

CHAPTER 3

STREETS AND SIDEWALKS

3.01 SPECIAL ASSESSMENTS.

A. Levy. Whenever:

- (1) Any street or public right-of-way in the Village is paved or improved, including cutting and graveling; or
- (2) Any curb, gutter, sanitary sewer, storm sewer catch basins and/or leads, water mains, or parts thereof, are laid, altered, repaired or replaced in any public right-of-way in the Village; or
- (3) Any storm sewer main is laid or installed in any presently existing unimproved and/or gravel roadway, or in or to any landlocked parcel of land, or in any street dedicated or platted after the enactment of this ordinance;

there shall be assessed against the property fronting or abutting the street or public right-of-way, or against any landlocked parcel benefitting from the improvement, the total cost of the work, except as provided in this section, including but not limited because of enumeration, materials, supplies, labor, engineering and administrative costs used or expended on the work or improvement.

B. Cost Computation.

The amount to be levied and charged against an abutting property shall be determined by dividing the front footage of the individual parcel abutting the street (or right-of-way) to be so improved, by the total number of feet or assessable frontage on both sides of the street in the block or blocks so improved, and multiplying the result by the total cost of the project.

The amount to be levied and charged against a land locked parcel shall be determined by the total cost of the project, including but not limited to the total number of feet of pipe from the closest reasonable point of access to sewer and water service, and the cost of easements to the benefitted parcel.

Assessments shall be based on the cost of the following:

- (1) 8" Diameter pipe for sanitary sewer
- (2) 12" Diameter pipe for storm sewer
- (3) 8" Diameter pipe for water main

C. Percentage Levied.

Whenever any improvements are made as specified hereby, the owner or owners of each individual property and parcel abutting the street or right-of-way, and of each benefitted landlocked parcel, shall pay the special assessment levied and charged against such property and parcel, as determined under subsections A. and B. above, for the following:

- (1) Pavement (based on a residential 32 foot wide, curb to curb, street).
- (2) Curb and gutter (including catch basins and leads which are a necessary part of the curb).
- (3) Sanitary sewer (main).
- (4) Storm sewer (main) - presently existing unimproved and/or gravel roadways, and streets dedicated or platted after the enactment of this ordinance, only.
- (5) Storm sewer (catch basins and leads).
- (6) Water service (main).

D. Total Cost Levied.

The owner or owners of each individual property and parcel affected, shall pay the total cost of the following:

- (1) Sanitary sewer lateral
- (2) Storm sewer lateral
- (3) Water service lateral
- (4) Maintenance and repairs to sanitary and storm sewer laterals, and to water lateral and service, except as provided in Section 15.24 of this code.
- (5) Any other improvement ordered by the Village in exercise of its police power.

In the event of failure by the owner or owners to pay such charges within the time allotted by the Village, such charges shall be levied as a special assessment and become a lien against the property affected.

E. Special Provisions.

- (1) The assessment for sanitary sewer, storm sewer and water mains to a corner lot in a platted subdivision shall be

based on the frontage of the first side improved; and a 60 foot reduction shall be allowed from the frontage of the second side of said lot when it is improved. No other reductions (ie. pavement, curb and gutter, sidewalks, laterals) shall be allowed corner lots, except as may be provided by Section 3.01E.(5).

- (2) The assessment to a parcel on un-platted land, or against any landlocked parcel benefitting from the improvements, may be made on a formula or other basis which shall be determined by the Village Board.
- (3) Other provisions of this Ordinance notwithstanding, no special assessment shall be levied against any property which shall exceed the reasonable benefit to that property of the improvement made.
- (4) Special assessments shall be levied pursuant to the provisions of Section 66.0703, Wisconsin Statutes, and as may otherwise be permitted by law.
- (5) The assessment for any improvements made to a lot in a platted subdivision, which lot fronts on both of two non-intersecting streets and which lot shall contain only one primary purpose building, shall be as follows:
 - (a) 100% based on the length of the first frontage side which is improved, and
 - (b) 50% based on the length of the opposite frontage side when it is improved.

