

CHAPTER 12

SUBDIVISIONS, PUBLIC WAYS AND PROPERTY

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ARTICLE 1. VILLAGE PLAN

SECTION

- 12-1-1 : Establishment
- 12-1-2: Reference
- 12-1-3: Compliance

12-1-1 : ESTABLISHMENT: The official plan of the Village of Bridgeview shall consist of the following:

a. the Village Plan hereto approved by the corporate authorities shall consist of a map of the Village, charts and diagrams showing proposed additions to and improvements of the Village streets, parks, public buildings, sewage disposal system, water system, and street lighting system;

b. the specifications for street construction and paving established by the corporate authorities;

c. the Zoning Ordinance;

d. the Subdivision Control Ordinance.

12-1-2: REFERENCE: Any reference to the official plan of the Village of Bridgeview shall be taken to mean and include all of the foregoing enactments.

12-1-3: COMPLIANCE: No plat of subdivision, plan for the construction or layout of streets, or work involving laying sewer or water mains shall be approved unless the same complies fully with the requirements of the Village Plan.

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ARTICLE 2 SUBDIVISION REGULATIONS SECTION

- 12-2-1: Approval of Plats Required
- 12-2-2: Copy of Plat
- 12-2-3: Improvements
- 12-2-4: Custody
- 12-2-5: Taxes
- 12-2-6: Connection Fee
- 12-2-7: General Requirements
- 12-2-8: Subdivision Requirements
- 12-2-9: Public Grounds
- 12-2-10: Sale Contract
- 12-2-11: Dedication
- 12-2-12: Owners Agreement for Improvements
- 12-2-13: Construction of Off-Site Improvements

12-2-1: APPROVAL OF PLATS REQUIRED: No land shall hereafter be subdivided, and no streets or other public space shall hereafter be laid out within the municipality, unless the plan of such subdivision or streets or other public space shall have been submitted to the corporate authorities. Such approval shall be in writing or stamped on such plan or plans. Such plan shall be submitted to the Plan Commission for its recommendations to the corporate authorities.

12-2-2: COPY OF PLAT: Any person hereafter subdividing any piece or parcel of land, block, lot or sub-lot, or any part thereof, in the municipality shall make a map or plat thereof, and before recording the same in the Recorder's Office of the County, shall submit it with a duplicate thereof to the corporate authorities for approval or rejection. If approved, such approval shall be certified thereon and signed by the Village President and attested by the Village Clerk, and no such map or plat shall be valid or entitled to record until it shall have been approved as aforesaid.

No lot, tract, or parcel of land within any subdivision shall be offered for sale, nor shall any sale, contract for sale or option be made or given, until such subdivision has been formally approved.

12-2-3 : IMPROVEMENTS: No such plat of subdivision shall be approved unless all streets and sidewalk pavements and water and sewer mains have been installed, or provision has been made to ensure such installation, in compliance with the ordinances

of the municipality and Sections 12-2-12 and 12-2-13 of this Article.

No improvements, such as water supply, drainage, sewerage, sewage disposal, gas service, electric service or lighting, or grading paving or resurfacing of streets, shall hereafter be made within any such subdivision, by an owner or owners, or his or their agent, or by any public service corporation at the request of such owner or owners or his or their agent, until the plans for such improvements have been formally approved by the corporate authorities.

Such approval shall not be given in any instance hereinabove named unless all the plans and specifications and all the proposed work conforms to the requirements of this Article.

12-2-4: CUSTODY: The duplicate of such major plat shall be kept on file with the Clerk, and no such map or plat shall be approved as aforesaid until the same shall have been properly certified by a surveyor and acknowledged by the owner.

12-2-5 : TAXES: All taxes and assessments on the property platted must be paid before
t he plat shall have been recorded.

12-2-6: CONNECTION FEE: No subdivision shall be connected with the sewer or water mains of the municipality unless there is paid to the municipality the appropriate sewer and water connection fees as provided in Chapter 13 of this Code.

12-2-7: GENERAL REQUIREMENTS: In general, the minimum requirements for the subdivision of land and the laying out of streets and other public spaces shall be as follows:

a. All plans submitted for approval shall be in triplicate, drawn to a scale of not more than one hundred (100) feet to the inch, and shall be clearly and neatly drawn. Preliminary or tentative plans may be first submitted before the final plans are prepared.

b. All final plans shall show the proposed street lines, sidewalk lines, lot lines, building lines and all property or subdivision boundaries. They shall show, in accordance with an accurate land survey, the controlling points and liens around and within the subdivision itself, and also by distance, bearings and angles, the relation of such controlling points and lines to the other controlling survey points within the municipality. All survey monuments shall be indicated, and there shall be at least one permanent monument placed at each property corner of the subdivided area, at least one (1) at each street intersection. Such monuments shall be placed when the surveys are made and shall consist of one (1) inch iron pipe drive at least two (2) feet into the ground and preferably embedded in concrete.

c. Sufficient topography shall be shown to indicate the natural drainage and the probably finished grades of streets. All existing and proposed streets and alleys and other public space shall be shown, with the width and type of pavement or surfacing and all other important features. Sufficient information shall be drawn to scale on the plans to indicate the relation of the proposed streets and other public spaces to the present street system of the municipality, and also the Official Village Plan, when and after such Village Plan has been adopted.

d. The dimensions of all lots, and subdivisions and resubdivisions of lots shall be shown.

e. The proposed use of each lot, or group of lots, or subdivisions shall be indicated. No lot shall be proposed for a use of a classification lower than permitted in the Zoning Ordinance.

f. The north point and scale shall be shown, and the names and addresses of the petitioner and of the engineer or surveyor shall be given on each plan.

g. Whenever improvements are proposed within any such subdivision or in any such street or other public space, detailed plans, profiles, and at least outline specifications of such improvements shall be likewise submitted in triplicate. Such plans and specifications shall show or indicate every essential detail of such improvements.

h. One (1) copy of all such plans, profiles and specifications shall be filed with the Clerk, one (1) shall be preserved in the files of the municipality, and the third shall be returned to the petitioner, all with the approval or disapproval of the corporate authorities clearly indicated.

