

CHAPTER 8
PUBLIC WORKS

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8.01 LETTING OF CONTRACTS.

- (1) The letting of Village contracts shall be governed by and pursuant to the provisions of 62.15, Wis. Stats.
- (2) All or any part of public work in any of the following classes may be done by the Village directly and without submitting the same for bids.
 - (a) Work in maintaining, repairing or improving the existing sewer plant or system of the Village.
 - (b) Work in maintaining, repairing and improving the existing water plant or system of the Village.
 - (c) Work in extending or adding to the present sewer plant or system of the Village.
 - (d) Work in extending or adding to the present water plant or system in the Village.
- (3) When directly performing public work in classes enumerated above, the Village shall have the right to purchase all necessary materials and supplies, hire labor and machines and incur any other expense necessary to perform and complete the work.
- (4) The Village Board shall by resolution specifically designate when and what public work within the above classes shall be done directly by the Village without submitting the same for bids.
- (5) The Village delegates to the chairman of the committee having charge of the work the authority and duty to direct and supervise any such work authorized by the Village Board.
- (6) An accurate account shall be kept by the committee chairman of any work done under this section, including the necessary overhead expense. Upon the completion of any such authorized work the committee chairman shall make a complete report to the Village Board stating in detail the items of cost and the total cost of doing such work and such report shall be published by the Village Clerk as part of the proceedings of the Village Board meeting at which such report is submitted.

8.02 SNOW AND ICE REMOVAL FROM SIDEWALKS.

- (1) The owner or occupant of any lot or parcel of land adjoining any sidewalk in the Village shall remove the snow or ice from such sidewalk within 24 hours after the same shall cease to fall. When ice formed on the sidewalk so it cannot be immediately removed, the owner or occupant shall sprinkle the ice with a substance which will prevent slipping.

PUBLIC WORKS 8.02(2)

- (2) (added May 5, 2008)
- (a) Except as noted in b. below, persons removing ice or snow from sidewalks, driveways, and private property shall not move or cause such snow or ice to be moved onto or across a public way or other area where snow removal is performed by Village staff, or onto a neighboring property. Property owners or occupants shall be held responsible for the actions of persons employed by them for the removal of ice and snow from their property. This restriction shall include, but is not limited to, pushing, throwing, dumping or mechanical blowing of snow or ice onto streets, sidewalks or vision corners at intersections.
 - (b) Owners or occupants of commercial property in the 100 - 200 blocks of Lincoln Avenue ONLY may deposit snow from the front, rear and side yards of their property into the parking lane of the street abutting their property for later pickup by Village staff.
- (3) If any person fails to comply with the provisions of this section, the Director of Public Works shall cause such snow or ice to be removed or sprinkled and the costs of same shall be assessed to the lot or lots benefited and collected in the same manner as general taxes of the Village.

8.03 TREE PLANTING, TRIMMING AND REMOVAL.

- (1) **TRIMMING.** 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 occupants of the property on or in front of which such trees are growing so that the lowest branches projecting a clearance of not less than 14' and a clearance of not less than 10' over any other public place and so that no dead, broken or other hazardous branches shall be likely to fall and do injury to the public. Any tree not trimmed as provided in this subsection shall be deemed hazardous and a public nuisance.
- (2) **HAZARDOUS TREES.** Any tree or part thereof, whether alive or dead, which the Director of Public Works finds 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 Director of Public Works shall give written notice to the 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 48 hours nor more than 14 days, as determined by the Director of Public Works on the seriousness of the condition of the tree or danger to the public. If owner shall fail to remove, treat or trim such tree within the time limit, the Director of Public Works shall cause the tree to be removed, treated or trimmed and shall report the full cost thereof to the Village Clerk/Treasurer who shall thereupon enter such cost as a special charge against the property.