If such double-frontage lot is also a corner lot, an additional assessment shall be made for the non-frontage side of the lot as provided in Sec. 3.01.E.(1), when such improvements are made in the street which abuts such side.

F. Special Assessments.

- (1) The due date of any special assessments levied against property abutting on or benefitted by a public improvement may be deferred on such terms and in such manner as may be prescribed by the Village Board, except that any such deferment shall exist only:
 - (a) During such period of time while no use of the improvement is made in connection with the property; or

- (b) During such period of time that there is no change in ownership of the legal title, or of the legal description in and to the premises (such as by platting or certified survey map); or
- (c) For such period of time as shall be set by the Village Board, but not to exceed ten (10) years from the date of the levy;

whichever period is shortest.

(2) Any other provision of this ordinance, of any existing resolution, and/or of any prior action of the Village Board, notwithstanding, the due date of any unpaid special assessment which has been levied prior to the publication date of this ordinance, shall be:

- (a) The calendar date as stated in the terms and conditions of the deferment; or
- (b) If there is no calendar date stated in the terms and conditions of the deferment, then (10) years from the date of the levy, or the one-year anniversary date of publication of this ordinance, whichever date is latest.

3.02 STREET GRADES.

A. Establishment.

The grade of all streets, alleys and sidewalks shall be established by the Village Board by resolution and shall be recorded by the Village Clerk-Treasurer. No street, alley, or sidewalk shall be worked until the grade thereof is established. The grades of all streets having curb and gutter on the effective date of this code are established at the levels then existing.

B. Altering Grade.

No person shall alter the grade of any street, alley, sidewalk or public ground or any part thereof unless authorized or instructed so to do by the Village Board or the Village Engineer.

C. Minimum Street Elevation.

All streets to be cut, opened or graded after March 20, 1967 shall have a minimum centerline street elevation of 588.00 feet, based on U.S. coast and geodetic survey datum.

3.03 STREET WIDTHS.

A. Minimum Requirements.

The following shall be minimum requirements in the acquisition, laying out, improvement, construction or altering of any of the streets of the Village:

- (1) Property dedicated or otherwise conveyed to the Village for street purposes after the effective date of this code shall provide for streets with a minimum width of 70 feet.
- (2) Any installation of curbs and gutters, and replacement of existing curbs and gutters upon streets shall be located so as to provide roadways of a minimum width of 32 feet (33 feet as measured back-to-back on the curbs).
- (3) Any installation of curbs and gutters and any replacement of existing curbs and gutters upon designated through streets shall be located so as to provide roadways of a minimum width of 44 feet (45 feet as measured back-to-back on the curb).

B. Exceptions.

The Village Board may in any specific case, by written resolution, grant an exception from the requirements of this section in any specific case where the Board considers that there is an emergency or urgent need for granting such exception.

3.04 DRIVEWAYS.

- A. No driveway shall be constructed in the Village of Allouez unless such driveway complies with the following requirements. As used in this section, the word driveway shall include any curb cut for a driveway.
- B. No driveway shall exceed 40 feet in width at the curb line or 30 feet in width at the outside sidewalk line.

- C. Except in the cases of duplex occupancies, when two contiguous driveways are permitted from one street on one lot, a safety curb shall be constructed of concrete between them which shall be not less than 8 inches high and 6 inches wide and located on the property of the owner as near to the inside sidewalk line as the lot line will permit.

3.05 CURBS AND GUTTERS.

A. Required.

No street in the village shall be permanently improved unless a curb and gutter shall be installed on each side of the street in accordance with plans and specifications approved by the Board.

B. Cutting in Driveways.

Header portions of existing concrete curb and gutter may be removed to provide driveway access to private property. These driveway openings shall be in conformance with Section 3.05. Any concrete header to be removed shall be according to the following:

- (1) A saw joint at least 1 inch deep shall be cut in the gutter section for the full length of the proposed driveway opening.
- (2) The header section shall then be removed for the full depth of the concrete to the base of the curb section.
- (3) In all cases concrete shall be replaced from said gutter line to a line extended along the back of existing curb sections, forming a continuous gutter section for storm water.
- (4) If concrete driveway is to be installed between curb and lot line, a 3/4" expansion joint shall be placed along a line at the back of the curb section.

