

CHAPTER 5 STREETS

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5.01 NAMES OF STREETS

All streets of the Village shall be known and designated by the names applied hereto, respectively, on the map of the Village kept on file in the office of the Village Clerk and the street names designated on such map shall continue to be the names of streets unless and until changed by ordinance of the Board of Trustees.

5.02 NUMBERING PROPERTY

Property owners shall, within thirty (30) days from the passage of this Ordinance, ascertain the number assigned or allotted to the frontage of their property on the map plan. After the expiration of thirty (30) days and as soon thereafter as is practical, the Village Board shall assign numbers to all property owners.

5.03 DAMAGE TO STREETS *Amended, 2006-07-17*

A. Prohibition. No person shall damage or deface any street, alley, sidewalk, public way, park or other Village or public property, or any post, wire, lamp, street sign, traffic sign, tree, grass, vegetation, gutter, drain, manhole or any other appurtenance thereon, except as may be authorized by the Village. However, the provisions of this section shall not preclude a homeowner from trimming, transplanting or removing such trees, grass or vegetation within the

confines of the property owned by said homeowner although said property may be a part of Village right of way. With the exception of JULIE or other governmental utility locating services, no permanent or temporary painting or marking of any Village street shall occur without the advance written approval of the Village which may be withheld in its sole discretion.

B. Injurious Materials. Except as provided herein, no person shall throw or deposit upon or into the road surface of any street in the Village any material or other substance for example, by way of illustration without limitation, glass, nails, tacks, wire, cans, stakes, wire or metal. Any person who throws or makes such a deposit shall immediately remove the material or cause it to be removed.

C. Wrecked Vehicles. Any person removing a wrecked or damaged vehicle from a street shall remove any glass or other injurious material, item or other substance dropped upon the street from the vehicle.

D. Spikes, Pins, Pipes in Road Surface. No person shall drive into any Village street surface any spike, pin, pipe or other similar or like object.

5.04 ENCROACHMENTS ON STREETS

A. Permit Required. No person shall erect or maintain any structure or thing on, over or under any street, alley, sidewalk or public way except by permit from the Board of Trustees. Application for such permit shall describe the nature of the encroachment in such detail as the Board of Trustees shall require. The Board in its discretion may issue or deny the permit, and may impose any conditions to such permit as it deems appropriate.

B. Maintenance. Any encroachment on any street, alley, sidewalk or public way shall be maintained so that it does not endanger or obstruct the public.

C. Nuisance. Any encroachment maintained in violation of this section is declared a nuisance and may be abated by the Village.

5.05 MATERIALS IN STREETS

No person shall place any materials on or over any street, sidewalk or public place without a permit there for from the Board of Trustees.

The permittee shall conform to all conditions the Village may impose upon granting of the permit.

5.06 ADVERTISING ON STREETS

No person shall paint or post any signs or bills on any streets, poles or other structures in any street or on the surface of any street.

5.07 **DEBRIS IN STREETS** *Amended, 2011-12-6*

A. No person shall litter or deposit any foreign matter on any street, alley, sidewalk, park or public place, except building materials and merchandise as permitted under this chapter, or as may be permitted by the Administrator or a police officer.

B. Any person violating this section shall be liable for the cost of removal of the foreign matter in addition to the penalty provided for violation of this Code.

5.08 **SPILLAGE OF LOAD** *2001-02-64*

A. No vehicle shall be operated on any highway or street within the Village of Bull Valley unless the vehicle is loaded and constructed so as to prevent any of its load from dropping, shifting, leaking or otherwise escaping therefrom.

B. No person shall operate or cause to be operated a second division vehicle (as defined in 625 ILCS 5/1-146 as amended) loaded with dirt, aggregate (as defined in 625 ILCS 5/15-109.1, as amended), garbage, refuse, or any other material when any portion of the load is falling, sifting, blowing, dropping or in any way escaping from the vehicle. All such loads shall be covered by a tarpaulins or some other cover as to prevent any spillage.

C. Notwithstanding any other penalty, whenever a police officer determines that the operator of a vehicle is in violation of this Section 5.08, as evidenced by the issuance of a citation, or where a police officer determines that a dangerous condition exists whereby any portion of the load may fall, shift, blow, drop or in any way escape or fall from the vehicle, the police officer shall require the operator to stop the vehicle in a suitable place and keep such vehicle stationary until the load has either been reduced, secured, or covered with a cover or tarpaulin of sufficient size to prevent any further violation of this Section 5.08.

