

**CHAPTER 6
STREETS**

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6.01 **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 at Village Hall. The street names designated on such map shall continue to be the names of the streets unless and until changed by ordinance of the Board of Trustees.

6.02 **NUMBERING BUILDINGS**

A. **NUMBERING BUILDINGS:** All buildings abutting streets of the Village shall be numbered by the Community Development Department.

B. **RESPONSIBILITY:** It shall be the duty of the owners and occupants of every building in the Village to have placed thereon or on the property, in a place visible from the street, the number of the building in Arabic numerals (script not permitted) at least 4 inches high with a minimum stroke width of 0.5 inches.

C. **FINE:** Any person, firm or corporation failing to number any house, building, or other structure occupied after receiving notice to do so from the Village shall be fined not less than \$25.00 nor more than \$500.00 for each day during or on which a failure to so number continues.

6.03 **DAMAGE TO STREETS, PUBLIC PROPERTY**

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.

6.04 **ENCROACHMENTS ON STREETS**

A. PERMIT: Except as provided in Subsection B or C of this Section no person shall erect or maintain any structure or thing on, over or under any street, alley, sidewalk, or public right-of-way except by permit from the Board of Trustees. Each application for such a permit shall be on a form provided by the Director of Public Works and shall describe the nature of the encroachment in detail. The Board of Trustees, in its discretion, may issue or deny the permit and may impose any conditions to such permit as it deems appropriate.

B. AWNINGS: Awnings made of a pliable material attached to a building and extending not less than eight feet above the surface of the sidewalk may be erected and maintained without a permit.

C. IRRIGATION SYSTEMS: Irrigation systems may pass under a sidewalk or underground in the right-of-way if installed under a building permit issued by the Community Development Department.

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

6.05 **OBSTRUCTING STREETS**

No person shall obstruct or endanger the free passage or proper use of the public on any street, sidewalk, alley or public place, except as specifically permitted by this Code.

6.06 **MATERIAL IN STREET**

No person shall place any materials on or over any street, sidewalk, or public place without a permit from the Public Works Director. Each application for such a permit shall be on a form provided by the Director of Public Works.

6.07 **PAINTING ON STREETS AND RIGHTS OF WAY**

No person shall paint on any streets, rights-of-way, poles or other structures in any street or on the surface of any street or sidewalk except for the placement of an address on the curb directly in front of a residence. No such painting shall be undertaken without a permit first having been issued therefor by the Director of Public Works. Each application for such permit shall be on a form provided by the Director of Public Works.

6.08 DEBRIS IN STREETS

A. LITTERING: No person shall litter or deposit any foreign matter on any street, alley, sidewalk, right-of-way, park or public place, except as specifically permitted by this Code, or as may be specifically permitted in advance by the Director of Public Works.

B. PENALTY: Any person violating this Section 6.08 shall be liable for the cost of removal of the foreign matter in addition to the penalty provided for violation of this Code.

6.09 EXCAVATIONS IN STREETS and RIGHTS-OF-WAY

A. PERMIT: In addition to any other required governmental permit, no person shall excavate in or tunnel under any street in the Village without first securing a permit for such work from the Public Works Department. Based upon the age of the street, amount of traffic and location of utilities, the Director of Public Works shall determine if the street shall be cut or tunneled.

B. DEPOSIT: A deposit of \$2,500 shall be made at the time of permit issuance for any excavation in streets or rights-of-way. A perpetual performance or cash bond of \$10,000 may be posted by an organization which repeatedly excavates within the right-of-way. The deposit shall be held by the Village for not less than six months. The Village, at its discretion, may hold the deposit for up to two years. If no damage has been incurred to Village property, the total amount of the deposit shall be returned to the party making the deposit upon request. Any deposit not claimed within three years shall be deemed forfeited. In the event the Village property sustains damage, that portion of the deposit necessary to effect repairs shall be retained by the Village; the balance shall be returned to the party making the deposit. If the cost of repairs to the Village property exceeds the amount of the deposit, then such additional costs shall be charged to the owner of the property and/or the person issued the permit and it shall become immediately due and payable upon the owner receiving written notice of the amount of which the cost of repairs exceeds the deposit.

C. RESTORATION: Each street shall be restored immediately after work is completed to a condition at least as good as existed prior to such work.