12-2-8: SUBDIVISION REQUIREMENTS: The minimum width for any street shall be fifty (50) feet, except by special permit for purely local drives. Through streets and every street more than six hundred (600) feet long shall be at least sixty six (66) feet wide.

All streets and other public spaces and easements shall conform in effect to the official plan, both as to location and as to width or size.

When adjoining undeveloped property, a half street may be dedicated.

The minimum width of any alley, wherever provided shall be fifteen (15) feet. Where alleys are not provided, easements may be required along lot lines of or across lots where necessary for the extension of water mains, sewers and similar purposes.

No block shall be longer than one thousand two hundred (1,200) feet between street lines. Blocks over eight hundred (800) feet in length shall have one (1) crosswalk not less than ten (10) feet in width, situated near the center of the block.

The arrangement of streets in new subdivisions shall make provision for the direct continuation of the principal existing streets in adjoining subdivisions (or their proper projection where adjoining property is not subdivided), insofar as they may be necessary for public requirements. In general, such streets shall be a width at least as great as the existing streets. The street and alley arrangement must also be such as to provide opportunity for access and use by adjoining property owners. Wherever a street is sub-ended so that it will not at that end open another street opening, an adequate turn around, either circular or Y-shaped, shall be provided.

No lot line shall be subdivided nor indicated for sale as business or industrial lots except at points designated for these used on the zoning plan or general development plan of the municipality, and the front street line of all such business lots shall be placed not less than fifty four (54) feet from the center of the street on which they front.

No lot in any subdivision or re-subdivision which is classified as District 'A' Residential by the Zoning Ordinance shall be less than sixty five (65) feet wide, and no such lot shall contain less than ten thousand (10,000) square feet.

All lots shall be sufficiently wide and deep to permit full conformity with the Zoning Ordinance.

At important intersections and at all acute corners, the property corner shall be rounded or cut off.

All curb corners shall have radii of not less than twelve (12) feet, and at important corners not less than twenty four (24) feet.

Grades of streets shall be the lowest feasible, and no grade shall be in excess of five percent (5%) on through traffic streets nor in excess of ten percent (10%) on any other street.

Whenever streets or alleys are paved or surfaced, such paving or surfacing shall be of a type and strength suitable for the volume and character of traffic to be expected.

All improvement shall conform to the best engineering standards. Due consideration shall be given throughout to the appearance of the subdivision and the various features thereof within its own boundaries, and also in its environment in the municipality.

12-2-9 : PUBLIC GROUNDS: Each subdivision plan shall designate such areas as may be needed for school sites, park sites, or other public lands in conformance with the Official Plan of the Village.

Lands so designated cannot be used for any other purpose for one (1) year following the approval of the plat; if such land is not acquired by purchase or condemnation by the appropriate governing body within one (1) after approval, it may be used in any manner consistent with the ordinances applicable thereto.

12-2-10: SALE CONTRACT: A copy of the subdivider's sale contract showing restrictions shall be furnished the municipality before final approval of the subdivision plan. Such contract shall relate that the lot or lots contracted for are subject to the Zoning Ordinance, Building Codes, and Subdivision Ordinance of the municipality.

12-2-11: DEDICATION: The subdivider shall furnish to the municipality an effective dedication of all streets and other public spaces to be dedicated, and of all easements provided by the subdivision plan or plans.

12-2-12: OWNERS AGREEMENT FOR IMPROVEMENTS: No plat of subdivision or dedication will hereafter be accepted or approved unless such plat is accompanied with an agreement, with sureties, guaranteeing the installation and completion of adequate water mains, storm sewers, sanitary sewers, and sidewalks, curbs, gutters, streets, street lighting and also alleys if provision is made for such alleys on such plat. Before final acceptance and approval of any such plat, the person, persons, firm or corporation seeking such acceptance or approval shall first post bond and cash indemnity with the municipality guaranteeing the municipality that said improvements shall be made as set forth in said agreement. Such bond shall be in a sum equal to the contract cost of said improvements and shall be executed by the principal and a surety company authorized and licensed to do surety business in the State of Illinois. The cash indemnity shall be in addition to the bond and shall be a sum of money equal to ten percent (10%) of the estimated cost of said improvements.

12-2-13: CONSTRUCTION OF OFF-SITE IMPROVEMENTS: No plans and specifications for the construction of off-site improvements in existing subdivisions will hereafter be accepted or approved unless a comprehensive plan for the construction of water mains, sanitary sewers, storm sewers, curbs and gutters, streets, alleys, sidewalks and street lighting facilities has first been approved by the municipality. The person, firm or corporation making application for approval and the owner or owners of the lands to be so improved shall first enter into an agreement with the municipality guaranteeing the installation and completion of such improvements. Such agreement shall be executed by the

applicant and the owner or owners of the land to be improved and shall be further guaranteed by such surety or sureties as may be approved by the municipality.

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ARTICLE 3 MAINTENANCE, REPAIR, CONSTRUCTION, EXCAVATION AND PAVEMENT CUTS OF STREETS, SIDEWALKS, CURBS AND OTHER PUBLIC WAYS

SECTION

- 12-3-1: Supervision and Control
- 12-3-2 : Permit Required
- 12-3-3 : Permits; Application
- 12-3-4: Fees
- 12-3-5: Certificate of Compliance
- 12-3-6: Violation and Non-Compliance
- 12-3-7: Notification of Non-Compliance
- 12-3-8: Bond
- 12-3-9: Standards

12-3-1: SUPERVISION AND CONTROL: The maintenance, repair, new construction, curb cuts, excavation and pavement cuts or street openings or streets, sidewalks, alleys, curbs and other public ways shall be supervised, controlled and under the direction of the Superintendent of Public Works, and he is hereby authorized and directed to enforce the provisions of this Article.

12-3-2: PERMIT REQUIRED:

a. It shall be unlawful for any person, firm or corporation to construct, reconstruct, alter, grade or lay any pavement or surfacing material of any nature whatsoever on any public street, sidewalk, alley, curb or any other public way in the municipality or to repair the same or to make curb cuts without first obtaining a permit therefor as provided herein.

b. It shall be unlawful for any person, firm or corporation to make any tunnel, opening or excavation of any kind in or under the surface of any public street, sidewalk, alley, curb or any other public way in the municipality without first having obtained a permit therefor as provided herein.

c. The provisions of this Article shall not apply to officers or employees of the municipality when engaged in doing work for the municipality, nor shall it apply to persons, firms or corporations which are operating under a franchise or grant from the municipality if such franchise provides for the making or excavations, tunnels and curb cuts without securing a permit therefor.

