

CHAPTER 6

PUBLIC WORKS

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6.01 – STREET AND SIDEWALK GRADES

- (1) **Alteration of Grade Prohibited.** No person shall alter the grade of any street, alley, sidewalk or public ground or any part thereof in the Village of Cassville by any means whatsoever unless a permit is applied for and granted by a majority vote of the Village Board. All such alterations of grade shall be recorded in the office of the Village Clerk by the Clerk or the officer authorizing the alteration. Applications for permits are available at the Village Clerks office.
- (2) **Penalty.** The penalty for violation of any provision of this section shall be a penalty as provided in Section 25.04 of this code or with the Village Board's discretion they may also refuse to pay, require the work redone if not in a workmanlike manner, or any other remedy the Village Board requires.

6.02 – STREETS, ALLEYS, SEWERS AND WATERCOURSE

Pursuant to Section 61.36 Wis. Stats. the Village board may by resolution without limitation layout, open, change, widen, improve, repair, or discontinue sidewalks, roads, streets, alleys, sanitary sewers, water mains, parks and other public ground, drains, canals, and sewers, may light and plant trees upon the same, and may build and maintain roads and sidewalks to connect the Village with a transportation terminal or Village property outside the Village limits.

6.03 – SIDEWALK CONSTRUCTION AND REPAIR

- (1) **Owner to Construct.** It shall be the duty of the abutting owner to build, repair, construct, and perpetually maintain sidewalks along or upon any street, alley, or highway in the Village of Cassville. Before the abutting owner builds, repairs, remove, lays, or constructs any sidewalk, they shall file an application for a permit with the Village Clerk. The Village Clerk will then forward the application to the Village Board and the Village Board will decide whether to grant the permit at the next regular Village Board meeting. If the permit

is denied no work may be done until further authorized by the Village Board. If the permit is granted, the work may be done only as described in this Ordinance consistent with the permit applied for and granted. If the request is granted, the work may be done by the abutting owner and they will be required to pay at least one-half of the costs of materials plus all labor costs thereof. The Village may pay the other one-half of the cost of materials after an inspection is made by the Street Supervisor for the Village and they deem the Ordinance has been followed and the work was done in a workmanlike manner. If the abutting owner requests the Village to build, repair, remove, lay, or construct the sidewalk, the Street Supervisor shall visit the sidewalk and make a determination whether the sidewalk is in a state of disrepair whereas the Village should take action and then follow the process under Section 66.0907 of the Wisconsin Statutes. The cost to be paid by the owner shall not include any cost for labor performed by Village employees. Whenever the Village Board shall by resolution determine that a sidewalk be laid, rebuilt, repaired, lowered or raised along or upon any public street, alley or highway within the Village of Cassville, it shall proceed according to Section 66.0907 of the Wisconsin Statutes.

(2) **Specifications.** All sidewalks within the Village of Cassville hereafter shall be repaired, rebuilt and constructed in accordance with the following specifications.

(a) **Subgrade.** The subgrade shall be prepared by excavating to the line, grade and cross section as established by the Chairman of the Street Committee. Soft and unsuitable material shall be removed and replaced with sand or other satisfactory material, and the subgrade shall be thoroughly and uniformly compacted and moistened immediately before the concrete is placed. When so specified by the Chairman of the Street Committee a sub-base of sand, sand and gravel or other approved porous material shall be placed under the sidewalk. On embankments the subgrade shall extend at least one foot beyond each edge of the sidewalk.

(b) **Material.** All sidewalks shall be of air-entrained concrete composed of 6 bags per cubic yard of one-course construction, and built to the established line and grade. Gravel shall be of good quality and washed. Concrete shall be mixed thoroughly for a minimum of one minute after all materials have been placed in the mixer. The concrete used shall be no less than 4,000 PSI.

(c) **Forms.** Concrete shall be placed in straight forms of wood or metal of sufficient strength to resist springing, tipping or other displacement during the process of deposition and consolidating the concrete. Wood forms shall be of surfaced plank of at least a 2-inch thickness except for sharply curved sections. Metal forms shall be of approved section. The forms shall be of full depth of the required walk and shall be of such design as to permit secure fastening. Forms shall be thoroughly cleaned and oiled before the concrete is placed against them. Concrete shall be placed in the forms on a moist subgrade, deposited just above the finished grade and consolidated and spaded sufficiently to bring the mortar to the surface and to prevent honeycombing. It shall then be struck off level with the top of the forms and finished with wooden flats. To provide adequate drainage the sidewalk shall slope toward the curb at a minimum

rate of ¼ inch per foot of width of sidewalk. All joints and edges shall be finished with a ¼ inch radius-edging tool.