6.10 PROTECTION OF WORK IN STREETS

Any person constructing, repairing, or making any excavation in or tunneling under, or placing any material on or over any street, sidewalk, right-of-way, or other public place shall install and maintain suitable barricades and other protective devices acceptable to the Director of Public Works and as necessary to prevent injury to any person exposed to the construction process. Suitable lights shall be maintained overnight to warn the public. No person, unless authorized by the Village, shall interfere with or disturb any such warning devices.

A permit shall be secured from the Director of Public Works at least 24 hours in advance of placing any barricades in any street.

6.11 MOVING STRUCTURES

No person shall move any building or structure on any street without a permit therefor from the Director of Public Works. The Director of Public Works may impose such conditions as are necessary to protect the Village and the public. The applicant for such permit shall deposit \$5,000.00 in cash with the Village as security for the protection of the streets and other Village property exposed during the moving process. The deposit shall be returned if no permit is granted or after all work is completed, minus all costs to repair public facilities damaged by the moving process. At no time shall a deposit be returned without written approval from the Director of Public Works.

6.12 TREES AND LANDSCAPING ON PUBLIC PROPERTY

A. DEFINITIONS : In addition to the terms defined in Appendix A of this Code, the terms used in this Section 6.12 are defined as follows:

1. *Street Trees*: Street trees are defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the Village.
2. *Park Trees*: Park trees are defined as trees, shrubs, bushes and all other woody vegetation in public parks and all areas owned by the Village,

or to which the public has free access as a park.

B. DUTIES AND RESPONSIBILITIES

1. The Director of Public Works shall be responsible to the Board of Trustees to study, investigate, counsel develop and administer a plan for the care, preservation, inventory, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets, and in other public areas. The Director of Public Works shall also designate an individual from the Public Works staff to serve as the Village Arborist.
2. The Village Arborist shall be certified as an Arborist and shall implement the Director's plan.

C. TREE SPECIES TO BE PLANTED

1. The Director of Public Works, with advice from the Village Arborist, shall develop and maintain a list of desirable trees for planting along streets in three size classes based on mature height: small (under 20 feet), medium (20 to 40 feet) and large (over 40 feet). Efforts shall be made to ensure a sufficient diversity of tree species.
2. Permitted Trees and Shrubs
 - a. Trees - Minimum Tree Caliper for Medium and Large Trees: 3 inch at 4 feet from the ground.

SMALL TREES	
All varieties	Disease and Apple Scab Resistant Thornless Crab Apple
MEDIUM TREES	
Alnus Glutinosa	Common Alder
Betula Lenta	Sweet Birch
Betula Nigra	River Birch
LARGE TREES	
Acer Platanoides	Norway Maple
Acer Rubrum	Red Maple
Acer Pseudoplatanus	Planetree Maple
Acer Saccharum	Sugar Maple
Acer Nigra	Black Maple

Catalpa Speciosa	Northern Catalpa
Celtis Occidentalis	Common Hackberry
Fagus Grandifolia	American Beech
Fraxinus Americana	White Ash
Ginko Biloba	Ginko
Gleditsia Triacanthos var. inernis	Thornless Honey locust
Gymnocladus Dioicus	Kentucky Coffeetree
Larix Decidua	Common Larch
Prunus Serotina	Black Cherry
Pyrus Calleryana	Callery Pear
Quercus Bicolor	Swamp White Oak
Quercus Imbricaria	Shingle Oak
Quercus Macrocarpa	Bur Oak
Quercus Rubra	Red Oak
Robinia Pseudoacacia	Black Locust
Sassafras Albidum	Common Sassafras
Tilia x Euchlora	Crimean Linden
Tilia Tomentosa	Silver Linden
Ulmus Americana Liberty	American Liberty Elm
Zelkova Serrata	Japanese Zelkova

b. SHRUBS

Large Deciduous Shrubs (Minimum Size At Installation - 3 Feet In Height)	
Common Name	Botanical Name
Burning Bush	Euonymus Alatus "Caompactus"
Clethra Summersweet	Cotoneaster, Hedge
Clethra Alnifolia	Cotoneaster Multiflorus
Cotoneaster, Peking	Cotoneaster, Spreading
Cotoneaster Acutifolius	Cotoneaster Divaricatus
Dogwood, Comeliancherry	Dogwood, Gray
Cornus Mas	Cornus Racemosa
Dogwood, Pagoda	Cornus redosier
Alternifolia	Cornus Sericea "Baileyi"
Isanti	Dogwood, tatarian
	Cornus Alba
Filbert, American	Corylus
Americana	Filbert, Turkish
	Corylus Columa
Forsythia, Border	Forsythia, Green Stem
Forsythia x Intermedia	Forsythia Viridissima
	"Meadowlark"
Northern Sun	Sunrise
Hydrangea, Panical	Lilac
Hydrangea Paniculate	Syringa spp.
"Tardiva"	
Sumac, Smooth	Rhus
Rhus Glabra	Sumac, Staghorn
	Rhus Typhina

