage.

4. **Length of Extension** Platted lots served by the sewer extension shall be assessed for the full frontage abutting the full frontage. Unplatted areas shall be assessed only for frontage abutting the sewer, unless the sewer adequately serves the full frontage.
  5. **Replacement of Maintenance** The City shall maintain sewer mains and replace sections where necessary without any additional assessment to the properties.
- (c) **Rate of Assessment** The rate of assessment for sanitary sewers shall be set by the City Council, not to exceed one hundred (100) percent of the cost of any eight (8) inch sanitary sewer. No additional charge is made for larger mains or sewage pumping stations.

(6) **Water main Assessments**

- (a) **Extension** Extensions of water mains shall be in units of one block or more, when it is determined by the City Council to be in the best interest of the public health and safety. Extensions and construction of water mains shall be in accordance with the rules of the water utility.
- (b) **Charges for Water main Extensions** Property shall be assessed for one hundred (100) percent of the footage abutting such streets or easements where water main extensions are laid with the following exceptions:
  1. **Lots with Double Frontage** Where lots front on two (2) streets on opposite sides and do not classify as corner lots the following procedure

shall be followed. The lots shall pay for one hundred (100) percent of the frontage on the first side served and for twenty (20) percent of the frontage on the second side.

2. **Corner Lots** If service is given on the short side of the lot the owner shall pay for one hundred (100) percent of the frontage on the short side. If service is provided only on the long side of the lot the owner shall pay for the frontage on the short side plus the frontage on the long side exceeding one hundred thirty-two (132) feet.

When a second main is installed the lot owner will be assessed for frontage not previously assessed; the total not to exceed the length of the short side plus the length of the long side in excess of one hundred thirty-two (132) feet.

3. **Irregular Shaped Lots** Lots which front on more than two streets and classify as a corner lot shall be assessed as a corner lot. The maximum combined assessable frontage shall not be greater than the length of the longest side exceeding one hundred thirty-two (132) feet plus the length of the second longest side.
4. **Existing Facilities** Property not previously assessed for existing mains, which are presently inadequate, will be assessed for new mains at one-half the regular assessment rate.

Property presently served by water main not fronting on the property shall be assessed for new extensions fronting on the property in accordance with this policy.

Property presently served by private lines will be assessed for new mains. (The City shall determine whether existing lines classify as private lines.)

- (c) **Rate of Assessment** The rate of assessment for water mains shall be set by the City Council, not to exceed one hundred (100) percent of the cost of a six (6) inch water main including appurtenances.

- (d) **Alternate Extension Rule** Where the municipality is unwilling to make a special assessment because of low density of prospective consumers or for some other reason, extensions will be made on a customer financed basis as follows:

1. **Definitions** Customer: The word "customer" as used in this rule means the owner to which water is now or is to be furnished unless specific written agreements specify otherwise. The customer at all times means the property owner at the time a contribution is to be made or a refund becomes available. Contributor: The word "contributor" means the owner of property at time of a contribution or refund unless otherwise specified by written agreement.
2. **Basis For Determining Contributions From Original Customer(s)** The applicant (or applicants, pro rata) will advance the amount that would have

been assessed under (6)(a)-(6)(c), except (6)(b) above. The contribution must be paid in advance of construction.

3. **Additional Customers and Refunds** When additional customers are connected to a water main that was originally financed in part by customers, the utility will require a contribution from each new customer equal to the existing average contribution.

When the amount of the customer contribution computed under (6)(d) is less than would have been assessed under (6)(a)-(6)(c) above, the applicant for service shall pay an amount equivalent to the assessment. The amount shall be refunded pro rata to all contributors along the extension whose remaining contribution still exceeds what would have been assessed under (6)(a)-(6)(c) above.

When refunds have been reduced the contribution of any contributor to the applicable assessment per front foot, no further refund will be made to that individual. After all refunds have been made, the remaining premises that may connect will be charged at the rate per front foot established for the extension.

The development period during which refund shall be made will be made limited to 20 years.

4. **Limit of Extension** When an extension beyond existing extension is required to serve a new customer, and the cost for a customer exceeds the average remaining contribution in the original extension, then the new extension will be considered as an entirely new project, without refunds or other connection with the original extension.