(d) **Width and Thickness.** Residential walks shall be at least 4 feet in width and not less than 4 inches thick except within driveway approaches where the minimum thickness shall be 6 inches; provided that walks in residential areas may be repaired or replaced to a width not less than the existing width on the effective date of this section. Sidewalks in front of commercial or industrial establishments shall be not less than 8 feet in width and 5 inches in thickness except within driveway approaches where the minimum thickness shall be 7 inches.

(e) **Finishing.** Before the last finish has set, the sidewalk shall be steel troweled and brushed traverse direction. Before final finishing, the surface shall be checked with a 10-foot straight edge and any areas departing more than 1/8 inch from the testing edge shall be corrected by adding or removing concrete while the concrete in the walk is still plastic.

(f) **Jointing.** Transverse, full depth, ½ inch thick expansion joints of pre-molded expansion material shall be located every 40 feet and at the property line, and where the walk intersects another walk, curb line, building or driveway approach, and at building, walls, poles, and stop boxes. The expansion joint material shall be placed in a neat and workmanlike manner with its upper edge slightly below the finished sidewalk surface. Dummy groove joints for controlled cracking, at least one inch in thickness and 5/16 inch depth, shall be placed at intervals of approximately 5 feet. Steel division plates shall be placed at right angles to the center line of the sidewalk at the intervals of not less than 15 feet. All joints shall be at right angles to the direction and grade of the walk. Diagonal joints may be used only when approved by the Chairman of the Street Committee.

(g) **Curing and Drying.** As soon as any of the concrete work hereinbefore mentioned has been finished and hardened sufficiently to prevent excessive marring of the surface, it shall be cured and protected against rapid drying. Failure to comply with this requirement shall be deemed sufficient cause for suspension of the work. Curing shall be accomplished by the “Impervious Coating”, “Wet Fabric” or “Paper” methods. For impervious coating or membrane curing, only these materials meeting requirements of ASTM Specs. C156-44 T, “Method of Test for Efficiency of Materials for Curing Concrete” shall be used. Said specifications are hereby adopted by reference as if fully set forth herein. Walks shall be kept free from all traffic at normal temperatures for 48 hours and in cold weather (below 50 degrees F) for 96 hours. No concrete shall be poured when the temperature may be expected to fall below 35 degrees F in any 72-hour period or upon frozen subgrade.

(3) **Penalty.** The penalty for violation of any provision of this section shall be a penalty as provided in Section 25.04 of this code or with the Village Board’s discretion they may also refuse to pay, require the work redone if not in a workmanlike manner, or any other remedy the Village Board requires.

6.04 – DRIVEWAYS

- (1) **Approval Required.** No person shall construct or maintain any driveway across any sidewalk or curbing without first obtaining a driveway permit from the Building Inspector.
- (2) **Specifications for Driveway Construction.**
 - (a) **Width.** No driveway shall exceed 24 feet in width at the outer or street edge of the sidewalk unless special permission is obtained from the Village Board.
 - (b) **Interference with Intersection Prohibited.** At street intersections, a driveway shall not provide direct ingress or egress to or from the street intersection area and shall not occupy areas of the roadway deemed necessary by the Village Board for effective traffic control or for highway signs or signals.
 - (c) **Interference with Street.** No driveway apron shall extend out into the street further than the face of the curb, and under no circumstances shall such driveway apron extend into the gutter area. All driveway entrances and approaches shall be so constructed that they shall not interfere with the drainage of streets, side ditches or roadside areas or with any existing structure on the right of way. When required by the Chairman of the Street Committee to provide for adequate surface water drainage along the street, the property owner shall provide any necessary culvert pipe at his own expense.
 - (d) **Number of Approaches Limited.** No more than one driveway entrance and approach shall be constructed for any lot or premises except where deemed necessary and feasible without undue impairment of safety, convenience and utility of the street by the Chairman of the Street Committee. Any 2 approaches shall be at least 10 feet apart.
 - (e) **Workmanship and Materials.** All driveway entrances and approaches which are constructed across sidewalks shall be paved in accordance with the requirements for sidewalk construction in Section 6.02 (3) of this code insofar as such requirements are applicable, including thickness requirements in Section 6.02 (3)(d).
 - (f) **Permittee Liable for Damage of Injury.** The permittee shall assume all responsibility for any injury to or damage to persons or property resulting directly or indirectly during construction or repair of driveway approaches or entrances. When curb or gutter is removed, the new connection shall be of equivalent acceptable material and curb returns provided or restored in a neat, workmanlike manner. Any sidewalk areas which are damaged or are inadequate by reason of vehicle travel across the sidewalk shall be replaced in accordance with the requirements of Section 6.02 (3).
- (3) **Penalty.** The penalty for violation of any provision of this section shall be a penalty as provided in Section 25.04 of this code.