Tamarix, Five-Stamen Tamarix Ramosissima	Viburnum, American Cranberry Viburnum Trilobum
Viburnum, Arrowwood Viburnum Detatum "Northern Burgandy"	Autumn Jazz
Chicago Lustre	Viburnum, Blackhaw Viburnum Prunifolium
Viburnum, Burkwood Viburnum x burkwoodii	Viburnum, European Cranberry Viburnum Opulus
Viburnum, Lantanaphyllum Viburnum x Rhytidophylloides	Viburnum, Nannyberry Viburnum Lentago
Viburnum, Wayfaringtree Viburnum Lantana	Weigela, Old Fashioned Weigela Floride
Witchhazel, Common Hamamelis Virginiana	Witchhazel, Vernal Hamamelis Vernalis

Large Evergreen Shrubs (Minimum Size At Installation - 5 Feet In Height)	
Common Name Botanical Name Cultivar	Arborvitae Thuja Occidentalis "Techny"
Hemlock, Canadian Tsuga Canadensis	Juniper, Upright Juniperus spp.

Small Deciduous Shrubs (Minimum Size At Installation - 24 Inches In Height)	
Common Name Botanical Name Cultivar	Alpine Currant Ribes Alpinum "Green Mound"
Serviceberry, Running Amelanchier Stolonifera	Barberry, Japanese Berberis Thunbergii
Berberis, Mentor Berberis x Mentorensis	Bayberry Myrica Pennsylvanica
Chokeberry, Black Aronia Melonocarpa	Chokeberry, Red aronia Arbutifolia "Brilliantissima"
Cotoneaster, Cranberry Cotoneaster Apiculata	Cotoneaster, Creeping Cotoneaster Adpressus
Cotoneaster, Rockspray Cotoneaster Horizontalis	Forsythia, Greenstem Forsythia Viridissima "Bronxensis"
Hydrangea, Annabelle Hydrangea Arborescens "Annabelle"	Lilac, Miss Kim Syringa Patula "Miss Kim"
Lilac, Meyer Syringa Meyeri "Palibin"	Rose Rosa spp.
Stephanandra, Cutleaf	Sumac, Gro Low Rhus

Stephanandra incise "Crispa"	Aromatica "Gro Low"
Viburnum, Dwarf Korean Viburnum Carlesii "Compacta"	Viburnum, Compact American
Cranberry Viburnum Trilobum "Compactum"	Viburnum, Judd Viburnum x Juddii
Viburnum, Sargent Viburnum Sargentii	

Small Evergreen Shrubs (Minimum Size At Installation - 24 Inches In Height)	
Common Name Botanical name Cultivar	
Boxwood, Littleleaf Buxus Microphyllia	Boxwood, Common Buxus Semperviners
Green Gem	Boxwood Buxus Koreana x Sempervirens "Glencoe"
Green Mound	Green Mountain
Winter Gem	Green Velvet
Blue Chip	Juniper, Creeping Juniperus Horizontalis "Bar Harbor"
Hughes	Blue Rug
Juniper, Chinese Juniperus Chinensis "Kallays Compacta"	P.C. Youngstown
Compacta	Pfitzeriana
Var. Sargentii "Viridis"	Var. Sargentii "Glauca"
Juniper, Japgarden Juniperus Procumbens	Sea Green
Rhododendron Rhododendro spp. "P.J.M."	Pine, Mugo Pinus Mugo Var. Mugo
Yew, Dense Taxus x Media "Densiformis"	Northern Lights
Hicksii	Tauntonii

Groundcovers And Vines	
Common Name Botanical name Cultivar	
Barren Strawberry Waldsteinia Ternate	Ajuga Ajuga reptans
Indian Maiden	Bittersweet Celastrus Scandens "Indian Brave"
Clematis Clematis spp.	Boston Ivy Parthenocissis Tricuspidate
Fleeceflower Polygonum Reynoutria	Common Periwinkle Vinca Minor
	Hydrangea, Climbing Hydrangea Anomola ssp.

