

CHAPTER 4: PUBLIC PROPERTY

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ORDINANCE 41     STREETS AND SIDEWALKS

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Section 41.01: SIDEWALKS AND STREETS.

Subd. 1: Snow and Ice.

- a) The City may remove snow and ice from the public sidewalks located in the City's central business district as City resources permit after completing snow removal and other winter maintenance of public streets and roads. The City Council may also designate certain public sidewalks located in residential areas for removal of snow and ice by City personnel under circumstances as may be established by the City Council. Nothing contained herein shall restrict the owners of property adjacent to a public sidewalk from removing snow and ice from the sidewalk in the absence of removal by the City.
- b) The owner of property adjacent to a public sidewalk shall remove any and all snow or ice on the sidewalk which results from activities occurring or conditions existing on the adjacent property, including, but not limited to freezing water from the eaves, awnings, or down spouts of buildings or structures located on the adjacent property, snow or ice falling from overhangs, awnings or eaves located on the adjacent property, snow which has been blown, pushed, or shoveled onto the sidewalk from the adjacent property, or water which originates from the adjacent property, due to melting snow or otherwise, which freezes on the sidewalk. The owner of the adjacent property shall immediately remove such snow or ice from the public sidewalk. Any owner of adjacent property who fails to remove such snow or ice from the adjacent sidewalk within 24 hours of written notice from the City shall be guilty of a petty misdemeanor.  
Updated 7/09/01
- c) It shall be unlawful for any person to dump, deposit, place or blow snow onto any public street, alley or sidewalk which has already been cleared or plowed following a snow.

Subd. 2: Grass and Leaves. It shall be unlawful for any person to blow, dump or deposit leaves, grass clippings, animal waste or other lawn debris onto any public street or alley, or to intentionally cause leaves, grass clippings, animal waste or other lawn debris to enter the City storm sewer system.  
Updated 11/30/01

Subd. 3. Repair. The City shall from time to time repair the public sidewalks as City resources permit. The cost of such repairs shall be paid 50% by the property owner and 50% by the City.

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Subd. 4. Removal. The City may in its discretion remove public sidewalks. The cost of such removal shall be paid by the City.”

Subd. 3 and 4 added May, 2004

### Section 41.02: STREET BUILDING NUMBERING.

#### Subd. 1: Map.

- a) A map showing all streets, avenues and public ways as designated and named is at the City Hall.
- b) If any part of this section conflicts with the map and raises a question of interpretation, or if any omission or apparent error is found, the facts must be presented to the City Council for its review and decision.
- c) Streets, avenues, or public ways, laid out and, or opened to public travel must be named in accordance with the system established by this section.

#### Subd. 2: Assignment of Numbers.

- a) Properties or parcels of land within the City’s corporate limits must be identified by reference to the uniform numbering system described in this section.
- b) Numbers must be assigned to houses and buildings in a uniform manner.
- c) Each principal building must bear the number assigned to the frontage on which the front entrance is located. In case a principal building is occupied by more than one business or family dwelling unit, each separate front entrance of such principal building must bear a separate number.
- d) The City Clerk/Administrator will issue any property owner, upon request, a number for each building or separate front entrance to the building. The numbers described do not mean physical numbers for attachment to a building. The property owner is responsible for obtaining suitable numbers for property identification.

Subd. 3: Numbers-Placement and Specifications. On or before July 1, 2000, the owner, lessor or occupant of every industrial, commercial, residential or other building in the City shall have a proper building number on the building either by affixing to the building the numbers in metal, glass, plastic or any other durable material. The numbers shall not be less than four (4") inches in height in a contrasting color to the base. The numbers shall be so placed to be easily seen from the street.

Subd. 4: Maintenance. The occupant of the primary structure shall be responsible for keeping the address numbers in good repair and clear of snow, dirt, debris and other obstructions.

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Subd. 5: Duty of City Clerk/Administrator. The City Clerk/Administrator shall be responsible for maintaining the numbering system, recording all numbers assigned on the street map and if necessary, make changes in the existing numbering system to provide for a uniform method of numbering. Changes in existing numbers must be reported to the Council at its regular Council meeting. The Council will consider such report, and accept or reject the same with such revisions and amendments as it deems necessary.

Subd. 6: Enforcement. The City may withhold all city licenses, applications, and permits from owners or occupants of primary structures if the address is not placed or maintained in conformance with this Ordinance.

### Section 41.03: PROTECTION OF STREETS.

Subd. 1: Tractors. Tractors or other vehicles with lugs, or any other type of machinery that is not equipped with rubber tires are prohibited from using bituminous treated streets in the City and whoever drives such vehicle upon the streets and damages the streets is guilty of a misdemeanor.

Subd. 2: Street Openings; Permit. It is unlawful to make an opening in any street or to disturb in any way the surface or subsurface of any street, or to disturb, in any way, any portion of a street, without first receiving a permit from the City, except that where an emergency situation arises, such as a leak in a gas main, or water pipe, or a matter of similar seriousness, and where the public safety requires immediate action, then work may be commenced immediately, but a permit must be obtained as soon after the accident as possible.

### Section 41.04: DRIVEWAYS.

Subd. 1: Permit. It is unlawful for a property owner to develop or construct an access or driveway from property to any City street or roadway, without first securing a permit from the City. The permit fee shall be established in Appendix A. It is unlawful to break or open any curbing for driveway purposes, or use any part of a sidewalk for driveway purposes, without first securing a permit from the City.

Subd. 2: Application. Application for a permit is filed with the City Clerk/Administrator and must give the size and location of the proposed access or driveway, and describe the manner of restoration that will be made to any street, curb, or sidewalk, as a result of the proposed use or construction. The Council may approve or reject the applications and may give its approval with considerations attached also as to method of repair which must be followed, the size and location of the access. The Council may require payment for any damage which may be anticipated, prior to the issuance of a permit.

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Section 41.05: METAL TIRES. It is unlawful to move any vehicle on any bituminous surfaced street or roadway in the City, having any metal tire in contact with such street or roadway, except in the case of an emergency.

Section 41.06: PULLING VEHICLES OR OTHER OBJECTS. It is unlawful to pull, drag, operate, or cause to be pulled, dragged on and over any bituminous surfaced street, within the City, any machine, sharp or narrow tired vehicle, trees, stumps, skids or any object which does or is likely to cause damage to the surface of said street or roadway, or damage the same in any manner.

Section 41.07: JOINT LIABILITY. Any Person violating any of the terms, requirements and conditions of this Section is liable for all damages which the street or roadway may sustain as a result of such violation; and in the event the driver and operator of such vehicle is not the owner, but is operating, driving or moving the same with the express or implied permission of the owner, the owner and driver will be jointly and severally liable for any such damage.

Section 41.08: PENALTY. Any Person violating this Ordinance shall be guilty of a petty misdemeanor. For any violation resulting in damage to City streets, sidewalks or other City property in excess of Three Hundred (\$300) dollars shall be guilty of a misdemeanor. Fines for violations are as established by the City Council in Appendix A.

Section 41.08 amended on 1/4/06