C. Vehicles Crossing Curbs.

Curb and gutter sections shall be properly planed prior to crossing over with any vehicle.

D. Permit Required.

No portion of an existing concrete curb or gutter may be cut, removed, or altered to provide driveway access to private

property until a Curb Cut Permit is first obtained from the Village Building Inspector.

F. Form of Application.

Application for such permit shall be made on a form provided by the Village, and shall include the following information:

- (1) The location of the premises at which the work is to be performed.
- (2) The name and address of the property owner or owners, and the name of the contractor doing the work.
- (3) The width of the opening requested.
- (4) The type of surface to be used on the driveway.
- (5) A plot plan drawn to a scale of not less than 1" to 20 feet shall be provided. The plot plan shall indicate the location of the driveway on the lot and the location of any trees, signs, utility poles and existing catch basins located on the lot frontage.

G. Permit Fee.

See Section 8.12 for fee.

H. Construction - New or Replacement.

All curb and gutters may be constructed by contractors working under Village specifications.

Private parties repairing or installing replacement curbs will not be reimbursed for this work unless said construction meets specifications of the Village Engineer, and reimbursement has been approved by the Village Board prior to construction.

3.06 SIDEWALK WIDTHS.

- A. The Village Board shall prescribe the width of new sidewalks and replacement of old sidewalks. Where old sidewalks or portions thereof are in such state of disrepair so as to make it unsafe or impracticable in the judgment of the Board to repair the same, the Board may order such sidewalk or portion thereof replaced with a new sidewalk of the same or different width.

- B. When no special order as to width of a sidewalk has been made by the Village Board new sidewalks in blocks where no sidewalks previously existed shall be:
 - (1) Five feet wide on streets which are 60 feet or more in width.
 - (2) Four feet wide on streets which are less than 60 feet in width.
- C. With written permission from the Village Board, the sidewalk abutting property located in a business or commercial zone may be extended to the curb where concrete curbing has been installed. Such sidewalk extension shall be only of concrete and constructed according to the specifications of the Village.

3.07 SIDEWALK LOCATIONS.

Sidewalks are deemed to be a public improvement. The Village Board of Allouez may order sidewalks to be constructed where none previously existed along any street, irrespective of whether the abutting lands have been improved, wherever in the judgement of the Board the safety and welfare of the public requires it.

3.08 COST OF SIDEWALK CONSTRUCTION.

- A. New Sidewalk Construction and Repair and Maintenance of Existing Sidewalks
 For new sidewalk installation on high volume routes, school routes, public purpose routes and other public benefit routes designated and deemed necessary by the Board, including the repair and the replacement of sidewalks, the costs thereof shall be paid one hundred percent (100%) by the Village.
- B. Repair and Maintenance of Existing Sidewalks
 On high volume routes, school routes or other routes designated and deemed necessary by the Board, abutting property owners would pay nothing for the cost of maintaining, reconstructing, removing and repairing existing sidewalks, but in all other areas the abutting property owners would pay one-hundred (100%) percent for the cost of maintaining, reconstructing, removing and repairing existing sidewalks.

After the Director of Public Works has determined the final cost to each affected property owner, the Village Clerk-Treasurer shall invoice the affected property owners as a special tax and they shall have thirty (30) days in which to pay the invoice in full without interest. If not paid in thirty (30) days the cost

shall be placed on the tax roll and interest added at one (1%) percent per month on the unpaid balance.

3.09 CONSTRUCTION SPECIFICATIONS.

- A. Specifications for construction of sidewalks and boulevard pavements and any amendments or supplements thereto shall be submitted to the Village Board by the Village Engineer, and after approval by the Board, all sidewalks and boulevard pavements shall be constructed in conformity therewith. An official copy of such specifications and any duly approved amendments or supplements thereto shall be at all times on file in the office of the Clerk-Treasurer.
- B. Construction - New or Replacement.
 - (1) All new or replacement sidewalks may be constructed by contractors working under Village specifications.
 - (2) Private parties repairing or installing replacement walks will not be reimbursed for said work unless said construction meets specifications of Village Engineer, and reimbursement has been approved by the Village Board prior to construction.

