

TITLE 6 – STREETS, SIDEWALKS AND PUBLIC PLACES

[STREET AND ALLEY IMPROVEMENTS SDCL 9-45]

[SIDEWALK IMPROVEMENTS SDCL 9-46]

Chapter 6.01 – Street Names and Addresses

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CHAPTER 6.01 – STREET NAMES AND ADDRESSES

- 6.0101 Names of Streets and Avenues. The names of all streets and avenues in the City shall be fixed and adopted in accordance with the official map of the City on file in the office of the Finance Officer. All east-west thoroughfares shall be designated as avenues and all north-south thoroughfares shall be designated as streets. Other streets shall be named in accordance with guidelines included in the City subdivision regulations. Any such act of naming, establishing, or vacating any street, alley or other public way in the City shall be so designated on such map. (SDCL 9-45-2)
- 6.0102 Numbering Plan. A numbering plan for residences and businesses shall be maintained by the City Council. Buildings on the east or north side of any street or avenue shall be given even numbers, and the buildings on the west or south side thereof shall be given odd numbers. A listing of the assigned numbers and a map showing the location of addresses shall be maintained and filed in the Finance Office. The Finance Officer shall be responsible for assigning new numbers and updating the listing of such numbers and the location map. (SDCL 9-45-2)
- 6.0103 Houses and Business Places must be Numbered. Every person who is or may hereafter become the owner or renter of any house, residence, store, shop or other business building, situated on any lot fronting on any of the streets or avenues of the City of Valley Springs shall number with 3" minimum numbers. The numbers shall be so located on the structure such that it is clearly visible from the street.
- 6.0104 Numbering of Lots. One number shall be apportioned to every building or lot along all the thoroughfares of the City whether the same be occupied by buildings or not. In case more than one building is erected in a single lot feet the same may be numbered by placing thereon the regular number which appeared on the building formerly situated in said space or the number which would otherwise be allotted to the space and on the second building to be erected thereon the regular number plus the fraction, one-half (1/2). (SDCL 9-45-2)

CHAPTER 6.02 – STREETS, SIDEWALKS, CURB AND GUTTER

- 6.0201 Streets. A thirty-six (36) foot roadway shall be maintained between curbs whenever practical, with streets platted at sixty-six (66) feet in width having a distance of fifteen (15) feet from property line (inside of sidewalk) to curb, with slope of one-

fourth inch per foot toward street, and streets platted at sixty (60) feet shall have twelve (12) feet from property line (inside of sidewalk) to curb, with slope also of one-fourth inch per foot toward street. The crown of the street or avenue should be the same height as the curb. Any deviations shall be authorized by the Street Superintendent or the City Council. Only street department personnel or other authorized so to do shall be permitted to work on any of the streets, avenues, or alleys in the City. (SDCL 9-45-1)

- 6.0202 Street Excavations. No person shall make or cause to be made any excavation except as hereafter provided, in or under any street, sidewalk, alley or public ground or remove any earth, soil, paving, gravel or materials therefrom without first having obtained approval from the City Council. Application for such approval shall state where such excavation is to be made, the extent thereof and the purpose of such excavation.
- 6.0203 Excavation Permits. Applications for excavations other than emergency situations may require a deposit in such sum as deemed necessary by the City Council to ensure the proper replacement and refilling of any such excavation or to cover the costs of any damages which may be caused by such excavation. Any required deposit shall be paid to the City before approval of an application is made and any unused portion of said deposit shall be refunded to the applicant upon recommendation and approval of the City Council.
- 6.0204 Excavation Repairs. Approval for any excavation covered by this Chapter shall be issued only upon the express condition that the applicant shall refill such excavation in accordance with the requirements of the City Council, and shall restore the pavement or surfacing as the case may be, to its former condition. The City Council shall adopt and amend as necessary such requirements, which shall set forth the manner in which various types of excavations shall be backfilled or refilled and the manner in which any street surfacing shall be replaced.
- 6.0205 Excavation Inspections. It shall be the duty of authorized City Personnel to inspect all authorized excavation work at any stage of construction and to ensure compliance with approved requirements. If all backfilling, refilling or surfacing is not completed in accordance with approved requirements, notice thereof in writing shall be given to the applicant who shall put the same in proper order within a maximum of ten (10) days. If the applicant fails after such notice to complete all requirements the City Council may authorize the necessary repairs and such applicant shall pay the costs thereof.
- 6.0206 Excavation Barriers. Any person receiving approval to make excavations in or upon any street, alley, sidewalk or public ground shall, during the progress and continuance of the work, erect and maintain around the same both day and night suitable guards, fences, flares and signals so as to prevent injury to persons, animals, or vehicles on account of such excavations. No open trench shall be left open for any more time than considered absolutely necessary or reasonable.