6.05 – STREET AND SIDEWALK EXCAVATIONS AND OPENINGS

- (1) **Permit Required.** No person shall make or cause to be made any excavation or opening in any street, alley, highway, sidewalk or other public way within the Village of Cassville without first obtaining a permit, therefore from the Building Inspector.
- (2) **Fee.** The fee for a street opening shall be \$10 and shall be paid to the Village Treasurer who shall issue his receipt therefore.
- (3) **Insurance.** Prior to commencement of excavation work, a permittee must furnish satisfactory written evidence that he has in force and will maintain during the life of the permit and the period of excavation, public liability insurance of not less than \$100,000 for one person, \$300,000 for one accident and property damage insurance of not less than \$500,000 which covers any risk arising from said excavation.
- (4) **Regulations Governing Street and Sidewalk Openings.**
 - (a) **Frozen Ground.** No opening in the streets or sidewalks for any purpose shall be permitted when the ground is frozen, except where necessary as determined by the Chairman of the Street Committee.
 - (b) **Removal of Paving.** In opening any street or other public way, all paving or ballasting materials shall be removed with the least possible loss of or injury to surfacing material and together with the exacted material from trenches shall be placed so as to cause the least practicable inconvenience to the public and permit free flow of water along gutters.
 - (c) **Protection of Public.** Every person shall enclose with sufficient barriers each opening, which he may make in the streets or public ways of the village. All machinery and equipment shall be locked or otherwise effectively safeguarded from unauthorized use when not being used by the permittee, his agents or employees. Red lights or torch lamps shall be kept burning from sunset to sunrise, one red light or torch lamp to be placed at each end of the opening in the street or way and other lights sufficient in number and properly spaced to give adequate warning. Except by special permission from the Chairman of the Street Committee no trench shall be excavated more than 250 feet in advance of pipe laying nor left unfilled more than 500 feet where pipe has been laid. All necessary precautions shall be taken to guard the public effectually from accidents or damage to persons or property through the period of the work. Each person making such opening shall be held liable for all damages, including costs incurred by the Village in defending any action brought against it for damages, as well as cost of any appeal, that may result from neglect by such person of his employees of any necessary precaution against injury or damage to person, vehicles or property of any kind.
 - (d) **Replacing Street Surface.** In opening any street or sidewalk, the paving materials, sand, gravel, and earth or other material moved or penetrated and all surface

monuments or hubs must be removed and replaced as soon as possible in their original condition or position and the same relation to the remainder as before. Any excavated material, which in the opinion of the Chairman of the Street Committee, is not suitable for refilling shall be replaced with approved backfill material. All rubbish shall be immediately removed leaving the street or sidewalk in perfect repair, the same to be so maintained for a period of one year. In refilling the opening, the earth must be puddle or laid in layers not more than 6 inches in depth and each layer rammed, tamped or flushed to prevent after-settling. When the sides of the trench will not stand perpendicular, sheathing and braces must be used to prevent caving. No timber, bracing, lagging, sheathing or other lumber shall be left in any trench. The Village may elect to have the Village make the pavement repair for any street or sidewalk opening, in which case cost of making such repair and of maintaining it for one year shall be charged to the person making the street opening.

