

**Village of Potter, Calumet County
Ordinance #2006-3**

Ordinance Regulating Clearance in Public Spaces for Village of Potter

The Village of Potter Board does hereby ordain as follows:

Section 1. **Vision Clearance**. There shall be vision clearance setback line connecting the points at which the required front and side street setbacks on a corner lot, when projected, intersect the street lines. Within the space bounded by such vision clearance setback line and the street lines, no structure or object of natural growth shall be constructed, maintained or permitted to grow so as to create a substantial obstruction to the view of motorists and pedestrians across the vision clearance opening from one street to another. This regulation shall not apply to the trunks of trees, posts not over 6 inches square or in diameter, or wire fences so designed and constructed as not to constitute a substantial obstruction to the view of motorists and pedestrians across the vision clearance opening from one street to another.

Section 2. **Pruning**. Every owner of any tree overhanging any street or right-of-way within the Village shall pruned the branches so that such branches shall not:

1. obstruct the light from any street lamp;
2. obstruct the view of any street intersection;
3. interfere with visibility of any traffic control device or sign;
4. have less than a clearance space of nine (9) feet above the surface of the street or sidewalk;
5. constitute a public hazard.

Section 3. Any structure or object of natural growth found to be in violation of the provisions of Section 1 or 2 shall be declared a nuisance. The Village Board shall notify in writing the owners of the existence of said nuisance, and within fifteen (15) calendar days of the service of said notice, said owners shall remove or abate said nuisance so as to comply with the terms of the Ordinance. In the event of the failure of the owner to comply, the Village shall have the authority to remove or abate said nuisance and charge the cost of, doing so, plus a \$50.00 administrative fee, as a special charge against the property owner's real estate tax bill.

Section 4. **Dead, Diseased, Hazard Tree or Limb Removal on Private Property**.

The Village has the right to cause the removal of any dead or diseased trees on private property within the Village when such tree constitute hazard to life or property, or harbor insects or disease which constitute a potential threat to other trees within the Village. The Village Board will notify in writing the owners of such trees. Within fifteen (15) calendar days after the date of said notice the owner of said trees shall:

1. Remove such trees or limbs at their own expense, or
2. Provide proof to the Village Board that a firm has been secured to do the job of removing the tree or limbs.

Removal shall be completed no later than forty-five (45) days after the original date notice was served. In the event of failure of owners to comply with such provisions, the Village shall have the authority to remove, upon proper notice to the owner, such trees or limbs and charge the cost of removal, plus an additional \$50.00 administration fee, as a special charge against the property owners real estate tax bill.

Section 5. **Snow and Ice Removal.**

(a) The owner, occupant, or person in charge of any parcel or lot which fronts upon or adjoins any sidewalk shall keep said sidewalk clear of all snow and ice. In the event of snow accumulating on said sidewalk due to natural means and/or ice within twenty-four (24) hours from the time the snow ceases to accumulate on said sidewalk. Sidewalks are to be kept clear of snow and ice to a minimum of four(4) feet in width. In the event that ice has formed on any sidewalk in such a manner that it cannot be removed, the owner, occupant, or person in charge of the parcel or lot which fronts upon or adjoins said sidewalk shall keep the sidewalk sprinkled with sand and/or salt to permit safe travel by pedestrians.

(b) **Notice of removal of snow/ice from sidewalks.** If the owner, occupant, or person in charge of any parcel or lot which fronts upon or adjoins any sidewalk shall fail to keep said sidewalk clear of snow and ice as set forth in subsection (a), the Village Board shall take the following actions:

1. Hazardous Conditions. If the Village Board determines that the failure to remove the snow and ice from the sidewalk creates an immediate danger to public health and/or safety, the Village Board shall cause the issuance of a written notice to the owner, occupant, or person in charge of any parcel or lot directing that the snow and/or ice be removed within two (2) hours from the delivery of the notice. In the event the property owner, occupant or person in charge of said parcel or lot is unavailable to receive a written notice, the Village Board shall send a written notice to the last known address of the property owner notifying him that a hazardous condition existed which required immediate abatement.

2. Non-Hazardous Conditions. If the owner, occupant, or person in charge of the subject parcel or lot fails to remove the snow within the time period established in Subsection (a), the Village Board shall cause the issuance of a written notice to said owner, occupant or person in charge of the subject parcel or lot directing the responsible person (as defined) to remove said snow and ice no later than 12:00 Noon of the day following the issuance of said notice. The written notice shall be hand delivered when possible or mailed to the last known address of the owner of the subject property as identified on the records in the County Clerk's office.

Section 6. This ordinance shall take effect and be in force upon its passage and posting as provided by law.

This ordinance adopted the 10th day of May, 2006.

President: Doug Lau

Attest: Clerk: Dennis Gruett

Posted: 05/11/06

Village of Potter, County of Calumet

Notice is hereby given on this _____ day of _____, 2_____.

To owner of (property address)_____:

The Village of Potter, in compliance with Ordinance #2006-3 regarding the Clearance of Public Spaces, is giving you written notice that the said ordinance is available for viewing through any Village of Potter board member or the Village of Potter Clerk.

Penalties. In the event of the failure of the owner to comply, the Village shall have the authority to remove or abate said nuisance and charge the cost of doing so, plus a \$50.00 administration fee, as a special charge against the property owner's real estate tax bill.

Directive comments: _____