PUBLIC WORKS 8.03(3)

- (3) **PROHIBITED TREES.** No person shall plant within the Village any of the following trees: Black Locust, Boxelder, Buckthorn, Eastern Cottonwood, Ginkgo, or Lombardy Poplar. If any owner shall fail to remove any such tree within 30 days after receiving written notice from the Director of Public Works, the Director shall cause the removal of such tree and report the full cost thereof to the Village Clerk-Treasurer 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 plant any tree in or upon any public street, parkway, boulevard or other public place within the Village without first securing written permission from the Director of Public Works who shall not approve any such planting if in his opinion such tree will constitute a nuisance to the public or adjoining property owners or interfere with the safety of the public or the operation of any sewer or water system. The Director of Public Works shall cause the removal of any tree planted in violation of this subsection and shall report the full costs thereof to the Village Clerk/Treasurer who shall thereupon enter such cost as a special charge against the property.
- (5) **TREES UNDER OVERHEAD ELECTRIC WIRES.** It is prohibited to plant trees or foliage that reach a maximum, mature height of greater than eighteen (18) feet underneath any overhead electric wire. The Director of Public Works shall maintain a list of appropriate trees or foliage that are permitted to be planted underneath overhead electric wires. (1/9/01)

8.04 STREET AND SIDEWALK GRADES.

- (1) **ESTABLISHMENT.** The grade of all streets, alleys and sidewalks shall be established by resolution of the Village Board and the same recorded by the Village Clerk in his/her office. No street, alley or sidewalk shall be worked until its grade has been established.
- (2) **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, by any means whatsoever, unless authorized or instructed to do so by the Village Board or the Superintendent of Streets. All such alterations of grade shall be recorded in the office of the Village Clerk by the officer authorizing the alteration.

PUBLIC WORKS 8.05

8.05 SIDEWALK CONSTRUCTION AND REPAIR.

- (1) **OWNER TO CONSTRUCT.** The abutting owner shall build, repair, construct and perpetually maintain sidewalks along or upon any street, alley or highway in the Village and pay the entire cost thereof. Whenever the Village Board, by resolution, determines that a sidewalk be laid, rebuilt, repaired, lowered or raised along or upon any public street, alley or highway within the Village, it shall proceed according to 66.615, WI statutes.
- (2) **PERMIT REQUIRED.** No person shall lay, remove, replace or repair any public sidewalk within the Village unless he is under contract with the Village to do such work or has obtained a permit therefore from the Director of Public Works at least 7 days before work is proposed to be undertaken. Fees for permits shall be established by the Village Board and reviewed from time to time. A fee schedule shall be on file and available at the Village office.
- (3) **SPECIFICATIONS.** All sidewalk within the Village shall be repaired, rebuilt and constructed in accordance with the specifications of the Director of Public Works.
- (4) **COST AT INTERSECTION.** Work completed in the intersection portion of corner lots shall be by and at the expense of the Village of Rio.

8.06 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 Director of Public Works. Fees for permits shall be established by the Village Board and reviewed from time to time. A fee schedule shall be on file and available at the Village office.
- (2) **SPECIFICATIONS FOR DRIVEWAY CONSTRUCTION.**
 - (a) **Width.** No driveway shall exceed 24' in width at the outer or street edge of the sidewalk unless written permission is obtained from the Village Board.
 - (b) **Interference with Intersections 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 Director of Public Works to provide for adequate surface water drainage along the street, the property owner shall provide any necessary culvert pipe at his or her own expense.

PUBLIC WORKS 8.06(2)(d)

- (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 Director of Public Works. Any two (2) approaches shall be at least 10' apart.
- (e) Workmanship and Materials. All driveway entrances and approaches which are constructed across sidewalks shall be paved in concrete in accordance with the requirements of the Director of Public Works.
- (f) Permittee Liable for Damage or Injury. The permittee shall assume all responsibility for any injury or damage to persons or property resulting directly or indirectly during construction or repair of driveway approaches or entrances. Driveway surfaces shall connect with the street pavement and sidewalk 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 the Director of Public Works.
- (g) Curb Cutouts. When curb or gutter needs to be removed, the cutout and/or replacement shall be done by the village or its designee and the cost billed to the property owner. (Added 4/6/98)

8.07 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 without first obtaining a permit from the Director of Public Works.
- (2) **FEE.** Fees for permits shall be established by the Village Board from time to time. A fee schedule shall be on file and available at the village office.
- (3) **BOND.** Before a permit for excavating or opening any street or public way may be issued, the applicant shall execute and deposit with the Village an indemnity bond, approved by the Village President, in the sum of \$5,000, conditioned that he will indemnify and save harmless the Village and its officers from all liability for accidents and damage caused by any of the work covered by the permit, and that he will fill up and place in good and safe condition all excavations and openings made in the streets, and will replace and restore the pavement over any opening he may make as near as can be to the state and condition in which it was found, and keep and maintain the same in such conditions, normal wear and tear excepted, to the satisfaction of the Director of Public Works for a period of one year, and that he will pay all forfeitures imposed upon him for any violation of any rule, regulation or ordinance governing street openings or drain laying adopted by the Village Board, and will repair any damage done to existing improvements during the progress of the excavation in accordance with the ordinances, rules and regulations of the Village.