	Petiolaris
Pachysandra, Japanese Pachysandra Terminalis	Poreclein Vine Ampelopsis Brevipedunculata
Purpleleaf Wintercreeper Euonymous fortunei "Coloratus"	Sedum Sedum spp.
Virginia Creeper Parthenocissis Quinquifolia	

D. SPACING OF TREES

1. The spacing of street trees will be in accordance with the three species size classes listed in Section 6.12.C. herein, and no trees may be planted closer together than the following: small trees, 15 feet; medium trees, 25 feet; and large trees, 35 feet; except in special plantings approved by the Director of Public Works.
2. The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the three species size classes listed in Section 6.12.C. herein, and no trees may be planted closer to any curb or sidewalk than 2 feet for small trees and 3 feet for medium or large trees.
3. No street tree shall be planted within 10 feet of any fire hydrant or street light pole.
4. No street trees other than those species accepted as small trees, in Section 6.12.C, may be planted under, or within 10 feet of, any overhead utility wire. Nor shall any tree other than a small tree be planted over or within five lateral feet of any underground water line, sewer line, transmission line, or underground utility.
5. New developments shall require one tree per interior lot and two trees per corner lot. The standard tree caliper size shall be three inches minimum at four feet from finished grade.

E. PUBLIC TREE CARE

1. The Village shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the rights-of-way of all streets, avenues, lanes, and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds.
2. The Director of Public Works may remove or cause or order to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is affected with any injurious fungus, insect, or other pest. This section 6.12E2 does not prohibit the planting of street trees by adjacent property owners providing that the selection and location of said trees is in accordance with this chapter 6 and approved by the Director of Public Works.

F. PRUNING STANDARDS

1. Every owner of any tree overhanging any street or right-of-way within the Village shall prune the branches so that such branches shall not severely obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of thirteen feet (13') above street surface or eight feet (8') above the sidewalk surface. Clear space requirements for corner lots shall be maintained pursuant to Section 15.4 of the Lake in the Hills Zoning Ordinance (Chapter 22 of this Code). Said owners shall remove all dead, diseased, or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The Director of Public Works will notify in writing the owners of such trees which do not meet the standard. Pruning shall be done by said owners at their own expense within 20 days after the date of service of notice. In the event of failure of owners to comply with such provisions, the Village shall have the right, but not the obligation, to prune such trees and charge the cost of pruning on the owner's property tax notice.
2. Tree limbs that grow near high voltage electrical conductors shall be maintained clear of such conductors by the electric utility company in compliance with any applicable franchise agreements. A utility tree trimming

policy must be approved by the utility company and Director of Public Works prior to any trimming by the utility company.

3. It shall be unlawful as a normal practice for any person, firm, or Village department to top any street tree, park tree, or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Crown reduction by a qualified arborist may be substituted, where appropriate. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this Section 6.12F3 at the determination of the Village Arborist.
4. All tree pruning on public property shall conform to the American National Standard for Tree Care Operations (ANSIA300).

G. REMOVAL OF STUMPS

All stumps of street trees and park trees shall be removed to not less than six inches below the surface of the ground to allow for proper restoration.

H. PROTECTION OF TREES

1. In order to maintain the overall urban forest, reasonable efforts shall be made to replace trees that are removed and to protect quality trees that are endangered.
2. Trees removed by decision of the Director of Public Works or by natural causes shall be replaced somewhere in the urban forest on a one-for-one basis within one year. The location and species of any replacement tree shall be determined by the Director of Public Works.
3. Trees of desirable species and good health shall be protected as much as possible from damage during construction, sidewalk repair, utilities work above and below ground, and other similar activities. The zone of protection shall include the ground beneath the canopy of the tree.

I. LANDSCAPING AND SCREENING IN NEW DEVELOPMENTS

1. The requirements of this Section 6.12I apply to landscaping and screening plantings on public lands within new developments.
2. In the event that it can be demonstrated that existing vegetation, trees and shrubs, meet requirements identified in the Lake in the Hills Subdivision Control Ordinance, (Chapter 23 of this Code) existing vegetation may be credited for landscape materials required by this section 6.12I. If any of the vegetation dies, the developer shall be required to install the plant materials according to the standards of this Section 6.12 and as determined by the Public Works Director or his / her designee. Said plant material shall be guaranteed, by the developer, for two years from the time of final acceptance by the Village's Director of Public Works.
3. Required screening shall not be disturbed for any reason except for required walks, driveways or bicycle paths and fences.
4. Prior to the acceptance of existing and proposed plant materials by the Public Works Director, a plan review and inspection of existing and proposed vegetation shall be completed by the developer. The Public Works Director will provide a written statement certifying that the existing and proposed landscape plan has been accepted and approved and that all materials will be planted in accordance with Village specifications.
5. All materials planted shall be guaranteed for an amount equal to 125% of their cost at the time of installation by the developer for one growing season from the time of acceptance by the Public Works Director. Said financial guarantee shall consist of either a letter of credit and / or bond and shall be posted with the Village prior to final plat approval.