D. The dropping, shifting, leaking or escape of any part of a vehicle's load onto a Village street, sidewalk, alley or any other public place shall create a presumption that a person is in violation of this Section 5.08.

E. Any person operating a vehicle who drops, shifts, spills or allows any portion of the vehicle's load to escape onto a Village street, sidewalk, alley or other public place as well as the owner of said vehicle shall, in addition to any fines and other penalties, pay the cost of removal and clean up of the load, and shall reimburse the Village for any damage to public streets or properties. The operator and owner of the vehicle shall also pay restitution to any person for damage to private property, including but not limited to, windshields. The operator and owner of the vehicle shall be jointly and severally liable for these costs.

F. It is unlawful for any person to operate any vehicle of the second division, upon any Village street unless such vehicle is equipped with rear fender splash guards of either the contour type or the flap type which comply with the specifications provided in this Section 5.08-F for the type of splash guards used on the vehicle, and which are so attached as to prevent the splashing of mud or water upon the windshield or other parts of other motor vehicles.

1. Specifications for contour type splash guards. When contour type rear fender splash guards are used, they shall contour the wheel in such a manner that the relationship of the inside surface of any such splash guard to the tread surface of the tire or wheel shall be relatively parallel, both laterally and across the wheel, at least throughout the top 90 degrees of the rear 180 degrees of the wheel surface; provided however, on vehicles which have a clearance of less than five inches between the top of the tire or wheel and that part of the body of the vehicle directly above the tire or wheel when the vehicle is loaded to maximum legal capacity, the curved portion of the splash guard need only extend from a point directly behind the center of the rear axle and to the rear of the wheel surface upwards to within at least two the bottom line of the body when the vehicle is loaded to maximum legal capacity. There shall be a downward extension of the curved surface which shall end not more than 12 inches from the ground when the vehicle is loaded to maximum legal capacity. This downward extension shall be part of the curved surface or attached directly to such curved surface, but it need not contour the wheel. Such contour type splash guards shall be wide enough to cover the full tread width of the tire or tires being protected and shall be installed not more than six inches from the tread surface of the tire or wheel when the vehicle is loaded to maximum legal capacity. The splash guard shall have a lip or flange on its outside edge to minimize side throw and splash. The lip or flange shall extend toward the center of the wheel, and shall be perpendicular to and extend not less than two inches below the inside or bottom surface line or plane of the guard. Such contour type splash guards may be constructed of either a rigid or flexible material, but shall be attached in such a manner that, regardless of movement either by the splash guards or the vehicle, the splash guards will retain their general parallel relationship to the tread surface of the tire or wheel under all ordinary operating conditions.
2. Specifications for flap type splash guards: When flap type splash guards are used, they shall be wide enough to cover the full tread width of the tire or tires being protected; shall be so installed that they extend from the underside of the vehicle in a vertical plane behind the rear wheels to within 12 inches of the ground, when the vehicle is loaded to maximum legal capacity; shall be so constructed and attached so that when the vehicle is in forward motion such splash guard will not deviate or move backward from the vertical plane by an angle of more than 30 degrees measured from the vertical plane and so that when the forward motion of the vehicle causes such splash guard to deviate from the vertical plane, the bottom of such flap type splash guard will not be more than 15 inches from the ground, when the vehicle is loaded to maximum legal capacity. Such flap type splash guard may be constructed of either a rigid or flexible material.

3. No second division vehicle shall be operated in such a manner that mud or other debris is cast off or discharged from its wheels to cause a hazard or danger to other vehicles or persons. Any second division vehicle which allows mud or other debris to be discharged or cast off from its wheels for a distance of five feet or more shall be presumed to be in violation of this Section 5.08-F.

G. The operator and owner of a vehicle which drops, spills or allows any portion of its load to escape or violates any provision of this Section 5.08 shall pay a fine as follows and shall be jointly and severally liable for said fines and costs:

1. First offense: A fine of not less than \$300.00 plus cost of court;
2. Second offense: A fine of not less than \$600.00 plus cost of court ; and
3. Third offense or more: A fine of not less than \$750.00 plus cost of court.

In addition, the vehicle's operator and owner shall be jointly and severally liable for the Village's costs of enforcing this Section 5.08, including but not limited to, its attorney's fees.