- (5) **Excavation in New Streets Limited.** Whenever the Village Board determines to provide for the permanent improvement or repaving of any street, such determination shall be made not less than 30 days before the work of improvement or repaving shall begin. Immediately after such determination by the Village Board, The Village Clerk shall notify in writing each person, utility, village department or other agency owning or controlling any sewer, water main, conduit or other utility on or under said street or any real property abutting said street, that all such excavation work on such street must be completed within 30 days. After such permanent improvement or repaving, no permit shall be issued to open, cut or excavate said street for a period of 5 years after the date of improvement unless in the opinion of the Building Inspector an emergency exists which makes it absolutely essential that the permit be issued.
- (6) **Emergency Excavations Authorized.** In the event of an emergency any person owning or controlling any sewer, water main, conduit or utility in or under any street and his agents or employees may take immediate proper emergency measures to remedy dangerous conditions for the protection of property, life, health or safety without obtaining an excavation permit; provided that each such person shall apply for an excavation permit not later than the end of the next succeeding business day and shall not make any permanent repairs without first obtaining an excavation permit hereunder.
- (7) **Village Work Excluded.** The provisions of this section shall not apply to excavation work under the direction of the Chairman of the Street Committee by village employees or contractors determining work under contract with the Village necessitating openings or excavations in village streets.
- (8) **Penalty.** The penalty for violation of any provision of this section shall be a penalty as provided in Section 25.04 of this code.

6.06 – OBSTRUCTIONS AND ENCROACHMENTS PROHIBITED

- (1) **Obstructions and Encroachments Prohibited.** No person shall encroach upon or in any way obstruct or encumber any street, alley, sidewalk, public grounds or 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 which he is the owner or occupant, except as provided in subsection (2).

(2) **Exceptions:** The prohibition of subsection (1) shall not apply to the following:

1. Signs or clocks attached to buildings, which project not more than 6 feet from the face of such building and which do not extend below any point 10 feet above the sidewalk, street or alley.
2. Awnings which do not extend below any point 7 feet above the sidewalk, street or alley.
3. Public utility encroachments duly authorized by state law or the Village Board.
4. Goods, wares, merchandise, or fixtures being loaded or unloaded which do not extend more than 3 feet on the sidewalk, provided such goods, wares, etc., do not remain thereon for a period of more than 2 hours.
5. Temporary encroachments or obstructions authorized by permit under subsection (3)
6. Excavations and openings permitted under section 6.04

(3) **Street Privilege Permit.**

(a) **When Required.** Permits for the use of the streets, alleys, sidewalks or other public ways or places of the Village may be granted to applicants by the Building Inspector for the purpose of moving any building or structure or of encumbering the street, alley, sidewalk or way with materials necessary in and about the construction or demolition of any building or structure, provided that such applicant has complied with the other requirements of this subsection and has obtained a permit as required by section 14 hereof.

(b) **Bond.** No street privilege permit shall be issued until the applicant shall execute and file with the Village Clerk a bond in an amount determined by the Building Inspector, conditioned that the applicant will indemnify and save harmless the Village of Cassville from all liability for accidents or damage caused by reason of operations under said permit and will remove such encumbrances upon termination of the operations and will leave the vacated premises in a clean and sanitary condition and repair any and all damage to the streets, alleys, sidewalks or public property of the Village resulting from such buildings or moving operations.

(c) **Fee.** The fee for a street privilege permit shall be \$10.

(d) **Conditions of Occupancy.** The permission to occupy or obstruct the streets, alleys, sidewalks, or public grounds is intended only for use in connection with the actual erection, alteration, repair, removal or moving of buildings or structures and shall be

given upon the following terms and conditions and subject to revocation without notice by the Building Inspector for violation thereof:

1. Such temporary obstruction shall cover not more than 1/3 of any street or alley.
2. Obstructions shall be sufficiently lighted at night so as to be in full view of the public from all directions.
3. Sidewalk traffic shall not be interrupted, but temporary sidewalks of not less than 4 feet in width guarded by a closed fence at least 4 feet high on both sides may be maintained during the period of occupancy.
4. The process of moving any building or structure shall be as continuous as practicable until completed, and if ordered by the Building Inspector, shall continue during all hours of the day and night.
5. No building or structure shall be allowed to remain overnight on any street crossing or intersection or so near thereto as to prevent easy access to any fire hydrant.
6. Buildings shall be moved only in accordance with the route prescribed by the Building Inspector.
7. Upon termination of the work necessitating such obstruction, all parts of the streets, alleys, sidewalks, or public grounds occupied under the permit shall be vacated, cleaned of all rubbish and obstructions and placed in a safe condition for public travel at the expense of the permittee.

(e) **Termination.** All street privilege permits shall automatically terminate at the end of 3 months from the date of issuance unless an earlier termination date is specified thereon at the direction of the Building Inspector.