3.10 BOULEVARDS.

Whenever curbing has been installed and a boulevard provided between the lot line and the curb, such boulevard area shall be improved and maintained by the owner of the premises abutting thereon at such grade and in such condition so as to provide adequate drainage of the sidewalks and of the boulevard area.

3.11 STREET IMPROVEMENTS.

A. Petitions Required.

No improvement of any street in the Village by pavement thereof with blacktop or other permanent material, or by installation of sanitary sewers, storm sewers, water mains, sidewalks or curb and gutter shall be done, performed or provided for unless a petition or request therefor shall have been filed with the Village Clerk-Treasurer on or before the first day of October in the calendar year preceding that in which the work is commenced.

B. Exceptions.

The Village Board may, by resolution, grant an exception from the provisions of this section in any specific case where the Board shall find that there is an emergency or urgent need for granting such exception.

C. Storm Sewers.

No curb and gutter shall be installed in any street unless connection with a storm sewer is first provided.

D. Improvements Required.

No permanent paving of any street shall be made or installed unless curb and gutter, sewer mains, water mains, and laterals are in place prior to such paving.

3.12 EXCAVATIONS IN STREETS.

A. Permit Required.

No person shall tunnel under or excavate or dig upon or in or remove any tree or material from, any street, alley, sidewalk or other public place in the Village without having obtained a permit as is herein required. The excavation permit shall be obtained by the contractor or person performing the work and a separate permit shall be obtained for each property owner benefitted by the work to be performed and for each street involved. The excavation permit shall be void if the work for which the permit is issued is not started within 15 days or completed within 30 days from the date of issuance of the excavation permit.

B. Form of Application.

Application for such permit shall be made to the Building Inspector and shall give the following information and such other information as shall be required:

- (1) The purpose of the proposed excavation.
- (2) Location (legal description or street number) of the premises for the benefit of which the excavation is made.
- (3) The name and residence of the owner of the premises.

- (4) The type of surfacing on the street in which the excavation is proposed to be made.
- (5) The maximum depth of the proposed excavation.
- (6) The name and address of the applicant.

C. Agreement of applicant.

The application shall contain and it shall be the duty of the applicant and owner to comply with the following provisions:

"The undersigned covenant and agree that, if permission to excavate shall be granted to the undersigned as requested, then in consideration thereof, we will:

- (1) Place or cause to be placed suitable and adequate warning and safety devices, barricades and lights in such places, in such quantity, and of such kind or nature as stipulated in Section 3.14 of the Village Code so long as such excavation is unsurfaced or remains a hazard to traffic of any kind upon such street.
- (2) Open the excavation by neat 1" saw joints through the masonry or asphalt surface course.
- (3) Indemnify and hold harmless the Village of Allouez from all costs, damages, and liabilities of every kind, including all expenses and costs of defending any suit for damages on account of any claims, valid or otherwise, as to which it is claimed or alleged by any claimant that said excavation was the sole or a contributing cause.
- (4) Close and backfill such excavation and replace the surface of the street in accordance with Section 3.14 of the Village Code.
- (5) Upon demand by the Village Board, keep in effect until all hazard to traffic caused by such excavation has been removed and terminated, a bond or a policy of insurance against liability to third persons for any damage growing out of negligence in the making, guarding, backfilling or resurfacing of the excavation with limits of at least \$100,000 for any one person and \$300,000 for any one accident and \$25,000 property damages."

D. Notification of Building Inspector.

An applicant who has been authorized to excavate or dig in accordance with the terms of this section shall notify the

Village Building Inspector of the date on which he will begin excavation and the period of time he will require to complete work in the street. No excavation authorized under this chapter may be initiated until such notification has been made.

E. Report of Utility Pipes.

Whenever any person while so excavating, digging in or upon, or removing any material from any public right-of-way as aforesaid, shall uncover, strike, disturb or discover any pipe, conduit, casing or other object used to transmit gas, water, sewage, storm water, or electrical current, he shall report the fact to the Plumbing Inspector before progressing further with the excavation or removal. It shall be the duty of the Plumbing Inspector, upon receipt of such report, to inspect the excavation and determine what damage, if any, has been done to the pipe or casing and notify the proper owner or department maintaining same if the pipe or casing has been damaged or appears to have been damaged.