12-3-3: PERMITS; APPLICATION: An applicant for a permit hereunder shall file with the Superintendent of Public Works an application showing:

- a. name, address and telephone number of the owner, or agent in charge, of each parcel of property abutting the proposed work area;
- b. name, address and telephone number of the person , firm or corporation doing the work;
- c. location of the work area, specifically designated and identified;
- d. attached plans or drawings, in duplicate, showing the details of the work to be done, or, if the work to be done is of a nature which does not require plans or drawings, then a complete detailed explanation and description, in duplicate, of the work shall be furnished;
- e. estimated cost of the work to be done;
- f. such other information as the Superintendent shall find reasonably necessary to the determination of whether a permit should be issued hereunder.

Permits shall not be transferable from one person to another, and the work shall not be done in any place other than the location specifically designated in the permit.

12-3-4 : FEES: Permit, inspection and engineering fees as required in Sections 6-1-4-7 and 6-14-15 shall accompany an application for a permit hereunder.

12-3-5: CERTIFICATE OF COMPLIANCE: It shall be the duty of the Superintendent to inspect or cause to be inspected all of the work, as the same progresses, that is to be done under the permit issued to the applicant hereunder, and upon its completion in full compliance with the terms and provisions of this Article, he shall issue or cause to be issued to the permittee a Certificate of Compliance.

12-3-6: VIOLATION AND NON-COMPLIANCE: In the event the Superintendent, as result of said inspection, shall find that the work being done or the work that has been done is in violation of or in non-compliance with the terms and provisions of this Article or any other ordinance of the municipality, he shall promptly notify the permittee or cause the permittee to be notified, to forthwith cease and discontinue such violation or non-compliance, and upon the failure of the permittee to forthwith discontinue such violation or to comply with the terms and provisions of this Article or any other ordinance of the municipality,

then and in such event, the Superintendent is authorized to stop further work, and if the work has proceeded to completion, the Superintendent shall refuse to issue or cause to be issued a Certificate of Compliance, and in an appropriate case, shall instruct the Building Department to withhold the issuance of a Certificate of Occupancy until the violation is cured or full compliance is performed.

12-3-7 : NOTIFICATION OF NON-COMPLIANCE: The notification required hereunder may be delivered directly to the permittee or any of his agents or employees.

12-3-8: BOND: The following bonds shall accompany an application for a permit required hereunder:

a. Construction, Maintenance and Completion.

(1) In cases where the estimated cost of the work to be done shall exceed One Thousand Dollars (\$1,000.00) the Superintendent shall require a maintenance, construction and completion bond to be filed with the application for a permit hereunder, in an amount equal to the cost of the work to be done and conditioned that such work shall be done in accordance with the ordinances of the municipality and guaranteeing the quality of the same for a period of one (1) year from the date of completion.

b. Failure of Compliance and Completion; Ordinance Violation.

In any case where a permittee hereunder shall be in default or shall otherwise fail to complete the work or fail to comply with the requirements of this Article, or be in violation of the ordinances of the municipality, then and in such event, the corporate authorities, upon being notified by the Superintendent of such default or failure of completion or compliance or violation, shall invoke the penalty of said bond and order the completion of said work to be done on behalf of the municipality. In the event said work to be done exceeds the proceeds recoverable by the municipality under said bond, the municipality shall be entitled to recover the additional cost, in an action at law, from the permittee.

(1) An applicant hereunder shall be required to file with the Superintendent, simultaneously with the issuance of the permit, a good and sufficient bond in the sum of Fifty Thousand Dollars (\$50,000.00) executed by a bonding or surety company authorized to do business in the State of Illinois and approved by the Village Attorney. Said bond shall be conditioned upon the observance of all laws and ordinances of the Village of Bridgeview, and shall indemnify, save and keep harmless the municipality from any and all damage, judgments, costs or expenses which the municipality may incur or suffer by reason of the granting of a permit hereunder. Said bond shall run to the municipality for the use and benefit of any person who may suffer injuries or property damage by reason of the permit granted hereunder. The

maintenance of said bond in full force and effect shall be a prerequisite to the issuance of any permit required under the provisions of this Article. A liability insurance policy issued by an insurance company authorized to do business in the State of Illinois which conforms to the above requirements may be permitted in lieu of a bond.

c. Waiver of Construction, Maintenance and Completion Bond; Exception.

In case where the cost of the work to be done is One Thousand Dollars (\$1,000.00) or less, the Superintendent shall waive the construction, maintenance and completion bond, and in lieu thereof shall require a cash deposit equal to one-fourth (1/4) the cost of such work.

d. Limitation of Indemnity Bond; Sidewalk Exception.

When the work to be done consists of sidewalk construction or its repair or curb cuts and the cost of such construction, repair or curb cuts does not exceed One Thousand Dollars (\$1,000.00), the applicant may, in lieu of the liability bond required under sub-paragraph b. (1) hereof, furnish the municipality with evidence of public liability insurance coverage in an amount not less than Twenty Thousand Dollars (\$20,000.00).

12-3-9: STANDARDS:

a. Any person, firm or corporation making or maintaining any excavation or tunnel in or under any public way shall keep the same adequately guarded by barricades and lights to protect persons and property from injury.

b. It shall be unlawful to make any excavation, tunnel or curb cut in any way contrary to or at variance with the terms of the permit therefor. Proper bracing shall be maintained to prevent the collapse of adjoining ground; and in excavations, the excavation shall not have anywhere below the surface any portion which extends beyond the opening at the surface. No injury shall be done to any pipes, cables or conduits which are or may be endangered or affected by the making of any such excavation or tunnel. No unnecessary damage or injury shall be done to any tree or shrub or the roots thereof.

c. If any sidewalk is blocked by any such work, a temporary sidewalk shall be constructed or provided which shall be safe for travel and convenient for users.

d. Any person, firm or corporation making any excavation or tunnel in or under any public street, alley or public place in the municipality shall restore the surface thereof to its original condition if there is no pavement there. Refills shall be properly tamped down, and any bracing in such tunnel or excavation shall be removed.

e. All holes or trenches in streets are to be sawed and cut, and the width of the cut in the pavement must exceed the width of the excavation by at least ten (10) inches on all sides. All street excavations shall be backfilled with sand or gravel placed in layers not to exceed eight (8) inches which shall be well tamped and compacted before proceeding with the next layer.