(4) **Street Use Permits.**

(a) **Purpose.** The streets in possession of the Village are primarily for the use of the public in the ordinary way. However, under proper circumstances, the Village Board may grant a permit for street use, subject to reasonable municipal regulation and control. Therefore, this section is enacted to regulate and control the use of streets pursuant to a Street Use Permit to the end that the health, safety and general welfare of the public and the good order of the Village can be protected and maintained.

(b) **Application.** A written application for a Street Use Permit by persons or groups desiring the same shall be made on a form provided by the Village Clerk-Treasurer and shall be filed with the Village Clerk-Treasurer. The application shall set forth the following information regarding the proposed street use:

1. The name, address and telephone number of the applicant or applicants.
2. If the proposed street use is to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorizing responsible heads of such organization.
3. The name, address and telephone number of the person or persons who will be responsible for conducting the proposed use of the street.

4. The date and duration of time for which the requested use of the street is proposed to occur.
 5. An accurate description of that portion of the street proposed to be used.
 6. The proposed use, described in detail, for which the Street Use Permit is requested.
- (c) **Representative at Meeting.** The person or representative of the group making application for a Street Use Permit shall be present when the Village Board gives consideration to the granting of said Street Use Permit to provide any additional information which is reasonably necessary to make a fair determination as to whether a permit should be granted.
- (d) **Denial of Street Use Permit.** An application for a Street Use Permit may be denied if:
1. The proposed street use would violate any federal or state law or any ordinance of the Village.
 2. The proposed street use will substantially hinder the movement of police, fire or emergency vehicles, constituting a risk to persons or property.
 3. The application for a Street Use Permit does not contain the information required above.

In addition to the reason set forth above, the Village Board may deny a permit for any other reason or reasons if it concludes that the health, safety and general welfare of the public cannot adequately be protected and maintained if the permit is granted.

- (e) **Insurance.** The applicant for a Street Use Permit may be required to indemnify, defend and hold the Village and its employees and agents harmless against all claims, liability, loss, damage or expense incurred by the Village on account of any injury to or death of any person or any damage to property caused by or resulting from the activities for which the permit is granted. As evidence of the applicant's ability to perform the conditions of the permit, the applicant may be required to furnish a Certificate of Comprehensive General Liability Insurance with the Village of Cassville naming the Village as an insured. The applicant may be required to furnish a performance bond prior to being granted the permit.
- (f) **Termination of a Street Use Permit.** A Street Use Permit may be terminated by the Village Board or a law enforcement officer if the health, safety and welfare of the public appears to be endangered by activities generated as a result of the use or the use is in violation of any of the conditions of the permits or ordinances of the Village. The Village Board or a law enforcement officer has the authority to revoke a permit or terminate a use if the permittee fails to comply with any of the regulations in the street use policy or conditions stated in the permit.
- (g) **Fees.** The fee for a street use permit shall be \$50.00. The Village Board may waive the fee, in whole or in part, based on whether or not it requires the permittee to provide insurance naming the Village as an additional insured.

- (4) **Removal by Village.** In addition to any other penalty imposed, if the owner or occupant of the premises adjoining any unlawfully obstructed sidewalk shall refuse or neglect to remove such obstruction within 24 hours after notice from the Building Inspector to do so, the Village shall remove such obstruction and the Village Clerk shall enter the cost thereof on the next annual tax roll as a special charge against the property abutting such obstructed sidewalk, and such sum shall be levied and collected as other special taxes against real estate.
- (5) **Penalty.** The penalty for violation of any of the provisions of this section shall be a penalty as provided in Section 25.04 of this code.

6.07 – SNOW AND ICE REMOVAL

(1) **Responsibility of Owner or Occupant.**

(a) **Responsibility of Owner or Occupant.** The owner, occupant or person in charge of each and every building or structure or unoccupied lot in the Village of Cassville fronting or abutting any street shall clean or cause to be cleaned the sidewalk in front of or adjoining each such home, building or unoccupied lot of snow or ice to the width of such sidewalk within 24 hours after such ice or snow has accumulated on the sidewalk. If the ice which has formed on any sidewalk cannot be removed within 24 hours, the persons herein referred to shall keep the same sprinkled with ashes, sawdust, sand or other abrasive material or salt.