H. Any person who violates this Section 5.08 for a second or subsequent time, shall be prohibited from receiving any permits required by the Village for operation of any vehicle on its streets and highways, including, but not limited to special and temporary permits as set forth in Chapter 15 of this Code, for a period of one year from the date of the violation or entry of a plea of guilty or a finding of guilty, whichever is later. Any person or entity which owns one or more vehicles shall be prohibited from receiving any permits required by the Village for operation of any vehicle on its streets or highways, including but not limited to special and temporary permits as set forth in Chapter 15 of this Code, upon the second violation of this Section 5.08 even if none of the owner's vehicles have no more than one previous violation.

5.09 EXCAVATIONS IN STREETS

A. Permit. No person shall excavate in or tunnel under any street in the Village without first securing a permit at least twenty-four (24) hours in advance of such work from the Village Zoning Officer.

B. Fee. The applicant for such permit shall deposit Twenty Five Hundred Dollars (\$2,500.00) in cash or letter of credit with the Village Clerk as security for the repair of the street. The deposit shall be held by the Clerk until the Superintendent of Roads certifies to him that the street has been properly repaired.

C. Restoration. The person securing such permit shall restore the surface of the street to its original condition under such directions as the Village may issue within five (5) days after completing the work for which the excavation was made. Upon restoration of the surface to its former condition the Village Clerk shall return the cash deposit or letter of credit to the permit holder less Fifty Dollars (\$50.00) which shall be retained by the Village as a permit fee. If the

permit holder does not restore the street to its original condition the Village shall have such work done and retain the cost thereof out of the deposit.

D. Standing Bond. Any public utility or other person may deposit a standing bond with the Village to insure the proper repair of Village streets whenever work is done in the Village, but shall secure a permit as required by this section.

5.10 PROTECTION OF WORK IN STREETS

Any person constructing or repairing, or making any excavation in or tunnel under, or placing any material on or over any street, sidewalk or other public place shall maintain suitable barricades and other protective devices as shall properly prevent injury to any person or property. Suitable lights shall be maintained during the nighttime to warn the public. No unauthorized person shall interfere with or disturb any such protective devices.

A permit shall be secured from the Zoning Officer at least twenty four (24) hours in advance of placing any barricades in any street.

5.11 MOVING STRUCTURES

No person shall move any building or structure on any street without a permit from the Zoning Officer. The Zoning Officer may impose such conditions as he deems appropriate to protect the Village and the public, upon granting such permit. The applicant for such permit shall deposit Five Thousand Dollars (\$5,000.00) in cash with the Village Clerk as security for the protection of the streets and other Village property.

5.12 BURNING LEAVES AND RUBBISH

No person shall burn any leaves, paper, rubbish or other substances upon any street, sidewalk or alley.

5.13 DRIVEWAYS/CONSTRUCTION ACCESS, *amended 2015-16-03*

A. Permit Required. No person shall construct a driveway or other access entering any road or street without a permit therefor from the Village. The fee for such permit shall be as determined by the Board of Trustees.

B. Fee. The applicant for such permit shall deposit a minimum of Twenty Five Hundred Dollars (\$2,500.00) up to a maximum of Five Thousand dollars (\$5,000.00) in cash or letter of credit with the Village Clerk as security for the repair of the road or street. The amount shall be determined by the Building Inspector, in consultation with the Road Supervisor, and be based on the amount and type of vehicle traffic anticipated for the duration of the construction including installation of pools and any other accessory structures.

C. Restoration. The person securing such permit shall restore the surface of the street to its original condition under such directions as the Village may issue within five (5) days after completing the work for which the bond was required. Upon restoration of the surface to its former

condition the Village Clerk shall return the cash deposit or letter of credit to the permit holder less Fifty Dollars (\$50.00) which shall be retained by the Village as a permit fee. If the permit holder does not restore the road or street to its original condition the Village shall have such work done and retain the cost thereof out of the deposit. If the damage to the road or street requires the Village to make repairs that exceed the amount of security bond, the property owner will be billed for the overage.

D. Culverts Required. Culverts shall be required at the point of the entrance of the driveway to the public road. The length and width of the culvert shall be in accordance with good engineering standards and subject to the approval of the Village Engineer. In the event driveways are altered where there have been no previous culverts or the previous culverts are inadequate, according to good engineering standards, new culverts shall be installed by the owner of the property. The culverts shall be of a length and width determined by good engineering standards and subject to the approval of the Village Engineer.

