

# Title XV Land Use Ordinance

## Chapter 155 – Subdivision Regulations

### § 155.032 PARKWAY MAINTENANCE

(A) Parkway shall be required to be constructed in accordance with the design standards set forth in this Chapter or otherwise adopted by the Village.

(B) The following maintenance of the parkway area, defined as that area adjacent to any lot or parcel, between the property line and any street shoulder or curb, shall be the responsibility of the property owner of said lot or parcel:

1. Mowing of grass or ground cover.
2. Maintaining private driveway approaches; Private driveways, driveway approaches, curbs, and related structures shall be designed, constructed, installed, and maintained in accordance with all applicable design standards under this Chapter.
3. Trimming and pruning of trees located on the property owner's lot or parcel that overhang the public right-of-way as necessary to prevent obstruction of streets and sidewalks and protect public safety, including as needed to maintain a minimum clearance of twelve feet (12') above traveled pavement or curb of a public street, to allow public right-of-way signs to be seen by motorists and pedestrians, and to remove damaged or hazardous branches.
4. Keeping culvert opening free of debris.
5. Maintaining mailboxes and support structures in accordance with the following requirements and standards:
  - i. Placement of Mailboxes
    - The placement and use of freestanding, individual mailboxes at the curb on the right-of-way in front of each residence is permitted.
    - Within the cul-de-sac, mailboxes may be grouped all together or individually at the curb as determined by the Postmaster therein.
    - The standards for the placement of freestanding mailboxes shall be as follows: The face of the mailbox shall not be less than six inches (6") or more than ten inches (10") from the back edge of the curb, and the bottom of the mailbox shall be a minimum of forty-two (42") and a maximum of forty-eight (48") above the top of the curb. Residents shall be responsible for placing, replacing, and repairing of said mailboxes. The Village will not replace or repair any damaged mailbox unless said damage is caused by the Village and the mailbox was installed in conformance with these standards. Mailboxes damaged and in conformance with the standards shall be repaired or replaced in accordance with the Mailbox Repair Program or such other programs and standards as the Village Board may establish from time to time.

- A standard metal mailbox shall be mounted on a wooden support structure which is a minimum of four by four inches (4" x 4") or a maximum of six inches by six inches (6" x 6") treated wood post, or a minimum one and one-half inch (1-1/2") to a maximum of three (3") diameter light gauge galvanized steel hollow pipe, or on such other similar structure as is approved by the Director of Public Works, and found to be of comparable safety/breakaway to the wooden post or light gauge steel pipe structures.
  - Other support structures such as, but not limited to, masonry columns, railroad rails and ties, tractor wheels, plow blades, milk cans, or barrels filled with concrete are expressly prohibited.
  - The support structure shall be firmly secured in the ground.
  - Any existing mailbox structure in existence at the time of the initial adoption of these standards may remain as a non-conforming mailbox structure. Provided, in the event of a change of ownership or if any such mailbox structure is materially damaged, altered or removed after adoption of these standards, the mailbox structure must be brought into conformity with this ordinance.
6. Sidewalk installation and maintenance. Sidewalks shall be constructed and installed in accordance with all applicable design standards under this Chapter.
- i. The Village shall maintain public sidewalks in accordance with the Pedestrian Access and Repair (PAR) Program, or such other maintenance programs and standards as the Village Board may establish from time to time.
  - ii. Public sidewalk replacements not meeting the criteria identified in the PAR Program, or as otherwise established by the Village Board, may be eligible for participation in the Village's Sidewalk Repair Rebate Program, or such other programs as the Village Board may establish from time to time.
- (C) No person may install any organic or inorganic materials, structures, or improvements within the parkway without prior written approval by the Village of Huntley Public Works Director. The Public Works Director may issue permits for private improvements within Village rights-of-way consistent with the requirements and standards of this Chapter. No item shall be installed / placed within 2' of a sidewalk, or a sidewalk ramp. No illumination items are allowed, that, in the opinion of the Public Works Director, constitutes a hazard or a nuisance. Items located on top of a manhole frame shall not exceed 20 pounds.
- (D) Encroachment or obstruction of public property. Except as authorized by this Section, no person shall cause, create or make any encroachment or obstruction within any public right-of-way or parkway or upon other Village property, including without limitation the placement of plantings, boulders, posts, signs, or other structures.

## (E) Parkway Trees and Landscaping

1. No person shall plant any tree, bush, or shrub in any street parkway or other public place without a permit issued by the Director of Public Works.
2. No person shall remove, trim, prune, cut down, or injure any tree or shrub growing in any Village right-of-way, parkway, or other Village property without a permit issued by the Director of Public Works.
3. No person shall attach any sign, advertisement, or notice to any tree, pole or shrub in any Village right-of-way, parkway, or other Village property.
4. Any tree or shrub growing on private property that overhangs a sidewalk, street, parkway or other public place in the Village shall be trimmed, pruned, and maintained in accordance with this Section by the owner of the property on which the tree or shrub stands. The owner shall promptly remove any overhanging tree, branch or limb that is at risk of falling on or across any street, sidewalk, parkway, or other public property or that otherwise poses a hazard to public safety.
5. The Village shall have the right, but not the obligation, to prune trees, branches, or limbs growing on private property that overhang a public right-of-way or other village property as necessary to preserve public safety and protect against damage to public property. The Village shall also have the right, but not the obligation, to prune overhanging trees, branches, or limbs, that create sight distance or visibility hazards to motorists or pedestrians, including at intersections where traffic and street signage may be obstructed.
6. Wires and Poles
  - i. It is unlawful to attach any wire, rope, or similar material to any tree or shrub growing in a public parkway, right-of-way, or other Village property without prior written permission of the Public Works Director.
  - ii. Any person or entity given permission to maintain poles and wires in the streets, alleys or other public places in the Village shall, except as may otherwise be authorized by a franchise concerning the subject, keep such wires and poles away from (so far as reasonably possible under the circumstances) any trees or shrubs in the vicinity so as to avoid contact, hazard, or injury to such trees or shrubs. Maintenance of poles and wires within public rights-of-way shall be subject to the direction and supervision of the Director of Public Works consistent with this ordinance.
7. Upon request or application of an adjacent property owner, the Village may elect to participate in the cost of planting or replacing parkway trees in accordance with the Parkway Tree Replacement Program, or such other programs as may be established by the Village Board from time to time.

Penalty, *see* § 155.999