PUBLIC WORKS 8.07(3)

Such bond shall also guarantee that, if the Village shall elect to make the street repair, the person opening the street will pay all costs of making such repair and of maintaining the same for one year. Recovery on such bond for any accident, injury, violation of law, ordinance, rule or regulation shall not exhaust the bond, but it shall cover any and all accidents, injuries or violations during the period of excavation for which it is given. An annual bond may be given under this section covering all excavation work done by the principal for one year beginning January 1, which shall be conditioned as specified above and in the amount determined by the Village Board as necessary to adequately protect the public and the Village.

- (4) **INSURANCE.** Prior to commencement of excavation work, a permittee shall furnish the Director of Public Works with satisfactory 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 \$1,000,000 per occurrence and \$2,000,000 aggregate.
- (5) **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 Director of Public Works.
 - (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 excavated 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 makes 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. Amber lights or flashers shall be kept burning from sunset to sunrise, one amber light or flasher 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 Director of Public Works, no trench shall be excavated more than 250' in advance of pipe laying nor left unfilled more than 500' where pipe has been laid. All necessary precautions shall be taken to guard the public 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 the neglect by such person or his employees of any necessary precaution against injury or damage to persons, vehicles or property of any kind.

PUBLIC WORKS 8.07(5)(d)

- (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 shall be removed and replaced as nearly 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 Director of Public Works, 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. The Village may elect to make the pavement repair for any street or sidewalk opening, in which case the cost of making such repair and of maintaining it for one year shall be charged to the person making the street opening.
- (6) 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 Director of Public works shall notify in writing each person, utility, Village department or other agency owning or controlling any sewer, watermain, conduit or other utility in or under the street or any real property abutting the street, that all such excavation work in such street must be completed with 30 days. After such permanent improvement or repaving, no permit shall be issued to open, cut or excavate the street for a period of 5 years after the date of improvement or repaving, unless, in the opinion of the Director of Public Works, an emergency exists which makes it absolutely essential that the permit be issued.
- (7) 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 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.
- (8) VILLAGE WORK EXCLUDED. The provisions of this section shall not apply to excavation work under the direction of the Director of Public Works by Village employees or contractors performing work under contract with the Village necessitating openings or excavations in Village Streets.

PUBLIC WORKS 8.08

8.08 GARBAGE, REFUSE AND WASTE. (Cr. #72)

(1) TITLE; COLLECTION SERVICE.

(a) Title. This section shall be known as the Garbage and Recycling Management Ordinance of the Village of Rio, herein referred to as 8.08.

(b) Residential Garbage Collection Service. Residential garbage collection service will be provided by private firms under contract with the Village, provided that the garbage bags contain no recyclable materials.

(2) DECLARATION OF POLICY. Whereas Wisconsin Act 335, dated April 27, 1990, "The Recycling Law", requires timely compliance with various requirements relating to landfills and incineration, it is hereby declared to be the purpose and intent of this section to enhance and improve the environment and promote the health, safety and welfare of the Village by establishing minimum mandatory standards for the storage, collection, transportation, processing, separation, recovery and disposal of garbage and recycling materials in compliance with Wisconsin law.

(3) DEFINITIONS. For the purpose of the section, the following words and phrases shall have the meanings given herein unless different meanings are clearly indicated by the context.

Building and demolition waste. That portion of solid waste consisting of wastes from the repair, remodeling or reconstruction buildings, such as lumber, roofing and sheathing, scraps, rubble, broken concrete, asphalt and plaster, conduit pipe, wire insulation and any other materials resulting from the demolition of buildings and improvements.

Commercial units. All property other than residential units and includes any trade, business, professional offices, churches, schools, service organizations, apartment buildings of 5 units or more, boarding houses, motels or resorts.

Curb. The back edge or curb and gutter along a paved street or where one would be if the street was paved and had curb and gutter.

DNR. The Wisconsin Department of Natural Resources.

Dump. A land site where solid waste is disposed of in a manner that is not licensed for that purpose.