(7) **Sewer and Water Laterals**

- (a) **Lateral Required** Lateral shall be extended to the property line in platted areas to be served by water and sewer mains:

1. When new sewer and water extensions are completed.
2. Before curb and gutter are installed in the street.
3. Before any street is paved or reconstructed.
4. One lateral shall be extended for each lot or building to be served.

- (b) **Charges For Laterals** The entire cost of installing sewer and water laterals shall be paid by the lot owners. The City may install laterals where necessary and charge the cost to the property owners. The present charge is three hundred (\$300.00) per water connection and four hundred fifty (\$450.00) per sewer connection or seven hundred fifty (\$750.00) for both. Where laterals are installed as part of a contract project, actual cost will be charged to the owners.

(c) **Lateral Not Required** Laterals are not required on the following unimproved properties.

1. Vacant lot or portion of a lot which is too small for a building lot under the City Building Code and Zoning Ordinance and including where the present dwelling is located on a portion of two (2) or more lots precludes the possibility of another dwelling being placed thereon.
2. Heavy industrial areas.
3. Light industrial areas.
4. Recreational educational, or religious properties which are privately owned.
5. Properties which, in the judgment of the City Council, will not likely develop in the foreseeable future or where the pattern of development cannot be determined.

(d) **Construction Requirements** Construction of water laterals shall conform to the rules of the Water Department.

(e) **Main Replacement** The City will connect existing laterals to new sewer and water mains during replacement of private lines or inadequate mains with no charge to adjacent property owners.

(8) **Trees** Trees are planted by property owners at their discretion. Generally, the City will not permit the planting of large "variety" trees between the sidewalk and the curb, because of the maintenance problem created.

The City will remove trees within the street right-of-way as required for street improvement and trees which are dead or diseased without charge to the property owner.

(9) **Street Lights** Any property owner, resident or group of property owners may petition for street lights in their neighborhood. The City Council may order street lights installed by approving petitions or on its own motion to install a light. There is no charge to adjacent property owners for installation.

(10) **Payment of Special Assessments** Special Assessments may be paid for in one lump sum within thirty (30) days after completion of the project or in three equal annual installments with any interest rate per annum, equal to the interest rate paid by the City on the funds for that project, on the unpaid balance.

(a) When the total assessment for various improvements exceeds five hundred (\$500.00) or when the property is undeveloped or unplatted the lot owner may petition the City for an extension of time for repayment not to exceed ten (10) years. Payments may be deferred by a majority vote of the City Council.

(b) Deferred payments may be made in ten (10) equal annual installments, five (5) equal installments at the end of five (5) years or in a lump sum at the end of ten (10) years. The assessment shall bear the interest rate as previously described,

from the date of billing. The interest on the unpaid balance shall become due annually.

- (c) The City may waive the interest on deferred payments providing the property owner dedicate the necessary right-of-way for construction purposes.
- (d) Property owners may apply for an extension of the deferment if the property remains unimproved at the end of the deferment period.

## 6.09 PROTECTION OF ELM TREES

The City Council has determined that the health of the elm trees within the City of Augusta is threatened by a fatal disease known as Dutch Elm Disease and that the loss of elm trees growing upon public and private premises would substantially depreciate the market value of property within the City and impair the safety, welfare and convenience of the public, therefore, the City Council, to control and prevent the spread of such disease, adopts the following:

- (1) **Public Nuisance Declared** The following are hereby declared to be public nuisances wherever they may be found within the City of Augusta.
  - (a) Any living or standing elm tree or part thereof infected with the Dutch Elm Disease fungus Ceratocystis ulmi (Buisman) Morsau or harbors any of the elm bark beetles Scolytus Multistriatus (Eichh.) or Hylurocopinus rufipes (March).
  - (b) Any dead elm or part thereof, including logs, branches, stumps, firewood or other elm material from which the bark has not been removed and burned or sprayed with an effective elm bark beetle destroying insecticide.
- (2) **Nuisances Prohibited** No person, firm or corporation shall permit any public nuisance as defined in (1) above to remain on any premises owned or controlled by him within the City of Augusta.
- (3) **Inspection**
  - (a) The City Council shall inspect or cause to be inspected all premises and places within the City at least twice (2) each year to determine whether any public nuisance as defined in (1) above exist thereon, and shall also inspect or cause to be inspected any elm tree reported or suspected to be infected with the Dutch Elm Disease fungus or any elm bark-bearing material reported or suspected to be infested with the elm bark beetle.
  - (b) The City Council shall have the authority to enter upon private premises at all reasonable times for the purpose of carrying any of the provisions of this section.
- (4) **Abatement of Dutch Elm Disease Nuisances**
  - (a) Whenever the City Council shall find with reasonable certainty on examination or inspection that any public nuisance as defined in this section exists with the City of Augusta, he shall cause it to be sprayed, removed, burned or otherwise abated in such manner as to destroy or prevent as fully as possible the spread of Dutch Elm Disease fungus or the insect pests or vectors known to carry such disease.