F. Permit Fee.

See Section 8.12 B regarding fees.

G. Bond.

In lieu of the fee required above, any utility may execute and file with the Village Clerk-Treasurer a surety bond in the sum of at least \$1,000 with a corporate surety conditioned upon the timely and faithful performance of all conditions prescribed in this section, except that all utilities shall be required to replace permanent type pavement. The fees reflecting Village replacement of permanent pavements shall be waived for all utilities and a nominal filing fee of \$1.00 charged per application.

If the utility fails to backfill and resurface to original street pavement conditions, the Village shall proceed to accomplish the permanent pavement repairs necessary and will charge the utility for such repair based on the fee schedule adopted under 3.12 F.

H. Appeal to Village Board.

In case any applicant shall be aggrieved by any action in connection with the issuance of a permit, or the refund of a deposit, or in connection with the application of this chapter, he shall have the right to appeal to the Village Board by filing notice of appeal with his post office address within 10 days after such action.

I. Barricades.

Barricades shall be placed at excavations in compliance with the following standards:

- (1) Barricade shall consist of one or more horizontal nominal two by eight inch or two by ten inch rails spaced vertically at approximately 20 inches center to center, with upper edge of the top rail at a height of approximately 3 to 5 feet above the roadway level. Barricades may be of variable length as required.
- (2) Each barricade rail shall be marked with alternate black and white stripes of 4 to 6 inch width at an angle of 45 degrees with the vertical slanting downward toward the side on which traffic is to pass.
- (3) All barricades used at night shall be effectively lighted with a minimum of one light or flasher for each 8 feet of length of barricade.
- (4) A construction approach warning sign lighted with at least one light or flasher shall be placed adjacent to the roadway approximately 150 feet in advance of barricade installations.
- (5) Each barricade shall have the contractor's name, address and telephone number and shall be such that the contractor or his authorized representative can be reached 24 hours per day.

J. Excavation Work.

No person shall tunnel under, or excavate, dig upon or in, or remove any tree or remove any material from, any street, alley, sidewalk or public place unless the excavation is accomplished as follows:

- (1) Pavement excavated shall be outlined with neat 1" deep saw joints. These saw joints shall be placed at least one foot away from the edge of the proposed trench.
- (2) The excavation shall not in any case be larger beneath the ground surface than at the surface of the excavation itself. Undercutting of any pavement courses shall be avoided.
- (3) Access to fire hydrants and other street equipment shall be maintained at all times.

- (4) Adjoining private property shall be protected by providing proper foundations and bracing, and other suitable measures for this purpose.
- (5) All gutters shall be maintained free and unobstructed.
- (6) The excavator shall not begin any excavation on any through street in travel lanes within the Village before 7:00 a.m. and shall have such excavation backfilled and complete with the asphaltic interim pavement before 5:00 p.m. and barricades removed. If underground work cannot be completed by 5:00 p.m., excavator shall make provisions to place a temporary bridge over excavation that will allow traffic to utilize the travel lane.

K. Trench Backfilling.

The trench backfill of any street excavation shall be accomplished as follows:

- (1) The backfill from the bottom of the conduit to a point one foot above the conduit shall be fine granular material carefully placed by hand and well tamped to fill completely all the spaces under and adjacent to the conduit so as to form a bed that will preclude subsequent settlement.
- (2) The remainder of the backfilling shall consist of granular materials known as 3/4" stone. This backfilling shall be made immediately after placing the hand backfill and shall be accomplished by placing and compacting in layers not to exceed 8 inches in depth.