Garbage. All non-recyclable solid waste, excluding hazardous waste, brush, leaves and grass.

PUBLIC WORKS 8.08(3)

Garbage storage areas. Areas where persons place containers during non-collection days as well as areas where containers are set out on collection days.

Hazardous waste. Any substance or combination of substances, including any waste of a solid, semi-solid, liquid or gaseous form which may cause or significantly contribute to any increase in mortality or an increase in serious irreversible or incapacitating reversible illness or which may pose a substantial present or potential hazard to humans or the environment because of its quality, concentration or physical, chemical or infectious characteristics. This term includes, but is not limited to, substances which are toxic, corrosive, flammable, strong sensitizers or explosives as determined by the DNR.

Landfill. A landsite where solid waste is disposed of in a manner to provide protection for the environment in accordance with State regulations.

Private collection services. Collection services provided by a person licensed to do the same by the DNR.

Recyclable waste. Includes:

1. Aluminum containers made entirely of aluminum.
2. Corrugated cardboard ties in 3' by 3' bundles.
3. Glass: clear, brown, green; rinsed clean with covers and bands removed.
4. Newspaper tied in bundles or placed in paper bags.
5. Plastic bottles: PETE-1, HDPE-2; rinsed clean with caps and rings removed.
6. Tin, steel containers; rinsed clean.

Residential unit. A place of habitation occupied by 4 or less single family units.

Scavenging. The uncontrolled removal of material at any such point in solid waste management.

- (4) **GARBAGE STORAGE AREAS.** Storage areas shall be kept in a nuisance and odor-free condition. Litter shall not be allowed to accumulate. Collection crews will not be responsible for cleaning up loose materials from any containers which have become ruptured or broken due to wet conditions, animals, vandalism or other cause. The occupant and owner shall be responsible for cleaning up loose materials and spillage.

PUBLIC WORKS 8.08(5)

- (5) RESIDENTIAL GARBAGE CONTAINERS. (a) Approved Containers. An approved garbage container shall be a plastic bag supplied by the property owner or tenant from normal retail outlets. Bags shall not exceed 35 gallons in volume or 55 pounds in weight when full. Bags shall not be secured and of sufficient strength so the contents do not spill out when handled.

No resident shall exceed an amount equal to 3 such bags. Effective October 12, 1994 clear plastic bags shall be used.

- (6) BRUSH, LEAVES AND GRASS.

(a) Brush, including limbs shall be piled with all cut ends facing in one direction. Tree limbs shall be no longer than 6' and shall be 4" in diameter or less. Tree branch clumps shall be cut narrow enough to go through a chipper chute. Small twigs and branches shall be placed in boxes or bags. Brush shall not have metal or nails in or among it.

(b) Leaves will be picked up in the spring and fall of the year. Times will be published in the local newspaper (Rio Shopper). Leaves shall be bagged and placed in the terrace area between the curb and the sidewalk.

(c) Brush, leaves or grass shall not be left in the street or vehicle right-of-way.

- (7) COLLECTION OR RESIDENTIAL GARBAGE.

(a) Containers. Only approved garbage containers which contain no recyclable materials shall be picked up.

(b) Placement for collection. Residential garbage shall be accessible to collection crews. Residential garbage in approved containers shall be placed immediately behind the curb of the public street or adjacent to alleys for construction. During winter months, solid waste shall not be placed on top of snowbank nor in the roadway. The owner or occupant shall either shovel out an area behind the curb in which to place his waste or place it in his driveway.

(c) Restriction on Time of Placement.

1. All garbage shall be placed at the curb no earlier than 12 hours prior to the scheduled date of collection. All containers shall be removed from the curb no later than 24 hours after the date of collection.
2. All containers tagged in violation of this section shall be removed from the curbside collection point within 24 hours after regular collection time.
3. Village employees or employees of licensed collectors shall not enter any structure to remove garbage or refuse.

PUBLIC WORKS 8.08(7)(d)

(d) Collection Schedule.

1. The designation of the day or days of garbage collection shall be made advertised. Unless hardship is known caused by extreme weather conditions or other hazardous situations, garbage shall be collected from all residential units weekly.
2. The owner or occupant of a new residential unit shall notify the Village Clerk that collection of garbage from such place is required.

(e) Collection and Disposal of Garbage and Recyclables Other Than by Village.