- (b) Before abating any nuisance on private premises or in any terrace strip between the lot line and the curb, the City Council shall proceed as follows:
1. Whenever the City Council shall determine that any elm tree or elm material within or near the City is infected with Dutch Elm Disease fungus, it may cause to be sprayed all high value elm trees with a one thousand (1,000) foot radius thereof with an effective elm bark beetle-destroying concentrate; provided such spraying shall be performed prior to July 25 or after October of any year.
  2. If the City Council shall determine that danger to other elm trees within the City is eminent, it shall notify the owner or abutting owner of the property on which such nuisance is found in writing if he can be found, otherwise by publication in a newspaper of general circulation in the City that the nuisance must be abated as directed in the notice within a specified time, which shall not be less than ten (10) days from the date of such notice unless the City Council shall find that immediate action is necessary to prevent spread of infection. If the owner fails to comply with the notice within the time limited, the forester shall cause the abatement thereof.
- (c) No damage shall be awarded to the owner for destruction of any elm tree, elm wood or elm material or any part thereof pursuant to this section.

(5) **Spraying of Elm Trees**

- (a) Whenever the City Council shall determine that any elm tree or elm material within or near the City is infected with Dutch Elm Disease fungus, it may cause to be sprayed all high value elm trees with a one thousand (1,000) foot radius thereof with an effective elm bark beetle-destroying concentrate; provided such spraying shall be performed prior to July 25 or after October of any year.
- (b) Before causing the spraying of any elm trees on private property in accordance with this section, the forester shall notify the owner as provided in (4)(b)2 above.

(6) **Assessment of Costs of Abatement and Spraying**

- (a) The entire cost of abating any public nuisance as defined in (1) above or of spraying any elm tree in accordance with (4) may be charged to assessed against the parcel or lot abutting on the street, alley, boulevard or parkway upon or in which such tree is located or the parcel or lot upon which such tree stands in accordance with §66.60(16) and 27.09 of 1971. The cost of abating any such nuisance or spraying any elm tree or part thereof which is located in or upon any park or public grounds shall be borne by the City.
- (b) The City Council shall keep strict account of the costs of work done and shall report monthly to the City Clerk all work done for which the land and the amounts chargeable to each lot or parcel so reported, and such amounts shall be levied and assessed against said parcels or lots in the same manner as other special taxes.

- (7) **Transporting of Elm Wood Prohibited** No person, firm or corporation shall transport within the City of Augusta any bark bearing elm wood or material without first securing the written permission of the City Council.
- (8) **Interference With City Council Prohibited** No person, firm or corporation shall prevent, delay or interfere with the City Council or any of its agents or city employees while they are engaged in the performance of duties imposed by this section.
- (9) **Penalty** Any person who shall violate any provision of this ordinance shall, upon conviction thereof, be subject to a penalty as provided in Section 15.04 of this code.
- (10) **Severability** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by reason of the validity of any other section, subsection, sentence, clause or phrase thereof. The Mayor and City Council of the City of Augusta hereby declare that they have passed this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact any one or more sections, subsections, sentences, clauses, phrases or portions thereof may be declared invalid or unconstitutional.

#### **6.10 ECONOMIC DEVELOPMENT FUND**

The Common Council of the City of Augusta, Eau Claire County, Wisconsin, do ordain as follows:

- (1) **Legislative Purpose and Creation of Economic Development Fund** It is declared to be the policy of the City of Augusta to encourage and promote the development of industry, to provide greater employment opportunities for its citizens and to broaden the tax base to relieve the tax burden of residents and homeowners. It is recognized that despite substantial efforts by the City during the past and despite the development of an industrial park within the City, due to aggressive efforts by other communities and other states in seeking industry and providing incentives for industries to locate there, that few industries have come to this area. Despite aggressive promotional efforts by the Industrial Park Commission, the City generally suffers from a higher than average unemployment rate and a lower than average per capita income. That due to incentives offered by other communities and other states, industries which have expressed an interest in locating in this area have not done so but have located in other communities and other states. The lack of industry in this has caused an increase in unemployment and it is believed that economic insecurity due to unemployment is a serious menace to the general welfare of this community. The absence of new economic opportunities has caused workers and their families to migrate from this community and surrounding areas to other areas to find work and establish homes, which has resulted in a reduction of the tax base of the City and other local government jurisdictions, and impairs the City's financial ability to support education and other local government services. Security against unemployment and the preservation and enhancement of the tax base can best be provided by the promotion, attraction, stimulation, rehabilitation and revitalization of commerce, industry and manufacturing. It is therefore declared to be the policy of the City to promote the right to gainful employment, business opportunities and general welfare of its inhabitants and to preserve and enhance the tax base by creating and Economic Development Fund to provide incentives to commerce, industry and manufacturing to locate in this area. Such purposes are therefore declared to be public

money may be spent, and the necessity in the public interest for the provisions herein acted in declared a matter of legislative determination. In accordance with the policy and determinations, herein, the City of Augusta hereby establishes and Economic Development Fund pursuant to the provisions of §62.12(6).

- (2) **General Purpose** The general purpose of the Economic Development Fund shall be to establish a working partnership with business, industry, labor and the public to create long-term employment opportunities, expand the local tax base, provide economic stability for the area, and to promote diversification of the commercial, industrial and manufacturing economy of the City of Augusta.
- (3) **Eligible Projects** Expenditures from this fund shall be made to accomplish the above stated public purposes. The expenditure of funds from the Economic Development Fund may be made for the following purposes:
  - (a) Land acquisition, occupant relocation, site clearance and site development for commercial, industrial, manufacturing and mixed development.
  - (b) Necessary on-site and off-site improvements.
  - (c) Short term or permanent financing in connection with the construction, relocation, expansion or rehabilitation of structures or facilities to be used for commercial, industrial, manufacturing or mixed use projects.
  - (d) Assistance to demonstration projects intended to further energy conservation.
  - (e) Assistance to new businesses to secure financing and provide limited capitalization.
  - (f) Professional fees incurred by the City of Augusta for consulting services in connection with economic development projects and programs.
  - (g) Administrative and other fees incurred by the City of Augusta in connection with the management and promotion of economic development programs and projects.
  - (h) Such other expenditures for projects or activities which in the opinion of the Common Council of the City of Augusta promote the economic development objectives of the City of Augusta. It is expressly intended that the list of appropriate expenditures set forth hereinabove is not to be exclusive and the ordinance is to be liberally construed in favor of authorizing appropriate expenditures from the Economic Development Fund for the public purposes described herein.
- (4) **Availability** Expenditures from the Economic Development Fund shall be made for the public purposes described herein only under the authority and only with the formal approval of the Common Council of the City of Augusta, in the form of a resolution adopted at a regularly scheduled or special meeting of the Common Council at which a quorum is present.

- (5) **Funding of Economic Development Fund** The funding of the Economic Development Fund shall be from such state and federal grants as are available and such funds as are from time to time determined by resolution by the Common Council.
- (6) **Fiscal Control** The following policies are adopted to establish fiscal control of the Economic Development Fund:
- (a) The funds shall be deposited in an interest bearing account and set up as a revolving fund except to the extent payback of any fund is required by the source of those funds, so that all proceeds and paybacks from the use of these funds shall accrue to the Economic Development Fund specifically.
  - (b) It shall not be the purpose of this fund to supplant or replace existing general fund operating or capital appropriations for regular city operations or public facilities.
  - (c) At no time shall total commitments from the fund exceed available appropriations, and the fund shall be subject to an annual audit.
  - (d) Funds from the Economic Development Fund may be expended directly by the city or disbursed in the form of grants, direct loans, guaranteed/insured loans, or interest subsidies, depending on the type of project and leveraging potential which will insure the greatest benefit to the city.
  - (e) All intended uses of this funding shall be presented in writing to the Common Council for its information and consideration with appropriate plans, drawings and proposed agreement for expenditures and city participation.
  - (f) Proposed projects for this fund shall be in conformance with the plans, expenditures may be subject to such conditions as the city deems necessary to insure an appropriate public purpose.
  - (g) All projects which receive economic development funds shall be completed within twenty-four (24) months of the receipt of funds from the Economic Development Fund.
  - (h) All funds allocated towards a project or activity permitted by this ordinance, which are made on a loan basis, shall be sufficiently secured to result in minimal risk to the city.
  - (i) All projects authorized under this ordinance shall be reviewed for conformance with zoning, building, health and fire codes.
  - (j) Each applicant for Economic Development Fund participation and any contractors and subcontractors employed by the participant shall comply with any requirements for participation which are promulgated by the city.
  - (k) At the regularly scheduled meeting of January of each year, the City Clerk shall prepare and file a report reflecting the current balance of the Economic Development Fund and the preceding year's activity of the fund.