5.14 SNOW

It shall be unlawful for any person, firm or corporation to place or deposit accumulations of snow from private property onto any street, road or public way in the Village of Bull Valley.

5.15 GARBAGE OR REFUSE

It shall be unlawful for any person, firm or corporation to deposit garbage or refuse of any kind on any street, road or public way in the Village of Bull Valley and no refuse shall be placed on public or private property in the Village of Bull Valley so that it can be blown about or scattered by the wind.

5.16 PARADES AND ROAD RUNS *Amended, 2011-12-6*

A. Definitions. Terms used in this section mean as follows:

Parade: Any march or walk or procession consisting of people, animals or vehicles, or any combination thereof, except funeral processions, upon any public street which does not comply with normal and usual traffic regulations or controls.

Road run: Any organized walk, walkathon, road race consisting of people, bicycles or vehicles, upon any public street which does not comply with normal and usual traffic regulations or controls.

B. Permits. It shall be unlawful for any person or organization to conduct a parade/road run in or upon any public street in the Village or knowingly participate in any such parade/road run unless and until a permit to conduct such parade/road run has been obtained from the Village Board of Trustees.

C. Insurance. No permit shall issue unless the applicant provides a certificate of insurance showing that the applicant has general liability insurance coverage in an amount not less than One Million Dollars (\$1,000,000.00), including automobile coverage in the amount of

One Million Dollars (\$1,000,000.00) if automobiles or other motor vehicles are to be used in the parade/road run. The certificate of insurance shall also show that the applicant's insurance policy includes contractual liability coverage. Applicant shall hold the Village harmless and indemnify it against any claims for personal injury or death or property damage resulting from a parade or road run.

D. Parade/Road Run for Commercial Purpose Prohibited. No permit shall be issued authorizing the conduct of a parade/road run which the Board of Trustees finds is proposed to be held for the sole purpose of advertising any product, goods, wares, merchandise, or event and is designed to be held purely for private profit.

E. Interference with Parade/Road Run. No person shall knowingly join or participate in any parade/road run conducted under permit from the Board of Trustees in violation of any of the terms of said permit, nor knowingly join or participate in any permitted parade/road run without the consent and over the objection of the permittee, nor in any manner interfere with its progress or orderly conduct.

F. Application for Permit. Any person or organization who wants to conduct a parade/road run shall apply to the Board of Trustees for a permit at least forty-five (45) days in advance of the date of the proposed parade/road run. The Board of Trustees may in their discretion consider any application for a permit to conduct a parade/road run which is filed less than forty-five (45) days prior to the date such parade/road run is to be conducted. The application for such permit shall be made in writing on a form found at the end of this chapter. In order that adequate arrangements may be made for the proper policing of the parade/road run, the application shall contain the following information:

1. The name of the applicant, the sponsoring organization, the parade/road run chairman and the addresses and telephone numbers of each.
2. The purpose of the parade/road run, the date when it is proposed to be conducted, the location of the assembly area, the location of the disbanding area, route to be traveled, and the approximate time when the parade/road run will assemble, start and terminate.
3. A description of the individual floats, marching units, vehicles, bands including a description of any sound amplification equipment to be used, and the estimated number of individual participants.
4. Such other information as the Board of Trustees may deem reasonably necessary.

G. Issuance or Denial of Permit.

1. Standards for Issuance. The Board of Trustees shall issue a parade/road run permit conditioned upon the applicant's written agreement to comply with the terms of such permit unless the Board of Trustees finds that:

- a. The time, route and size of the parade/road run will disrupt to an unreasonable extent the movement of other traffic.
 - b. The parade/road run is of a size or nature that requires the diversion of so great a number of police officers of the Village to properly police the line of movement and the areas contiguous thereto that allowing the parade/road run would deny reasonable police protection to the Village.
 - c. Such parade/road run will interfere with another parade/road run for which a permit has been issued.
2. Standards for Denial. The Board of Trustees shall deny an application for a parade/road run permit and notify the applicant of such denial where:
- a. The Board of Trustees makes any finding contrary to the findings required to be made for the issuance of a permit.
 - b. The information contained in the application is found to be false or nonexistent in any material detail.
 - c. The applicant refuses to agree to abide by or comply with all conditions of the permit.

