

CHAPTER 7
STREETS AND PUBLIC PLACES

MAKING OF EXCAVATION

7.101. Permit Required. Unless acting under a contract with the City, no person, other than a duly authorized city official or employee in the course of his employment, shall make, cause or permit to be made, any excavation or opening in or under the surface or pavement of any street, alley, sidewalk or other public place within the limits of the City of Lucan without first obtaining permission from the City Council. In case of any emergency arising after normal office hours, at night, or on Sundays or legal holidays, when an immediate excavation may be necessary for the protection of public or private property, the person desiring to make the excavation shall contact either the street inspector, city maintenance man or the city clerk who may grant permission to make the necessary excavations upon the express conditions that if requested, the applicant appear at the next regular or special Council meeting to review the application and discuss any follow up that may be required.

7.102. Application for Permit. Any person desiring to procure a permit as herein provided shall file with the city clerk, at least 24 hours before the time proposed to begin such work, a written application stating the following: name and business or residence address of the applicant; the name of the street, alley, sidewalk or public place in or under which it is desired to make the excavation or opening; the kind of pavement or sidewalk thereon; the purpose, size and location of the proposed excavation or opening; the name and business or residence address of the person for whose benefit the work is to be done; and the time during which it is desired such opening is to be permitted. When required by the clerk, the application shall be accompanied by a plat or pencil tracing or sketch showing the location, character and dimensions of the proposed excavation or opening for the installation of new work, or the location and character of the alterations involving the location of pipes, conduits, wires or other conductors.

7.103. Granting of Permit. The City Council may grant any request for an excavation and may impose such reasonable conditions as the Council may from time to time determine. The clerk, upon the filing of the application shall, with the consent of the Council (or in emergency situations, with the consent of the street inspector, the city maintenance man or the city clerk in his or her own discretion,) issue a permit which shall state the following: name and address of the applicant; the location, nature, purpose and extent of the excavation or opening, the kind or kinds of pavement to be disturbed; the amount of the fee paid by the applicant; and the dates of granting and expiration of the permit. All permits shall be consecutively numbered, and shall be made in duplicate, one copy to be given to the applicant, and one to remain on file in the office of the clerk. Such permit shall at all times be in the possession of a competent person actually on the work site and shall be shown upon demand to a police officer or properly authorized officer or employee of the City. The Clerk may, in his discretion, require any permittee, except a public utility corporation or a bonded plumber, to file with the application a surety bond in an amount determined by the City Council and conditioned that the permittee will:

(1) Perform work in condition with the excavation in accordance with applicable ordinances and regulations;

(2) Indemnify the City and hold it harmless from all damage caused in the execution of such work; and

(3) Pay all costs and damages suffered by the City by reason of the failure of the permittee to observe the terms of applicable ordinances and regulations because of negligence in the execution of the work.

Any bond so required shall be approved as to form and legality by the City Attorney.

7.104. Guarding Excavations and Obstructions. Any person making or causing to be made an excavation or opening in any street, alley, sidewalk, or other public place, or within ten feet of the line of any street, shall, between sunset and sunrise on every night that the same remains open or danger exists therefrom, keep such excavation or opening fenced and barricaded with substantial barriers to secure the public safety, and place adequate warning lights so as to properly warn all persons of such excavation or opening and all obstructions. No unauthorized person shall remove or interfere in any way with any such light or other danger signal or any such barriers.

SNOW REMOVAL

7.201. Removal of Snow or Ice Required. The owner or occupant of any buildings, grounds or premises which abutt any public sidewalk in the City shall keep said sidewalk free from snow or ice. No such owner or occupant shall allow snow or ice to remain on the sidewalk longer than twelve (12) hours after its deposit thereon.

7.202. Removal by City. A designated official or employee of the City shall remove from all public sidewalks all snow or ice as soon as possible beginning twelve (12) hours after any such matter has been deposited thereon or after the snow has ceased to fall. He shall keep a record showing the cost of such removal adjacent to each separate lot and parcel and shall deliver such information to the City Clerk. If the owner or occupant of the property fails to pay the expense of removal of the ice or snow, then the charge for such work will be made a special assessment against the property concerned.

OBSTRUCTION OF STREETS

7.301. Permanent Obstructions. No person, firm or corporation, other than a duly authorized City official, shall place any permanent obstruction in the public streets.

7.302. Vehicles. No person shall, on any public street, abandon or park any vehicle for a period exceeding one week.

7.303. Loading, Unloading, and Delivering of Goods. No person shall allow any implement or goods of any kind to stand or be placed in or on any street for a period exceeding the time necessary for loading, unloading or delivering the same.

7.304. Building Materials. No person, firm or corporation shall store or place building materials of any type on the streets, alleys or sidewalks within the City limits that obstruct normal daily traffic.

OBSTRUCTION OF SIDEWALKS

7.401. Obstruction of Sidewalks. No person, firm or corporation shall

obstruct or cause to be obstructed any portion of any public sidewalk except as provided for in this code.

7.402. Displays. No person shall display any merchandise, goods or wares on the public sidewalks of the City except that merchandise, goods or wares may be displayed by a person on the sidewalk in front of a place of business, store or building owned or occupied by that person. Such displays shall not extend more than three feet from the outer edge of the sidewalk, or be displayed for more than ten hours. No displays shall remain standing overnight.

7.403. Receiving and Delivering. No person shall receive or deliver any goods, wares or merchandise upon a public sidewalk, except that any person may place or keep any goods, wares or merchandise baggage, or any article of personal property which he may be receiving or delivering, and he may unpack and remove the contents of any box, barrel or other receptacle, only on that part of any sidewalk next to the curb line not exceeding three feet in width and in front only of the store or building he owns, controls or occupies, but such goods, wares or merchandise shall not remain on such part of the sidewalk for a period longer than two hours. No goods, wares or merchandise shall remain on any sidewalk overnight, on any Sunday or any legal holiday.

7.404. Vehicles. No person shall obstruct public sidewalks in any way by parking a vehicle of any type on or near the sidewalks within the City limits.