- (7) **Severability** The provisions of this ordinance shall be deemed severable and it is expressly declared that the Common Council would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid and if any provisions of this ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.
- (8) **Conflicting Ordinances** Ordinances or parts of ordinances in conflict with the ordinance are hereby appealed.
- (9) **Effective Date** Upon passage and publication, this ordinance shall take effect and be in force as provided by law.

**6.11 STREET NAMES – BUILDING NUMBERING**

- 6.11.010 Street names–Council authority**
- 6.11.020 Street names–Hearing–Notice**
- 6.11.030 Street names–Changed by ordinance**
- 6.11.040 House numbering–According to map**
- 6.11.050 House numbering–correcting existing numbers**
- 6.11.060 House numbering–Placement of numbers**
- 6.11.070 House numbering–second floor**
- 6.11.080 House numbering–duties of superintendent of inspections**
- 6.11.090 Violation–Penalty**

**6.11.010 Street names–Council authority**

The city council shall determine the names of streets and may change such names when, in it’s opinion, such change is for the public benefit and welfare.

**6.11.020 Street names–Hearing–Notice**

- (1) **Hearing** The council may on its own motion or upon a petition by any freeholder(s) order a hearing to consider such change(s), to be held at a time fixed by it at which time all persons interested may be heard.
- (2) **Notice of Hearing** Notice of such hearing shall be published at least once in the official newspaper not less than seven days prior to such hearing.

**6.11.030 Street names changed by ordinance**

Change of street name shall be by ordinance.

**6.11.040 Building numbering–According to map**

All lots and parts of lots and each of them in the city shall be numbered in accordance with a certain map now on file in the office of the City Clerk which is designated “building Numbering Map”. All lots and parts of lots hereafter platted shall be numbered to conform as nearly as possible to the general scheme of numbering as outlined on said map.

**6.11.050 Building numbering–Correcting existing numbers**

- (1) The owner of any building required by this chapter to be numbered, and which is not numbered or is incorrectly numbered shall cause the same to be numbered or renumbered, as the case may be, forthwith and not later than thirty days from the effective date hereof, and shall therefore maintain the same, in compliance with this chapter.
- (2) It shall be the duty of each owner of any building fronting upon any street, within thirty days from the effective date of the ordinance codified in this chapter, to properly number the same herein provided and shall maintain the same.

**6.11.060 Building numbering–Placement of numbers**

Such numbers shall not be less than two and one-half inches in height and shall be conspicuously placed immediately above, on or at the side of the front or main entrance door of each building so that the number can be plainly seen from the street. Whenever any structure is situated more than eighty feet from the street line, the number of such structure shall be conspicuously displayed at the street line, near the walk, driveway or common entrance thereto.

**6.11.070 Building numbering–Second floor**

When the second floor of a structure is separately occupied the same shall be given a one-half number in addition to the number of the first floor. In multiple dwellings numbering shall be as directed by the City Clerk.

**6.11.080 Building numbering–Duties of City Clerk**

It shall be the duty of the City Clerk to inform any party applying therefore, of the number(s) applicable to any lot(s) as provided by this chapter. The City Clerk shall keep said “Address Numbering Map” current, and the same shall be open to inspection of all persons at regular office hours.

**6.11.090 Violation–Penalty.**

If the owner of any building required to be numbered or renumbered by this chapter neglects or fails to do so within said thirty-day period, the City Clerk shall cause to be served upon such owner a notice requiring such owner to comply with this chapter, and if he or she neglects or fails to do so, he or she shall be deemed to have violated the same and, upon conviction thereof, shall be subject to a penalty as provided in Chapter 15.04 of this Code. Each day that the violation continues to exist shall constitute a separate offence. (Adopted August 10, 2004)