When pavement is replaced, it must bear on undisturbed earth a minimum of ten (10) inches on all sides. If the existing pavement is concrete, the patch shall be of concrete of the same thickness as the original, reinforced with six (6) by six (6) #10/#10 welded wire fabric. If the existing pavement is bituminous, the patch shall be composed of eight (8) inches of concrete reinforced with six (6) by six (6) #10/#10 welded wire fabric. The top of the concrete shall be depressed two (2) inches to allow for a bituminous concrete surface course which shall be placed and compacted level with the existing pavement surface.

Any opening in a paved or improved portion of a street shall be repaired with the surface relaid by the applicant in compliance with this Article and subject to the supervision of the Superintendent of Public Works. The cost thereof shall be paid by the permittee.

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ARTICLE 4. STREETS, SIDEWALKS AND PUBLIC WAYS

SECTION

- 12-4-1: Injury to Pavements
- 12-4-2: Repairs
- 12-4-3: Defects
- 12-4-4: Obstructions
- 12-4-5: Barricades
- 12-4-6: Disturbing Barricades
- 12-4-7: Private Use
- 12-4-8: Sidewalk Grades
- 12-4-9: Change of Grade; Permit Required
- 12-4-10: Concrete Walks to be Stamped
- 12-4-11: Encroachments
- 12-4-12: Deposits on Public Property
- 12-4-13: Drains
- 12-4-14: Openings
- 12-4-15: Vehicles on Walks
- 12-4-16: Crosswalks to be Kept Free from Vehicles
- 12-4-17: Removing Obstructions
- 12-4-18: Scaffolds; Tools Over Public Places
- 12-4-19: Articles on Windows

12-4-1: INJURY TO PAVEMENTS: It shall be unlawful to walk upon or drive any vehicle or animal upon, or injure any newly laid sidewalk pavement or street or alley pavement while the same is guarded by a warning sign or barricade, or to injure or cause harm to any street, sidewalk or alley pavement.

12-4-2: REPAIRS: All public street, sidewalk and alley pavements shall be kept in good repair. Such repair work, whether completed by the municipality or by the abutting owner, shall be repaired without delay, and the expense thereof shall be borne by the abutting property owner.

12-4-3: DEFECTS: It shall be the duty of every municipal officer or employee becoming cognizant of any defect in any sidewalk, street or alley or any obstruction thereof, to report the same to the Superintendent of Public Works as soon as possible.

12-4-4 : OBSTRUCTIONS: It shall be unlawful for any person, firm or corporation to cause, create or maintain any obstruction of any street, sidewalk, alley, or other public way, except as may be specifically authorized by ordinance or by the Superintendent of Public Works in cases of an emergency or in connection with any lawful construction, repair or removal work.

The provisions of this section shall not apply to vehicles parked in a driveway of a residential dwelling located on the east side of Falcon Ridge Drive between 91st Street and 92nd Street during the hours of 8:00 p.m. and 8:00 a.m. which obstruct a sidewalk, provided that the vehicle is parked as close as practicable to the residential dwelling.

12-4-5: BARRICADES: Any person, firm or corporation laying or repairing any pavement on a street, sidewalk or other public place or making an excavation in any such place, shall maintain suitable barricades to prevent injury to any person or vehicle by reason of the work; such barricades shall be protected by lights at night time.

Any defect in any such pavement shall be barricaded to prevent injury; any person, firm or corporation properly maintaining any opening or excavation in any such place shall guard such opening or excavation while the same remains open by proper barricades and lights.

12-4-6: DISTURBING BARRICADES: It shall be unlawful to disturb or interfere with any barricade or lights lawfully placed to protect or mark any new pavement or excavation or opening in any public street, alley or sidewalk.

12-4-7: PRIVATE USE: It shall be unlawful for any person, firm or corporation to use any street, sidewalk or other public place as space for the display of goods or merchandise for sale or to write or mark any signs or advertisements on any such pavements.

12-4-8: SIDEWALK GRADES: All sidewalks shall incline upward from the outer edge toward the line of buildings or lots at the rate of one (1) inch in four (4) feet.

12-4-9: CHANGE OF GRADE; PERMIT REQUIRED: The establishment of any grade shall not be construed to confer any power on any party, person, firm or corporation to fill, raise or lower any sidewalk without having first obtained permission to do so from the Superintendent of Public Works.

12-4-10: CONCRETE WALKS TO BE STAMPED: The Superintendent of Public Works shall cause all concrete sidewalks constructed in any public street, alley, park or place in the municipality, whether laid by public or private contract, to be stamped in plain characters showing the year of construction and the name of the builder thereof.

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12-4-11: ENCROACHMENTS:

a. It shall be unlawful to erect or maintain any building or structure which encroaches upon any public street, way or property.

b. Mailboxes and necessary appurtenances thereto may be erected and maintained in the parkway of any street or right-of-way adjacent to the postal patron's property; subject, however, to the provisions of subsection c. hereof. For purposes of this subsection, 'parkway' shall be defined as the unimproved portion of any public right-of-way located between the postal patron's property and the back of curb or edge of pavement closest to such property.

c. No part of any mailbox or any appurtenance thereto shall be located or maintained closer than eight (8) inches to the back of the curb or edge of pavement on streets without curbs.

12-4-12: DEPOSITS ON PUBLIC PROPERTY: It shall be unlawful to deposit on any street, sidewalk or public property, any material which may be harmful to the pavement thereof, or any waste material, or any glass, or other articles which may do injury to persons, animals or property.

Coal or other materials may be deposited in streets preparatory to delivery or use; provided that such deposit does not reduce the usable width of the roadway at the point to less than eighteen (18) feet, provided that such material or coal, other than material to be used in actual building construction, shall not be permitted to remain on such street for more than three (3) hours.

Any such material shall be guarded by lights if the same remains upon any street after night time.