6.0207 Sidewalks. Unless otherwise determined by the City Council, the property line shall be six (6) inches inside of the sidewalk. Sidewalk construction shall include base material of three (3) inches in thickness, of approved materials. Sidewalks shall be no less than three and one-half (3½) inches in thickness, of Portland Cement Construction, and not less than four (4) feet nor more than five (5) feet wide in residential areas, with slope toward street of one-fourth (1/4) inch per foot. When considered necessary and advisable for the peace, welfare, and safety of the people, the City Council may direct that new sidewalk be constructed and assessed to any abutting property owner. (SDCL 9-46-1, 9-45-14)

When existing sidewalk is removed for any reason it shall be replaced, according to the provisions of this section by the property owner.

6.0208 Driveway Approaches. No driveway approaches shall protrude or extend into the streets beyond the curb line, unless otherwise so authorized by the City Council. Concrete driveway approaches shall be of four (4) inch Portland Cement Construction, with the slope gradual to accommodate modern vehicles. On gravel thoroughfares driveway approaches constructed shall permit flow of surface water without drainage interference and shall permit proper blading and maintaining of streets. (SDCL 9-45-1)

6.0209 Curb and Gutter. All residential and commercial type construction totaling five thousand (5,000) dollars or more shall, at the owner's expenses install curb and gutter, adjacent to the property where such construction occurs, within one (1) year from the time of such construction is completed. (SDCL 9-45-5) Curb and gutter shall be of Portland Cement Construction, not less than 3,000 PSIV with curb six (6) inches in width and extending six (6) inches above the gutter. Gutter shall be of six and one-half (6½) inch thickness extending twenty-four (24) inches into the street.

The City Council shall reserve the right to direct that curb and gutter be constructed and the cost assessed against any abutting property owner. (SDCL 9-45-5)

6.0210 Permits. When constructed separately from an overall construction project, property owners or their agents shall submit applications for permits for approval by the City Council for sidewalks, driveway approaches, curbs, or curb and gutter. When these improvements are constructed simultaneously or as one project, only one application is necessary to include all improvements, and where any or all are part of new construction projects, only one permit for the overall construction shall be issued. All improvements, installations, and engineering recommendations shall be in conformance with specifications or recommendations approved by the City Council.

6.0211 Barrier-Free Construction. Whenever any person, firm or corporation makes new installations of sidewalks, curbs or gutters, in both business and residential areas, it shall be required that they install ramps at crosswalks, so as to make the transition from street to sidewalk easily negotiable for handicapped persons in wheelchairs and for blind persons. All such ramps shall be constructed or installed in accordance with design specifications according to the most current American National Standards Specifications published by the American National Standards Institute. (SDCL 9-46-1.1,1.2)

- 6.0212 Assessment of Cost of Repair or Replacement. The City Council, after such repairs or replacements are made, shall return and file with the City Finance Officer a complete statement of the cost thereof, and the City Finance Officer shall cause the same to be published in the official paper of the City for two (2) successive issues together with a notice of the time and place when the City Council shall meet to consider the same.
- 6.0213 Enforcement of Assessments. The City Council shall consider and act upon such assessments. If the City Council approves the same, these assessments shall become a lien upon the property so benefited and assessed. Payment of such assessment shall be enforced according to state statute.