Garbage and recyclables which are not collected by the Village, its residents, its agents, employees or contractors may be collected and disposed of by private haulers. All vehicles used to transport garbage and recyclables shall be provided with equipment to prevent garbage and recyclables from blowing out of, falling from, or otherwise escaping from such vehicle. All haulers shall comply with all applicable rules, regulations and ordinances established by the Village Board or a committee thereof.

(8) **PROHIBITED ACTIVITIES AND NONCOLLECTIBLE MATERIALS.**

- (a) Improper Transportation. No person shall transport any garbage in any vehicle which permits the contents to blow, sift, leak or fall therefrom. If spillage does occur, the collection crew shall immediately return spilled materials to the collection vehicle and shall properly clean or have cleaned the area. Collection vehicles shall be cleaned frequently to prevent nuisances and insect breeding and shall be maintained in good repair.
- (b) Scavenging. No person shall use or operate a dump.
- (c) Burning of Garbage. No person shall burn garbage, brush, leaves or grass clippings on public or private property. The Village Department of Public Works and the Fire Department being exempt.
- (d) Noncollectible Materials. No person shall place for collection any of the following wastes:
 1. Hazardous wastes.
 2. Drain or waste oil or flammable liquids.
 3. Tires.
 4. Wet, undrained and unwrapped kitchen garbage or offal.
 5. Building and demolition waste.
- (e) Disposal on Public Ways or Property. No person shall deposit, throw or place any garbage on or within any public street, alley, park, sidewalk or other public place within or upon any private property or premises whether owned, kept or controlled by such person or not, unless permission is obtained from the property owner.

PUBLIC WORKS 8.08(9)

(9) VIOLATION OF PROHIBITIVE ACTIVITIES AND NONCOLLECTIBLE MATERIALS.

Upon determination that a violation of subs. (5), (7) or (8) exists, materials in violation shall be tagged with a notice informing the property owner of the violation and corrective action required. If tagged, the materials shall be removed within 24 hours by the property owner.

(10) GARBAGE FROM OUTSIDE THE VILLAGE.

No person shall place, deposit or cause to be deposited for collection any garbage not generated within the corporate limits of the Village.

(11) MANDATORY RECYCLING REQUIREMENTS-RESIDENTIAL UNITS.

(a) Separation. Curbside recyclables shall be picked up every other Wednesday, be separated and are to be placed in separate containers; i.e., green glass, brown glass, clear glass, tin and aluminum may be combined and plastic.

(b) Properties Served. All properties in the Village shall have access to the recycling center for the drop-off of recyclable materials as defined in sub. (3).

(c) Recyclables Prohibited from Garbage. Recyclables as defined in this section are prohibited from being co-mingled and must be in compliance with this section.

(d) Preparation of Recyclables. All containers are to be rinsed clean and all caps, covers and rings removed. Newspaper and corrugated shall be tied in bundles. All recyclables shall be deposited in the areas so marked at the Rio Village Recycling Center, downtown Rio, or made ready for curbside pick-up.

(e) Transporting. Recyclables shall be transported in a manner which prevents escape of materials. Any escaping materials shall be immediately picked up by the person transporting them.

(12) MANDATORY RECYCLING REQUIREMENTS-COMMERCIAL UNITS.

Effective October 12, 1994, the owner or designated agent of properties containing 5 or more dwelling units and owners or designated agents of non-residential facilities and properties shall carry out the following:

(a) Provide adequate, separate containers for recyclables.

(b) Notify tenants in writing at the time of renting or leasing and at least semi-annually thereafter of the recycling program and requirements of the program.

PUBLIC WORKS 8.08(9)

8.09 PLACEMENT OF MAILBOXES

- (1) All residents of the Village and businesses located within the Village, whose mail is delivered to a mailbox at their residence or business, shall have their mailbox located on the terrace and set back 6 to 8 inches from the back of the curb or road edge, with this distance measured from the back of the curb or road edge to the mailbox door. The mailbox shall be kept free and clear of snow.
- (2) The Village will pay a maximum fee, to be set from time to time by the Village Board, if a mailbox located as defined in (1) above is *directly* damaged by the Village snowplow. The Village will not be responsible for any damage due to snow coming off the plow or for damage to a mailbox which is not located as defined in (1) above.

8.10 PENALTY.

Except as otherwise provided in this chapter, any person found to be in violation of any provision of this chapter shall be subject to a penalty as provided in 25.04 of this Municipal Code.