J. SELECTION AND INSTALLATION OF PLANT MATERIALS

1. Planting materials used in conformance with the permitted trees and plant materials subject to this Section 6.12 shall be of good quality, of a species normally grown in Northeastern Illinois and capable of withstanding the extremes of individual microclimates.

2. All landscaping trees and materials shall be installed in accordance with the planting procedures established by the American Association of Nurserymen and International Society of Arboriculture.

K. AREA LANDSCAPING STANDARDS

1. The following standards shall apply to the required quantity of planting materials (trees and shrubs) for landscaped areas of public and private streets, subdivision entrance islands and cul-de-sac islands in right-of-ways.
2. On islands with more than 500 square feet of landscaped area there shall be at least one tree for each 1000 square foot increment greater than 500 square feet, i.e., 1500 sq. ft. = 2 trees
2500 sq. ft = 3 trees, etc.
3. On islands with an area that meets the requirements for one or more trees there shall also be one shrub for every 150 square feet of landscaped area. (e.g., 750 sq. ft. = 1 tree + 1 shrub, 900 sq. ft. = 1 tree + 2 shrubs, 1200 sq. ft. = 1 tree + 4 shrubs)
4. On islands with an area less than 500 square feet there shall be one shrub for every 150 square feet of landscaped area, e.g., 450 sq. ft. = 3 shrubs.
5. Mulch shall be installed at each tree and shrub.

6.13 **SNOW ON SIDEWALKS**

The person occupying the ground floor of any building, the owner/user of any lot without a structure thereon, and the owner of any vacant building or other premises shall remove the snow and ice accumulating on the abutting sidewalks within 24 hours after any snowfall has ceased. If snow or ice cannot be removed the surface shall be sanded or otherwise treated to lessen the hazard for pedestrians until the climate permits removal.

6.14 **DRIVEWAYS**

A. PERMIT: No person shall construct a new driveway entering any street without a permit therefor from the Director of Public Works.

B. CULVERTS: Culverts may be required under driveways connecting to a street that is not improved with curb, gutter and storm sewers, prior to the point of entry of the driveway to the public road, as defined in Chapter 24 of this Code. The length, width, depth, and location of the culvert shall be subject to the approval of the Public Works Director.

No driveway without a culvert or with an inadequate culvert shall be altered except with the installation of a new culvert, subject to the approval of the Public Works Director

If, in the judgment of the Public Works Director, a culvert is needed to remove obstructions in drainage ditches or swales, due to site alterations by the owner of the property, the Village shall install a culvert of the size and length determined by the Village Engineer. The cost of the culvert and repaving that portion of any driveway that may be affected shall be borne by the owner of the property.

6.15 EASEMENTS, RIGHTS-OF-WAY, DITCHES/SWALES

A. Buildings, structures or any parts of appurtenances thereto shall not be constructed or placed in any public easement or right-of way so as to restrict drainage channels.

B. No fill material of any kind shall be placed in any easement or right-of-way without a permit therefor issued in advance by the Director of Public Works except for fill placed under work covered by a driveway permit issued and approved by the Community Development Department.

C. No permit to alter, build or fill any part of any public easement or right of way shall be issued by the Director of Public Works until written approval is received from the Village Engineer that the proposed alteration, building or fill will in no way effect surface water run-off capacities or patterns of surrounding properties.

D. The cost of the engineering review shall be born by the person(s) desiring the modification and shall be paid prior to the review being made.

E. All ditches and swales shall be planted and maintained with grass to eliminate erosion and sedimentation that could be caused by water transversing the ditch or swale, unless some other form of erosion and sedimentation control is recommended by the Village Engineer for the project.

6.16 SIDEWALKS

A. SPECIFICATIONS: All sidewalks built within the

Village shall be constructed in accordance with the Subdivision Control Ordinance.

B. PERMIT: No person shall build any sidewalk along any public street or right of way without a permit therefor from the Director of Public Works.