12-4-13: DRAINS: It shall be unlawful to obstruct any drain in any public street, alley or sidewalk.

12-4-14: OPENINGS: It shall be unlawful to construct or maintain any opening or stairway in any public street, alley or sidewalk without a permit from the corporate authorities. All such lawfully maintained openings shall be guarded by a suitable strong cover or a railing to the approval of the Superintendent of Public Works.

12-4-15: VEHICLES ON WALKS: No person or persons shall cause wagon, cart, automobile, truck or other vehicle to cross over any sidewalk unless it be in crossing the same to go into a yard or lot where no other suitable crossing or means of access is provided, and in such case only when such sidewalk shall have been fully protected against injury therefrom.

12-4-16: CROSSWALKS TO BE KEPT FREE FROM VEHICLES: All crosswalks shall be kept free from any vehicles or other obstructions, except so far as may be necessary in crossing the same

12-4-17: REMOVING OBSTRUCTIONS: The Superintendent of Public Works and the Police Department are authorized to cause any obstruction, encroachment or other thing which may be in violation of the municipal ordinances to be removed within a reasonable time after notice served upon the owner, agent or person in possession of the premises where such violation occurs, or in the case of the owner, agent or person in possession cannot be found, then summarily to remove the same, and the owner, agent or party causing such violation shall pay all expenses and costs of such removal, in addition to any penalties incurred.

12-4-18: SCAFFOLDS; TOOLS OVER PUBLIC PLACES: Any scaffold or ladders placed in such a position that they overhang or can fall into any public street, properly constructed and safeguarded. It shall be unlawful to place or leave any tools or article on any such place in such a alley, sidewalk or other public place in the municipality, shall be firmly and manner that the same can fall into any such street, sidewalk, alley or other public way form a greater height than four (4) feet.

12-4-19: ARTICLES ON WINDOWS: It shall be unlawful to place any movable article on any window ledge, or other place abutting on a public street, alley, or other place at a height above four (4) feet from the ground, in such a manner that the same can be or is in danger of falling onto such sidewalk, street, alley or other public place.

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ARTICLE 5. DRIVEWAYS

SECTION

- 12-5-1: Permit Required
- 12-5-2: Bond Required
- 12-5-3: Application
- 12-5-4: Fees
- 12-5-5: Plans and Specifications
- 12-5-6: Construction
- 12-5-7: Repair
- 12-5-8: Abandoning Drive Approval

12-5-1: PERMIT REQUIRED: No person, firm or corporation shall establish, construct or maintain a driveway for vehicles or animals across any public sidewalk or public parkway in the municipality without having first obtained a permit therefor.

12-5-2: BOND REQUIRED: No permit for a driveway shall be issued until written application therefor has been made and the bond herein provided for has been filed.

12-5-3: APPLICATION: Application in writing for a permit for a driveway shall be made to the Village Clerk on forms prescribed by the Superintendent of Public Works, and shall contain the name and address of the person making application, the use of the property with which the proposed driveway is to be connected, and whether in the building thereof it will be necessary to cut down or alter the street curb or elevate or depress the existing grade of sidewalks or parkways, and a sketch showing the proposed location and dimensions of such driveway, the location of adjacent streets and alleys, and any other driveways connected with the property. An application shall be approved and a permit issued only upon a determination that the driveway will not:

(1) create undue safety hazards in the use of the street, parkway or sidewalk by vehicular or pedestrian traffic;

(2) impede the safe and efficient flow of traffic upon the streets and sidewalks adjoining the property for which the driveway is proposed, and upon his determination that the existing and proposed use of the property to be connected by said driveway is in all respects in conformity with existing traffic, zoning or building ordinances.

Plans and specifications of such driveway shall be filed with the Superintendent of Public Works and shall be accompanied by a personal bond executed by the applicant, running to the municipality in the penal sum of Five Thousand Dollars (\$5,000.00), conditioned upon the faithful observance of each condition and provision of said permit, and conditioned further to indemnify, keep and save harmless the municipality against all liabilities, judgments, costs, damages and expenses which may in any way come against the municipality in consequence of the granting of said permit, or by reason or on account of any defect in the construction or design of said driveway.

12-5-4 : FEES: Permit fees for the construction of driveways shall be prescribed in Section 6-14-8 of this Code.

12-5-5: PLANS AND SPECIFICATIONS: No permit shall be issued for any work to be done in and about the construction of driveways until plans and specifications therefor have been submitted to and approved by the Superintendent of Public Works. A copy of such plans and specifications shall at all times be kept on file in the office of the Superintendent of Public Works. No alteration or change from said plans or specifications shall be made without the written consent of the Superintendent.

12-5-6: CONSTRUCTION:

a. No driveway shall be constructed or graded as to leave a steep, sharp depression or other obstruction in the sidewalk. The grade shall be as nearly as possible the same as that of the adjoining sidewalk. The grade shall be as nearly as possible the same as that of the adjoining sidewalk. It shall be unlawful to have the surface finish of any driveway where the same crosses the sidewalk constructed of such materials as to render it slippery and hazardous to pedestrians, or to have the grade of such portion vary from the grade of the sidewalk or be other than level.

b. All driveways hereafter constructed shall be improved with a compact macadam base, not less than four (4) inches thick, and surfaced with asphaltic concrete or some comparable all-weather dustless material, subject to reasonable approval by the Superintendent of Public Works.

c. No driveway shall be so constructed as to prevent free and unobstructed passage on, over or across the same, or in such manner as to interfere with the proper drainage and safe grading of the streets. Gradual approaches to the regular sidewalk grade shall be made from the grade of the driveway.

12-5-7: REPAIR: It shall be the duty of the person maintaining a driveway to keep the same in good repair where it crosses the sidewalk, and free from obstruction and openings.

12-5-8 : ABANDONING DRIVE APPROACH: If, at any time, a drive approach is abandoned, the curb and gutter at the edge of the street and sidewalk shall be replaced in accordance with current municipal specifications by, and at the expense of, the owner abandoning the curb cut.