L. Resurfacing.

Pavement removed for any street excavation shall be restored in the following manner:

- (1) On streets surfaced with gravel, the contractor shall complete the compacted backfill to a point 6 inches below the finished street grade and immediately place 6 inches of compacted gravel surface course equal in quality to that which is existing.
- (2) On streets surfaced with asphalt, concrete or brick, the excavator shall complete the compacted backfill to a point 2 inches below the finished street grade and immediately place a minimum of 2 inches of compacted asphalt surface course thereon.
- (3) Immediately after placing of the surface course the area shall be cleaned and left in a safe and satisfactory

manner and the street opened to traffic.

- (4) Village crews shall, after trenches have stabilized, remove the interim asphaltic pavement between the saw joints. The Village crew will then adjust the granular subbase to permit placement of the permanent type pavement equal in depth and material to original conditions.

M. Supervision.

The Street Department shall from time to time inspect all excavations and tunnels being made in or under any public street, alley or other public place in the Village to see to the enforcement of the provisions of this section.

N. Emergency Action.

Nothing in this section prohibits the making of such excavations as may be necessary for the preservation of life or property or for the location of trouble in conduit or pipe, or for making repairs, provided that the person making such excavations shall apply to the Village Clerk-Treasurer for such a permit on the first working day after such work is commenced.

3.13 DAMAGE TO STREETS, CURBS AND SIDEWALKS.

- A. No person shall cause to be moved on, upon or across any public street, curb or sidewalk any motor vehicle, trailer or other thing which by its weight, construction or manner of operation does, or which is reasonably likely to, cause damage or destruction to such street, curb or sidewalk, or any part thereof or appurtenant thereto.
- B. No person shall cause to be moved onto, across, on or upon any public curbing any motor vehicle, trailer or other thing unless there is first placed on and about such curbing, planking, bracing or other material of sufficient size, quality and quantity to prevent all damage and destruction to such curbing and all parts thereof by such motor vehicle, trailer or other thing.

3.14 OBSTRUCTIONS AND ENCROACHMENTS.

No person shall encroach upon or in any way obstruct or encumber any street, alley, sidewalk, public grounds or land dedicated to public use, or any part thereof, or permit such encroachment or encumbrance to be placed or remain on any public way adjoining the premises of

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which he is the owner or occupant, except as provided in the

building code or with Village Board approval.

3.15 OBSTRUCTION BY RAILROADS.

No person shall obstruct any street or alley so as to interfere with traffic thereon with a railroad locomotive or car for a period longer than five minutes.

3.16 FIRES IN STREETS.

No person shall start or maintain a fire on the improved portion of any street.

3.17 DEBRIS IN STREETS.

No person shall deposit, throw, spill, place or leave any rubbish or other foreign matter on the improved portion of any street or on any sidewalk.

3.18 HAULING ON VILLAGE STREETS.

- A. No person shall haul any garbage, refuse, debris, ashes, lime or sludge from the paper mills, or other materials which are liable to be blown away by the wind or drop from the conveying vehicle to the street, through or over any streets of the Village without having such materials securely covered in such a manner that no part thereof can fall or drop upon the streets of the Village.
- B. Any person transporting material which shall fall from the transporting vehicle onto a public street shall remove such material or the Public Works Director shall cause the same to be removed and the cost thereof reported to the Village Clerk-Treasurer, who shall assess such cost against the owner of the vehicle.

3.19 DUMPING OF MATERIALS INTO SEWERS.

No person shall dump concrete washings, sand, gravel, waste oils or other clogging material into any sewer catch basin.

3.20 SNOW ON STREETS.

- A. No person shall throw or place any snow or ice upon any sidewalk, alley, or street. The deposit of snow upon any

sidewalk, alley or street shall be a nuisance, and in addition to the penalty provided, the Village may summarily remove any snow so deposited and cause the costs of the removal to be charged to the owner of the property from which the snow has been removed.

- B. A person owning or occupying the whole or part of a building or land abutting public streets in the Village of Allouez is hereby prohibited from moving snow, debris, or any injurious substance onto or across such public streets and road right-of-way any time unless such a person has received permission from the Village to do so.
- C. No person shall throw, divert or place snow or ice upon the cul-de-sac islands or roundabouts at any time unless such a person has received permission from the Village to do so.