(b) **Action to Abate Condition.** If the snow or ice has not been removed or otherwise treated on any sidewalk covered by Subsection (a) for more than 24 hours after such condition exists, the Village may contract with appropriate persons or firms to remedy such condition. The bill for the cost of such remediation shall be sent to the owner, occupant or person in charge of the lot abutting such sidewalk and that person shall be responsible for the payment of such charges. If such charges are not paid by the end of the calendar year in which they are incurred, the charges shall be placed on the tax rolls and become a special charge against such lot.

(2) **Snow Removal from Private Property onto Property of Others Prohibited.** No person shall remove snow from private property onto the private property of another or onto Village property without the consent of the owner in the case of private property or the Chief of Police in the case of Village property.

(3) **Penalty.** The penalty for violation of any provision of this section shall be a penalty as provided in Section 25.04 of this code. A separate offense shall be deemed committed during each hour or part thereof during which a violation occurs or continues.

6.08 – TREE TRIMMING, INFECTED TREES, PLANTING CONTROLS.

- (1) **Trees to be Kept Trimmed.** Trees standing in and upon any public street or place, or upon any lot or land adjacent thereto shall be pruned and trimmed by the owner or owners or occupants of the property on or in front of which such trees are growing so that the lowest branches projecting over the public street or alley will provide a clearance of not less than 14 feet and a clearance of not less than 10 feet over any other public place and so that no dead, broken or otherwise hazardous branches shall be likely to fall and do injury to the public. Any tree not trimmed as herein provided shall be deemed hazardous.
- (2) **Hazardous and Infected Trees.** Any tree or part thereof, whether alive or dead, which the Chairman of the Street Committee shall find to be infected, hazardous or a nuisance so as to endanger the public or other trees, plants or shrubs growing within the Village, or to be injurious to sewers, sidewalks or other public improvements, whether growing upon public or private premises, shall be removed, trimmed or treated by the owner of the property upon or adjacent to which such tree or part thereof is located. The Chairman of the Street Committee shall give written notice to said owner to remedy the situation which shall be served personally or posted upon the affected tree. Such notice shall specifically state the period of time within which the action must be taken, which shall be not less than 24 hours nor more than 14 days as determined by said chairman on the basis of the seriousness of the condition of the tree or danger to the public. If the owner shall fail to remove, treat or trim said tree within the time specified, said Chairman shall cause the tree to be removed, treated or trimmed and shall report the full cost thereof to the Village Clerk who shall thereupon enter such cost as a special charge against the property. In the case of the trees infected with Dutch Elm disease, the Village shall have the right to remove the same, and shall do so at the Village expense.
- (3) **Cottonwood, Box Elder and Ash Trees Prohibited.** No person shall plant or maintain within the Village of Cassville any female tree of the species *Populus Deltoides*, commonly called the “Cottonwood,” or any tree commonly called the seed-bearing Box Elder or *Acer Negundo*, which may now or hereafter become infested with Box Elder bugs, or any species of Ash trees which may now or hereafter become infested with Emerald Ash Borer, and such trees are hereby declared a nuisance. Any person having any such trees on their premises shall cause the same to be removed. If any owner shall fail to remove any such tree within 30 days after receiving written notice from the Chairman of the Street Committee, the Chairman shall cause the removal of such tree and report the full cost thereof to the Village Clerk who shall place such charge upon the next tax roll as a special charge against the premises.
- (4) **Planting of Certain Trees Restricted.** No person shall hereafter plant any Catalpa, Chinese Elm, White Poplar, Lombardy Poplar, or any fruit or nut tree in or upon any public street, parkway, boulevard or other public place within the Village of Cassville, unless he shall first secure written permission from the Chairman of the Street Committee, who shall not approve any such planting if in his opinion said tree will constitute a nuisance to the public or the operation of any sewer or water system. The said Chairman shall cause the removal of any tree planted in violation of this subsection.

(5) **Curb Planting Restricted.** No person shall plant any tree or shrub nor erect any structure in that portion of any street in the Village of Cassville between the property line of the adjacent owner and the curb or edge of the traveled portion of such street, without first obtaining permission to do so from the Village Board.

(6) **Penalty.** The penalty for violation of any provision of this section shall be a penalty as provided in Section 25.04 of this code.

6.09 – MINIMUM STANDARD FOR STREETS WIDTHS

Streets in the Village of Cassville shall have a width as determined by the Village Board, and streets shall be no less than 20 feet width.