CHAPTER 12

SUBDIVISIONS, PUBLIC WAYS AND PROPERTY

ARTICLE 6 MOVING BUILDINGS

SECTION

- 12-6-1: Permit Required
- 12-6-2: Permit Fees
- 12-6-3: Application
- 12-6-4: Bond Required
- 12-6-5: Occupation of Streets
- 12-6-6: Barricades and Lights
- 12-6-7: Care of Pavements
- 12-6-8: Liability Insurance Required

12-6-1: PERMIT REQUIRED: No building shall be moved on or across any public street, sidewalk, easement or other public place within the municipality except upon a permit duly issued by the Building Commissioner.

12-6-2: PERMIT FEES: Fees for the issuance of permits for the moving of buildings shall be as prescribed in Section 6-14-9 of this Code.

12-6-3: APPLICATION: Application in writing for a permit for moving buildings shall be made to the Village Clerk on forms prescribed by the Building Commissioner.

The application shall designate or describe the building proposed to be moved, the route to be taken, and the time required for such moving and the place to which it is proposed to be moved. In addition to the signing of such application, the applicant shall furnish the written consent of the owners, or their duly authorized agent, of the majority of the frontage on both sides of the street, lying between the nearest intersecting streets, where the proposed building is to be located.

If, upon consideration of such application and such inspection as the Building Commissioner may deem necessary, it shall appear that the work proposed to be done is in accordance with the ordinances of the municipality, the Building Commissioner shall grant the permit.

No permit to move any building within the municipality shall be granted unless the construction and the proposed use of such building on the proposed new site shall conform to the requirements of this Article, the Zoning Ordinance and all other ordinances of the municipality.

12-6-4: BOND REQUIRED: There shall also be furnished a bond in the sum of Two Thousand Dollars (\$2,000.00) with good and sufficient sureties to be approved by the corporate authorities, conditioned, among other things, that the applicant will pay any and all damage that may occur to any public street, easement or public place over which said building may be moved, and to reimburse the municipality and any public utility company for the cost of removing and replacing all overhead wires, cables and appurtenances and for making of the necessary repairs thereto.

12-6-5: OCCUPATION OF STREETS: No building which shall be authorized to be moved in accordance with the terms of this Article shall be permitted to stand or remain in the intersection of any streets, or any street and public alley, at any time during the course of its moving.

12-6-6: BARRICADES AND LIGHTS: On each night while such building remains on the public streets or alleys of the municipality, from dusk to sunrise, the permittee shall place and cause to be maintained barricades and red lights surrounding the building, which shall be plainly visible.

12-6-7: CARE OF PAVEMENTS: It shall be unlawful for any person to whom such permit shall be issued, to drive stakes in any pavement or public easement.

12-6-8: LIABILITY INSURANCE REQUIRED: Before any person, firm or corporation to whom such permit shall be issued shall commence the moving of any building, they shall file with the municipality a policy of liability insurance, indemnifying the municipality from any damage or injury resulting to any of the workmen or employees of such person, firm or corporation engaged in the moving of such building, and also indemnifying the municipality for any damages or injury suffered by any other person resulting from the moving of such building.

CHAPTER 12

SUBDIVISIONS, PUBLIC WAYS AND PROPERTY

ARTICLE 7 OVERHANGING SIGNS AND AWNINGS; BILLBOARDS

SECTION

- 12-7-1: Permits
- 12-7-2: Bond
- 12-7-3: Temporary Permits
- 12-7-4: Construction
- 12-7-5: Permit Period
- 12-7-6: Height Above Walk
- 12-7-7: Inspection
- 12-7-8: Billboard Definition
- 12-7-9: Wind Pressure
- 12-7-10: Fire Escapes
- 12-7-11: Height Above Ground
- 12-7-12: Fireproof Construction
- 12-7-13: Roof Signs
- 12-7-14: Billboards Against Buildings
- 12-7-15: Illuminated Billboards
- 12-7-16: Nuisances
- 12-7-17: Enforcement

12-7-1: PERMITS: No person, firm or corporation shall erect or maintain any sign, signboard or rigid canopy over any street, sidewalk, alley or other public way in the municipality without having obtained a permit therefor as in herein provided. Permits for signs, canopies or signboards shall be issued by the Village Clerk, upon payment of the fee provided, and shall designate the location of the proposed structure.
The fee for such permits shall be as prescribed in Section 6-14-10 of this Code.

12-7-2: BOND: Each person, firm or corporation maintaining such a sign shall file with the Village Clerk a bond or indemnity policy in the sum of Fifty Thousand Dollars (\$50,000.00) conditioned to indemnify the municipality for any loss or damage or liability that may result from the construction or maintenance of such sign or canopy; provided that if the municipality has secured a blanket policy to protect against risks, then so such bond shall be required.

12-7-3: TEMPORARY PERMITS: Temporary permits may be issued for maintenance of a temporary sign for a period not to exceed three (3) weeks, upon the payment of a fee of Ten Dollars (\$10.00) for each week or fraction thereof that such sign is to be maintained.

12-7-4 : CONSTRUCTION: All signs and canopies extending over any public sidewalk, street, alley or other public place must be securely fastened and constructed so that their will be no danger of the same being dislodged by ordinary winds or falling from other causes.

12-7-5: PERMIT PERIOD: The period for which permits required by this Article shall run shall be the same as the general license year.

12-7-6: HEIGHT ABOVE WALK: The lowest part of any such canopy, sign, or of any non-rigid awning, or any support thereof which extends over any public way, shall be at least seven (7) feet above the level of the walk or public way over which it extends; but no such sign shall be maintained over any public way used by vehicles; nor shall any such sign extend more than six (6) feet outside the property line.

12-7-7: INSPECTION: It shall be the duty of the Building Commissioner to inspect or cause to be inspected every sign, canopy or awning which extends over any sidewalk, street, alley or other public way. If any such sign or canopy is found to be insecurely fastened, he shall report this fact to the owner of the sign or to the owner or occupant of the premises on which it is fastened. If the sign or canopy is not made secure with ten (10) days after such notice, it may be torn down on order of the corporate authorities.

12-7-8: BILLBOARD DEFINITION: The term 'billboard' is hereby defined to mean any signboard or similar structure, the sole or primary purpose of which is to be used for the display of advertisements or notices.

12-7-9: WIND PRESSURE: Each billboard shall be firmly and solidly constructed so as to be able to bear a wind pressure of at least thirty (30) pounds per square foot of area; provided that billboards which are placed upon roofs must be so constructed as to be able to withstand a lateral wind pressure of forty (40) pounds per square inch of area.

