

VILLAGE OF CLIFFORD
STREET AND SIDEWALK ORDINANCE

Ordinance No. 57

An ordinance to protect the public health, safety and general welfare by regulating the streets, sidewalks, and alleys within the Village of Clifford; to keep sidewalks clear of snow, ice, or other obstructions; to keep streets clear of debris or obstructions; to assess costs for removal; to prohibit the use of certain sidewalks for non-pedestrian purposes; and to provide penalties for violations.

THE VILLAGE OF CLIFFORD ORDAINS:

ARTICLE I
Prohibited Conduct

Section 1.1. Owners and occupants of a lot or premises shall not allow snow and ice to accumulate on sidewalks in front of or adjacent to the lot and premises, and shall not allow the sidewalks to become obstructed, encroached, encumbered with filth or any other nuisances.

Section 1.2. No person shall obstruct or place or permit anything to obstruct the free passage or proper use of any public street or alley except as may be temporarily permitted by the Village Council or while loading or unloading goods, merchandise, material or persons.

Section 1.3. No person shall dig up or tear up any pavement, sidewalk or crosswalk, or dig any hole, ditch drain or sewer in any street, alley or public property without first obtaining permission from the Village Council.

Section 1.4. No person shall deface or place picture, word or symbol upon any street, alley, sidewalk, crosswalk, sign, lamppost, hydrant, tree, park, or other public place.

Section 1.5. No person shall ride a bicycle, skateboard, roller blades or roller skates upon any sidewalk located along Main Street. Likewise, no motorized vehicles shall be driven on any public sidewalk in any area of the Village at any time.

ARTICLE II
Assessment

Section 2.1. The owner or occupant of any lot or premises is responsible for removing all snow, ice, filth, and any other nuisances from the sidewalk in front or adjacent to such lot or premises within four (4) hours after receiving

notice from the Village Clerk. The owner or occupant of any lot or premises who fails to remove all snow, ice, filth, and any other nuisances in accordance with this Section shall be liable for any and all losses to the Village or damages to person or property of others caused by such failure. Furthermore, if the owner or occupant fails to remove the snow, ice, filth, and any other nuisances in accordance with this Section, the Village may cause the removal to be performed at the expense of the owner or occupant and may cause the amount of expenses incurred, together with a penalty of ten (10%) percent to be levied by them as a special assessment upon the lot or premises adjacent to the sidewalk. This special assessment and any interest shall constitute a lien on the premises and shall be a debt of the owner or occupant assessed, and in the case of delinquency, it may be collected as delinquent village property taxes or by a suit against the person responsible.

Section 2.2. If the object or objects, referenced in Section 1.2, which are causing the obstruction have a value, the Clerk may notify the Owner or Occupier of the adjacent lot or premise, if known, to remove the same within 2 days. If the object or objects are not removed, or the Owner or Occupier is unknown, the Clerk may have such obstruction removed to some convenient place. If the obstruction has a value, the Village shall hold it for 30 days subject to payment of the necessary removal expenses by the Owner or Occupier. After which time, the Village may sell the property so removed, and the expense of removal, care of property and sale shall be deducted from the proceeds of sale, and paid to the Village. The balance shall be paid to the owner of such property, or deposited with the Village clerk to be paid to the owner.

Section 2.3. If the object or objects, referenced in Section 1.2, which are causing the obstruction has no value or are not of sufficient value to pay for the removal, the Owner or Occupier of the adjacent lot or premise shall be liable for the costs and expenses of such removal. If the Owner or Occupier refuses or neglects to pay the same within 30 days after a notice has been sent via first-class mail, the amount of all such costs and expenditures shall be assessed and collected in the same manner as any other taxes are collected.

ARTICLE III

Penalties and Enforcement

Section 3.1. Any person, firm or corporation who violates any of the provisions of this ordinance is responsible for a municipal civil infraction, subject to payment of a civil fine plus costs and other sanctions, for each infraction pursuant to the Village of Clifford Civil Infraction Ordinance. Repeat offenses under this ordinance shall be subject to increased fines as provided for in the Village of Clifford Civil Infraction Ordinance.

Section 3.2. As an alternative to proceedings under Article II, the Village may seek injunctive relief through Circuit Court to abate any violations. Any violation of this Ordinance shall constitute a nuisance per se.

Section 3.3. Any person found responsible in a court of law for violating this Ordinance shall be responsible for the cost associated with repairing, replacing, or correcting any all violations of this Ordinance, to include all court costs and attorney fees incurred by the Village.

ARTICLE IV

Repeal

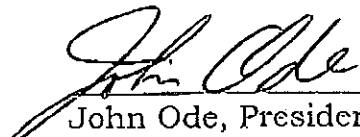
Section 4.1. The former Village of Clifford Sidewalk Ordinance No. 10, as adopted on April 10, 1931, as well as the former Village of Clifford Sidewalk Use Ordinance No. 10.1, as adopted on November 16, 2004, and the former Village of Clifford Street Ordinance No. 23, as adopted on February 3, 1976, are all hereby repealed in their entirety.

ARTICLE V

Enactment and Effective Date

Section 5.1. This Ordinance was adopted by the Clifford Village Council at a meeting duly held on the 17 day of November, 2015 and was published in the County Press on the 29th day of November, 2015.

Section 5.2. This Ordinance shall take effect twenty (20) days after the date of adoption specified in Section 5.1.



John Ode, President



Laura Fenton, Clerk