C. GRADE: The grade at which all sidewalks shall be laid shall be fixed and determined by the Village Engineer and no person shall lay or construct any sidewalk within the Village except at such grade.

D. BOARD of TRUSTEES ACTION: The Board of Trustees may act to provide for installation or repair of sidewalks by abutting property owners in accordance with Article 11, Division 84 of the Illinois Municipal Code.

E. NOTICE: Whenever the Board of Trustees finds it necessary and proper to construct or rebuild any sidewalk along or upon any street or public alley or other public right of way in the Village, the affected property owner(s) shall be notified in writing that a sidewalk shall be built. Said notice shall state the specifications governing the construction of the sidewalk.

6.17 **STREET MAINTENANCE**

A. DUTY IMPOSED: It shall be the responsibility of every subdivider or developer to keep and maintain the streets and ways in and around the subdivision clean and free from all dirt, mud, construction material, and other debris during the period of construction.

B. STREETS: The duty imposed by Section 6.17-A herein shall apply to all streets within the subdivision, all streets designated as construction traffic routes and all perimeter streets, or streets adjacent to the subdivision.

C. REQUIRED CLEANING: Every subdivider or developer shall scrape each street described in Section 6.17-B herein every day during the period of construction, and shall sweep or cause the streets to be swept once every week. In addition to the foregoing, every subdivider shall be required to scrape, sweep, or remove debris from the streets as from time to time directed by the Director of Public Works or designee, the Director of Community Development or designee or the Village Engineer.

D. SNOW AND ICE REMOVAL: In the event one or more Certificates of Occupancy have been issued for any structures located on a nondedicated street, the subdivider or developer shall be responsible for snow and ice removal. If required by

the Village, a subdivider or developer shall enter into a contract with the Village for snow and ice removal. The cost of such service shall be approved from time to time by the Board of Trustees.

E. PENALTIES: Any subdivider violating any provision of this Section 6.17 shall be subject to one or more of the following penalties, said penalties being cumulative and in addition to any other penalties that may be imposed:

1. A fine of not less than \$25.00 nor more than \$500.00 for each offense, and a separate offense shall be deemed committed on each day during or on which a separate violation occurs or continues.
2. The Village may undertake the necessary cleaning as required herein and then assess the costs and expenses, including reasonable attorneys' fees, incurred by the Village for such cleaning against the subdivider and may take action against the performance or construction bond for payment thereof.
3. "Stop Work Orders" for the subdivision may be issued by the Village until the subdivider complies with the requirements herein. No work shall be done in the subdivision while the stop work order is in effect.
4. The Village may withhold the issuance of Certificates of Occupancy for all residences within the subdivision until the subdivider complies with requirements herein.

F. NOTICE: Prior to the imposition of the penalties set forth in Sections 6.17-E-3 and 4 herein, the Village shall cause a written notice to be sent to the subdivider or developer setting forth the specific violations(s) of this Code. The subdivider or developer shall have twenty-four hours after the date of the notice within which time to comply with the terms of the Code. In the event the subdivider or developer does not comply with the terms herein within said twenty-four hour period, the Village may proceed to impose the penalties provided for in Section 6.17-E-3 and 4 herein. No notice shall be required prior to the imposition of the penalties set forth in Sections 6.17-E-1 and 2 herein.

6.18 DEAD OR DISEASED TREE REMOVAL ON PRIVATE PROPERTY

The Village shall have the right to cause the removal of any dead or diseased trees on private property within the Village,

when such trees constitute a hazard to life and property, or harbor insects or disease which constitutes a potential threat to other trees within the Village. The Director of Public Works will notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within 20 days after the date of service of notice. In the event of failure of owners to comply with such provisions, the Village shall have the authority to remove such trees and charge the cost of removal on the owner's property tax notice.

6.19 ~~UTILITIES IN RIGHT OF WAY~~ *Repealed 12-13-07*

6.20 **PENALTIES**

Any violation of this Chapter 6 is declared a nuisance and may be abated by the Village. Unless otherwise provided in this Chapter 6, any person, firm, or corporation violating any section of this Chapter 6 shall be fined not less than \$25.00 nor more than \$500.00 for each offense. Each day that a violation continues shall be considered a separate offense. Restitution by the violator shall also be made to any property damaged or destroyed or person injured.

Recodified September 10, 2002

Amended December 12, 2002

Amended October 26, 2006

Amended June 28, 2007

Amended December 13, 2007