12-7-10: FIRE ESCAPES: It shall be unlawful to erect or maintain any billboards in such a position as to obstruct any fire escape or any window or door leading thereto; and no billboard shall be fastened to any fire escape.

12-7-11: HEIGHT ABOVE GROUND: Each billboard must be so constructed as to leave an open space of at least two and one-half (2-1/2) feet between the bottom of the display area and the ground. This open area may be filled with latticework, or other ornamental design which does not close off more than two-thirds (2/3) of any square feet of such open area. Billboards constructed on property on which their is a properly established

building line, must be built entirely in back of this building line, and no permit shall be issued for the construction of any billboard on any lot which is subject to a proper building line restriction, if the billboard is to be constructed in violation of the building line restriction.

12-7-12: FIREPROOF CONSTRUCTION: It shall be unlawful for any person, firm or corporation to construct any billboard of over fifteen (15) square feet anywhere in the fire limits unless the face of such billboard is constructed of non-combustible material.

12-7-13: ROOF SIGNS: It shall be unlawful to construct any billboard on the roof of any building or structure of any incombustible materials. All such roof signs or billboards must be so constructed that there is at least four (4) feet of space between the billboard or signboard and the edge of the roof at all sides and ends. It shall be unlawful to construct any roof sign or billboard on the roof of any building which is unable to withstand the additional weight and wind pressure imposed by such construction. All roof signs and billboards which are constructed on buildings which are not to be constructed of fireproof materials shall be so constructed and braced that the supports of such signs or billboard shall bear directly on the masonry walls of such buildings or upon the steel girders which are supported by the masonry walls.

The metal supports and parts of every roof sign shall be thoroughly and properly painted at least once each two (2) years, unless they are galvanized or otherwise adequately protected against rust and corrosion.

12-7-14: BILLBOARDS AGAINST BUILDINGS: It shall be unlawful to construct any billboard, a majority of the display area of which is within four (4) feet of any building, unless such billboard is constructed of non-combustible materials.

12-7-15: ILLUMINATED BILLBOARDS: The wiring of illuminated billboards and signboards must comply with the provisions of the ordinances relating to electrical wiring.

12-7-16: NUISANCES: Any billboard or signboard which is dangerous because of insecure construction or fastening with resultant danger of falling, or because it is an extreme fire hazard and in fact a nuisance, is hereby declared to be a nuisance and may be abated as such.

12-7-17: ENFORCEMENT: It shall be the duty of the Building Inspector to enforce the provisions of this Article, and he is hereby authorized to do so.

CHAPTER 12

SUBDIVISIONS, PUBLIC WAYS AND PROPERTY

ARTICLE 8 STREET LIGHTS

SECTION

- 12-8-1: Electric Power Lines
- 12-8-2: Poles and Wires
- 12-8-3: Bond Required
- 12-8-4: Specifications

12-8-1: ELECTRIC POWER LINES: It shall be unlawful for any person, firm or corporation to install any electric power line within the municipality without having first obtained a permit from the Superintendent of Public Works.

Provided further that all electric power lines of four thousand five hundred (4,500) volts or over, installed in the municipality, shall be placed at least five (5) feet underground.

12-8-2: POLES AND WIRES: It shall be unlawful to erect any poles or wires or to maintain any poles or wires over any public street, alley or other public way without having first secured permission from the Superintendent of Public Works.

12-8-3: BOND REQUIRED: Each applicant for a permit to install electric power lines or erect or maintain any poles or wires over any public street, alley or other public way shall file with the Village Clerk a bond as specified in Section 12-3-8 or this Code.

12-8-4: SPECIFICATIONS: All street lights hereinafter erected in the municipality shall be in accordance with the following specifications:

a. GENERAL: This work shall include the supplying of specified light fixtures, poles, hardware, wire, etc. The contractor shall erect and place the lights in successful operation.

b. LIGHT FIXTURES: Fixtures shall be one hundred seventy five (175) watt Mercury-Vapor Luminaire constant wattage color corrected lamp with twist lock photocell receptacle.

c. LAMP: Lamp shall be one hundred seventy five (175) wattage ballast with color corrected lamp, G.E. or equal.

d. PHOTOCELL: Fisher Pierce, No. 6730, thirty (30) A.M.P. or equal for two hundred forty (240) volt operation, twist lock receptacle, equipped with 'fail-safe' feature which will energize light on cell failure.

e. BRACKET: Shall be aluminum, eight (8) feet zero (0) inches long.

f. POLE: Pole shall be aluminum, twenty five (25) feet high concrete anchor base, mounted minimum shaft dimensions, eight (8) inches by four (4) inches.

g. WIRES: The wire shall be of a size and type for buried underground service for the number of lights on circuit. This work shall meet the requirements of the National Electrical Code with maximum allowable power drop of two percent (2%).

h. FUSE: A fuse box shall be installed for overload protection and to provide a means of disconnection for the fixture.

i. COMPLIANCE: All work shall comply with the requirements of the ordinances of the municipality, the National Electrical Code and the Public Service Company.

j. SPACING: Street lights shall be placed at all intersections of streets and at two hundred (200) foot centers. The spacing requirements may be varied up or down, depending upon the length and shape of the blocks. Permission to vary the dimensional standards for the spacing of street lights in excess of, or less than two hundred (200) feet, is reserved by the Plan Commission and the corporate authorities.

k. GUARANTEE: Any person, firm or corporation erecting street lights in the municipality shall guarantee the lights for a period of one (1) year after placing the same into operation. Any component proved defective during the said one (1) year period shall be replaced by the person, firm or corporation that erected the light.

CHAPTER 12

SUBDIVISION, PUBLIC WAYS AND PROPERTY

ARTICLE 9 HOUSE NUMBERS

SECTION

- 12-9-1: House Numbers Required
- 12-9-2: Assignment of Numbers
- 12-9-3: Even; Odd Numbers
- 12-9-4: Duty to Post Numbers

12-9-1: HOUSE NUMBERS REQUIRED: In order to maintain uniformity and continuity in the numbering of postal addresses in the municipality, and to show the location of addresses to fire and police departments, emergency services and other agencies requiring ready knowledge of house locations, all lots, buildings and structure within the municipality shall be numbered in accordance with the house numbering system of the municipality.