3.21 CLEANING OF SIDEWALKS.

- A. The owner of property abutting on any sidewalk shall, without notice and at all times, keep such abutting sidewalk clean and free of debris, dirt, sweepings, obstructions and clear of snow and ice, and shall not deposit or place any sweepings or debris or other foreign matter upon the same.
- B. It shall be the duty of the lessee, occupant of first or ground floor, or persons having charge of a building, or if there be no lessee, occupant or person having charge, then the owner of each and every parcel of real estate in the Village of Allouez abutting or bordering upon any street, highway or other public place, to remove or cause to be removed all snow and ice from the public sidewalk in front of or adjacent to such premises to the full paved width of such sidewalk, within 48 hours after such snow or ice shall have fallen or accumulated thereon.
- C. In case the snow and ice on the public sidewalk shall be frozen so hard that it cannot be removed without injury to the sidewalk, the lessee, occupant, person having charge, or owner of every parcel of real estate shall within the time specified in this subsection cause the public sidewalk abutting or adjacent to such premises to be kept strewn with ashes, sand, or some other suitable material and shall as soon thereafter as the weather shall permit, thoroughly clean such sidewalk.
- D. In the event the owners or occupants of lands abutting sidewalks fail to clear them as provided herein, the Village may, at its option, clear said sidewalks of ice and snow. The cost of said snow and ice removal by the Village shall be charged against such abutting lands as a special tax by the entry of said amount

in the tax roll, and shall be collectible with all other property taxes.

- E. The obligation of landowners and occupants provided herein shall not abate in the event the Village removes snow and ice from sidewalks as provided herein, and elects not to charge therefor; nor shall any duty or responsibility for snow and ice removal accrue to the Village, as a result of the Village's election to provide snow removal services without charge therefor.

3.22 STREET NAMES.

Pursuant to Section 81.01 (11), Wisconsin Statutes, all existing roads in the Village under Village Board jurisdiction, and future extensions thereof, are hereby assigned the names listed in Schedule E and designated on the Village's Official Map. Additional roads hereafter laid out or constructed within the Village are hereby assigned such names as shall appear:

- A. On plats finally approved by the Village, effective on the date of the recording of the plats with the Brown County Register of Deeds; or
- B. On the Official Map, effective on the date of amendment of such Official Map.

3.23 NEIGHBORHOOD ELECTRIC VEHICLES

- 1. Neighborhood electric vehicles (NEV) means a self-propelled motor vehicle that has successfully completed the neighborhood electric vehicle America test program conducted by the Federal Department of Energy, and that conforms to the definition and requirements for low-speed vehicles as adopted in the federal motor vehicle safety standards for low-speed vehicles under 49 CFR 571.3(b) and 571.500 and which is authorized under Wis. Stats § 349.26 as amended time to time.
 - (a) Shall be four-wheeled and have a speed range of at least 20 miles per hour and not more than 35 miles per hour on a paved surface. NEV does not include an electric golf cart.
 - (b) Neighborhood electric vehicles shall only be operated on public roads within the Village of Allouez by persons holding a valid operator's license issued by the Wisconsin Department of Transportation or similar agency of any other State of the United States of America.

- (c) Every operator of a neighborhood electric vehicle shall maintain financial responsibility on such low speed vehicle if the low speed vehicle is to be operated upon the roadways of this village in the form and amounts required by Wisconsin law for motor vehicles.
- (d) Every person operating a neighborhood electric vehicle shall be granted the rights and shall be subject to all duties, fines and penalties applicable to the driver of a motor vehicle except as to the special regulations in this section and except as to those provisions which by their nature can have no application.
- (e) The operator of a neighborhood electric vehicle shall observe and be subject to all traffic laws and local ordinances regarding the rules of the road.
- (f) No person shall operate a neighborhood electric vehicle:
(1) in any careless way as to endanger the person or property of another; or (2) while under the influence of alcohol or any controlled substance.
- (g) Neighborhood electric vehicles shall not be operated on sidewalks, bike paths, or pedestrian walkways.
- (h) Neighborhood electric vehicles shall not be parked on any sidewalk, bike path, or pedestrian walkway.
- (i) Neighborhood electric vehicles shall abide by all Village of Allouez parking ordinances.