

**Chapter 12.24**  
**Obstructions and Encroachments**

**Sections:**

- 12.24.010 Obstructions and encroachments prohibited—Exceptions.**
- 12.24.020 Street privilege permit.**
- 12.24.030 Removal by village.**

**12.24.010 Obstructions and encroachments prohibited—Exceptions.**

A. 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 subsection B of this section.

B. The prohibition of subsection A of this section shall not apply to the following;

1. Signs or clocks attached to buildings which project not more than six feet from the face of such building and which do not extend below any point ten feet above the sidewalk, street or alley;
2. Awnings which do not extend below any point seven feet above the sidewalk, street or alley;
3. Public utility encroachments duly authorized by state law or the village board;
4. Goods, wares, merchandise or fixtures being loaded or unloaded which do not extend more than three feet on the sidewalk, provided such goods, wares, etc. do not remain thereon for a period of more than two hours.
5. Temporary encroachments or obstructions authorized by permit under Section 12.24.020;
6. Excavations and openings permitted under Chapter 12.20 (Prior code § 6.04(1), (2))

**12.24.020 Street Privilege Permit.**

A. When Required. Permits for the use of the streets, alleys, sidewalks or other public ways or places of the village 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 Chapter 15.04.

B. Bond. No street privilege permit shall be issued until the applicant shall execute and file with the village clerk a bond in an amount determined by the director of public works, conditioned that the applicant will indemnify and save harmless the village of Oakfield from all liability for accidents or damage caused by reason of operations under said 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 village resulting from such building or moving operations.

C. Fee. The fee for a street privilege permit shall be ten dollars (\$10.00)

D. Conditions of Occupancy. The permits soon 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 one-third of any street or alley.

2. Obstructions 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 feet in width guarded by a closed fence at least four 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 obstruction, 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 months from the date of issuance unless an earlier termination date is specified thereon at the direction of the director of public works. (Prior code § 6.04[3])

#### **12.24.030 Removal by village.**

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 village clerk who shall enter such cost on

the next annual tax roll as a specific charge against the property abutting such obstructed sidewalk, and such sum shall be levied and collected as other special taxes against real estate. (Prior code § 6.04[4])