12-9-2: ASSIGNMENT OF NUMBERS: The Building Commissioner shall assign to each lot, building or structure its proper number and shall inform the owner in possession of the premises as to the number thereof at any time upon request.

12-9-3: EVEN; ODD NUMBERS: All even numbers in the house numbering system of the municipality shall be assigned on the north and west sides of the streets, and all odd numbers shall be assigned on the south and east sides of the street.

12-9-4: DUTY TO POST NUMBERS: It shall be the duty of the owners or occupants of every building in the municipality to have placed thereon figures at least two and one-half (2 1/2) inches in height, showing the number of the building. Said figures shall be situated so as to be distinctly and easily read from the abutting street. The numbers shall be placed in a conspicuous place on the side of or above the front door of the building to which the same are attached.

CHAPTER 12

SUBDIVISIONS, PUBLIC WAYS AND PROPERTY

ARTICLE 10 TREES AND SHRUBS

SECTION

- 12-10-1: Planting and Removal of Trees
- 12-10-2: Application for Permit
- 12-10-3: Allowed Varieties
- 12-10-4: Prohibited Trees
- 12-10-5: Tree Caliper
- 12-10-6: Issuance or Denial of Permit
- 12-10-7: Appeal
- 12-10-8: Injury to Trees and Plants
- 12-10-9: Advertisements and Notices
- 12-10-10: Dangerous Trees
- 12-10-11: Wires
- 12-10-12: Height and Depth Requirements

12-10-1: PLANTING AND REMOVAL OF TREES: No person, firm or corporation shall plant or set out any tree located in the parkways adjacent to the streets of the municipality or in any public place, nor shall they attempt to remove or destroy any tree located therein without first filing an application and obtaining a permit from the Superintendent of Public works for planting or removal of trees.

12-10-2: APPLICATION FOR PERMIT: The application required herein shall be filed with the Village Clerk and forwarded to the Superintendent of Public Works. The application shall state the number of trees to be planted or removed, the location, grade and variety of each tree, the method of planting or removal, and such other information as the Superintendent of Public Works may require.

12-10-3: ALLOWED VARIETIES: Trees planted in public rights-of-ways shall be limited to:
Marshall Seedless Green Ash, Thornless Honey-Locust, Little Leaf Linden, Ginko (Male), Red Maple, Sugar Maple and Hackberry.

Other varieties may be approved at the discretion of the corporate authorities.

12-10-4: PROHIBITED TREES: The planting of the following varieties of trees within public rights-of-way shall be prohibited:

Chinese Elm, Tree of Heaven, Box Elder, Willow, Soft (Silver) Maple, Poplar - All Varieties, and Catalpa.

12-10-5: TREE CALIPER: Newly planted trees shall be at least two (2) inches in caliper, measured one (1) foot from the ground.

12-10-6: ISSUANCE OR DENIAL OF PERMIT: Upon the filing of an application for a permit to plant or remove trees, the Superintendent of Public Works shall investigate the location described in the application and all pertinent facts pertaining thereto. If, in the opinion of the Superintendent of Public Works, said trees should be planted, removed or destroyed, he shall issue said permit. However, if in the opinion of the Superintendent of Public Works, the application for a permit should not be issued, the application should be denied and the reasons for denial shall be given to the applicant.

12-10-7: APPEAL: Any person aggrieved by the decision of the Superintendent of Public Works for denial of a permit to plant or remove trees in the municipal parkways or in any public place may appeal said decision to the corporate authorities.

12-10-8: INJURY TO TREES AND PLANTS: No person shall damage, cut, carve, transplant or remove any tree or plant or injure the bark, pick the flowers or seeds of any tree or plant, attach any rope, wire or other contrivance to any tree or plant, dig in or otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area, tree or plants in the parkways or in public places within the municipality, nor shall any person allow any gaseous, liquid, or solid substance which is harmful to such trees and plants to come into contact with them.

12-10-9: ADVERTISEMENTS AND NOTICES: It shall be unlawful to attach any sign, advertisement, or notice to any tree or shrub in any parkway or public place within the municipality.

12-10-10: DANGEROUS TREES: Any tree or shrub which overhangs any sidewalk, street or other public place in the municipality in such a way as to impede or interfere with traffic or travel on such public place shall be trimmed by the owner of the abutting premises on which such tree or shrub grows so that the obstruction shall cease. Any limb of a tree which has become likely to fall on or across any public way or place shall be removed by the owner of the premises on which such tree or shrub grows or stands.

12-10-11: WIRES: Any person, firm or corporation given the right to maintain poles and wires in the streets, alleys or other public places in the municipality shall, in the absence of provisions in the franchise concerning the subject, keep such wires and poles from and away from any trees or shrubs in such places so far as may be possible and shall keep all such trees and shrubs properly trimmed and subject to the supervision of the Superintendent of Public Works so that no injury shall be caused to the poles or wires or shrubs and trees by contact.

12-10-12:HEIGHT AND DEPTH REGULATIONS: The following regulations shall prevail:

a. All shrubbery or hedges on street corners in the municipality located on municipal property shall be maintained or kept trimmed to a height of not to exceed thirty (3) inches at all times, and be so maintained and trimmed for a distance of at least fifty (50) feet in both directions from the curb or at the corner of the intersection.

b. All shrubbery or hedges abutting any alley in the municipality located on municipal property shall be maintained or kept trimmed at a height of not to exceed thirty (30) inches, and shall be so maintained and trimmed for a distance of fifteen (15) feet from the street or curb.

c. All shrubbery, hedges, trees or other growth abutting any alley in the municipality located on municipal property shall be maintained and kept trimmed so that the growth or branches thereof shall not extend beyond the private property line and shall not extend over or into the public right-of-way of the public alley.

d. On corner lots, trees shall not be planted within fifty (50) feet of the intersection of the corner property lines adjoining the street right-of-way.

e. Trees shall not be planted closer than fifteen (15) feet to alleys, fire hydrants or utility poles.

f. Trees which will exceed twenty (20) feet in height at maturity shall not be planted under overhead utility wires.