H. Contents of Permit. Each permit shall specify:

- 1. The assembly area and time therefor;
- 2. The starting time;
- 3. The minimum and maximum speeds;
- 4. The route of the parade/road run;
- 5. What portions of streets to be traversed may be occupied by such parade/road run;
- 6. The maximum number of individual participants, and platoons or units and the maximum and minimum intervals of space to be maintained between the units of such parade/road run;
- 7. The maximum length of such parade/road run in miles or fractions thereof;
- 8. The disbanding area, and disbanding time;

9. The number of persons required to monitor the parade/road run;
10. The number and type of vehicles, if any;
11. The material and maximum size of any sign, banner, placard or carrying device therefor;
12. That permittee advise all participants in the parade/road run either orally or by written notice, of the terms and conditions of the permit, prior to the commencement of such parade/road run;
13. That the amplification and pitch of sound permitted to be emitted from sound trucks, or bull horns be fixed and not variable;
14. That the parade/road run continue to move at a fixed rate of speed and that any willful delay or willful stopping of said parade/road run, except when reasonably required for the safe and orderly conduct of the parade/road run shall constitute a violation of the permit, and;
15. Provisions to clean up debris left by parade/road run, including a cash bond;
16. A fee based on the cost to provide traffic control and other police services by the Village;
17. Such other requirements as are found by the Board of Trustees to be reasonably necessary for the protection of persons or property;

All conditions of the permit shall be complied with so far as reasonably practicable.

I. Officials to be Notified. Immediately upon the granting of a permit for a parade/road run, the Village Clerk shall send a copy thereof to the Chairman of the Public Safety Committee and Village President.

J. Revocation of Permit. Any permit for a parade/road run issued pursuant to this Ordinance may be summarily revoked by the Village President on recommendation of the Administrator at any time when by reason of disaster, public calamity, riot or other emergency, the Administrator or designee determines that the safety of the public or property requires such revocation. Notice of such action revoking a permit shall be delivered in writing to the permittee by personal service or by certified mail.

5.17 **UNDERGROUND INSTALLATION OF UTILITIES** *Amended, 2025-26-15, 2006-07-12, 1998-99-15*

A. Underground Installation. Any and all utility plant components, i.e. transmission lines (power) and/or communications lines (voice, data video etc.) and used in new construction or that are used to upgrade existing utility components and/or extended to serve an additional

parcel, new principal building or accessory structure on a lot shall be installed underground. This requirement does not apply to the replacement of existing utilities when the replacement materials are of the same grade and type. Any construction work shall be done under the supervision of the Committee on Public Works of Bull Valley or such other duly authorized agent as the Board of Trustees may from time to time designate. Before any work commences a permit request must be filed and said permit approved by the Committee on Public Works or such other duly authorized agent as the Board of Trustees may from time to time designate.

B. Penalty. Any violation of this Section 5.16 shall carry a fine not to exceed \$1,000.00, plus the Village's cost of prosecution including reasonable attorney fees. A separate offense shall be deemed committed on each day on which a violation occurs or continues.

5.18 PLANTS ALONG ROADWAYS *1994-95-2; Amended, 1998-99-15; 2013-14-06*

A. It shall be unlawful for anyone to willfully drive upon, pick, remove, destroy, cut down or in any manner injure any tree, shrub, plant or flower planted or growing within the right of way of any road within the Village. However, the provisions of this section shall not preclude the Village having jurisdiction over the roadway for trimming, transplanting or removing such trees, shrubs, plants or flowers at its discretion. Nor shall the provisions of this section preclude a homeowner from trimming, transplanting or removing such trees, shrubs, plants or flowers within the confines of the property owned by said homeowner although said property may be part of a right of way.

B. Penalty. Any person, firm or corporation violating this Section shall be punished by a fine pursuant to the Appendix of this Code plus the cost of restoration and legal fees incurred by the Village. Each day that a violation exists shall be considered a separate offense.

5.19 INTENTIONALLY LEFT BLANK *2025-26-15*

5.20 MAILBOX INSTALLATION *2008-09-02*

In order to be considered for reimbursement by the Village for a mailbox being damaged by a Village employee, such mailbox must have been installed along Village streets in accordance with U.S. Postal Service regulations. Any reimbursement request to the Village for such damage to a mailbox caused by a Village employee shall not exceed \$75.00 in total.

5.21 PENALTY *1998-99-12; Amended, 1998-99-15; 2013-14-06*

Unless otherwise provided, any violation of this Chapter shall be punished by a fine pursuant to Appendix A of this Code. This Section shall in no way abrogate or impair the right of the Village to specifically enforce, by any local means, any of the provisions of this Chapter.