CHAPTER 6.03 – SNOW AND ICE REMOVAL

- 6.0301 Duty to Remove. It shall be the duty of the owner, tenant, or person in possession of any property abutting on any sidewalk to keep such sidewalk free from snow and ice and to cause any accumulated snow and ice to be removed from any such abutting sidewalk within twenty-four (24) hours after the termination of any snowfall, or snow or ice accumulation. (SDCL 9-30-5)
- 6.0302 Disposal of Snow. It shall be the duty of the property owner, tenant, or person in possession of any public or private driveway, parking lot or parking area to dispose of accumulated snow and ice upon such property in such manner that any snow and ice when removed shall not be deposited upon any sidewalk, within or upon any public street or alley, or in a manner that will obstruct or interfere with the passage or vision of vehicle or pedestrian traffic.
- It shall be the duty of the property owner, tenant, or person in possession of any property abutting on any sidewalk to dispose of accumulated snow and ice upon such sidewalk in such a manner that any snow and ice when removed shall not be deposited within or upon any public street or alley, after such public street or alley has been cleared of snow and ice by the grading of such snow or ice away from the curb or the picking up and carrying away of such snow or sanding or salting of ice by the City. (SDCL 9-30-5)
- 6.0303 Removal Costs Assessed. In the event any owner, tenant, or person in possession of any property shall fail to comply with any provisions of this chapter, any police officer of the City may issue a citation for such violation and the City Council may authorize such removal with the costs to be assessed against the abutting property owner. (SDCL 9-30-5)

CHAPTER 6.04 – MOVING BUILDINGS

- 6.0401 Permit Required. No person shall move any building or part of building into, along or across any public street, alley, or grounds in the City without having obtained a moving permit. (SDCL 9-34-1, 9-30-2)
- 6.0402 Applications. Written application for a moving permit shall be filed with the Finance Officer, and shall include the name of the applicant, the name of the owner of the

building, a description of the lot on which such building is standing and the lot to which it is to be moved, if located in the City, the route along which it is proposed to move such building, and the length of time which may be consumed in such moving. Any application so filed shall be considered by the Zoning Administrator and/or Planning Commission for approval, and any other conditions to be complied with by the applicant, shall be stated.

- 6.0403 Surety Bond. No permit shall be granted until the applicant shall file with the Finance Officer a bond running to the City in the penal sum to be established by the City Council, with sufficient surety, and conditioned that the applicant will promptly repair and make good, to the satisfaction of the Council, any and all damage to any pavement, sidewalk, cross walk, hydrant, street, alley, or other property, done or caused by himself or his employees, in moving such building or part thereof, or in connection with the moving thereof.

The applicant shall indemnify and save harmless the City against any and all liability for damages, costs and expenses, arising or which may arise or be incurred in favor of any person by reason of any negligence or misconduct or act on his part or the part of his agents or employees, in connection with the moving of said building or part thereof, or the use of any public ground for such purpose.

- 6.0404 Standing Buildings. No building or part of a building being moved, shall be allowed to stand still in any public street or any public ground for more than twenty-four (24) consecutive hours.
- 6.0405 Permission of Property Owners. No moving permit granted by the City shall authorize the holder thereof to break, injure, or move any telephone or electric light or power wire or pole, or to cut, trim or otherwise interfere with any trees or to damage or in any manner interfere with any property without the written permission of the owner or owners thereof.

CHAPTER 6.05 – MUNICIPAL TREES

- 6.0501 Authority and Jurisdiction. The City Council shall have the authority and jurisdiction of regulating the planting, maintenance, and removal of trees on streets and other publicly owned property to insure the public safety and to preserve the aesthetics of such public sites. The City Council shall have the authority to determine the type and kind of trees to be planted upon municipal streets or parts of municipal streets or in parks; and may assist in the dissemination of news and information regarding the selection, planting, and maintenance of trees within the corporate limits or within the area over which the City has jurisdiction, whether the same be on private or public property, and to make recommendations from time to time as to desirable statutes concerning the tree program and activities for the City. (SDCL 9-38-2)
- 6.0502 Duties of Property Owners. It shall be the duty of any person or persons owning or occupying real property bordering on any street upon which property there may be shrubs or trees, to prune such shrubs or trees in such manner that they will not obstruct or shade the street lights, obstruct the passage of pedestrians on sidewalks,

obstruct vision of traffic signs, or obstruct view of any street or alley intersection, except where such services are provided for by utility firms. The minimum clearance of any overhanging portion thereof shall be ten (10) feet whenever practicable, and twelve (12) feet over all streets except truck thoroughfares where the clearance shall be from fourteen (14) to sixteen (16) feet, unless otherwise determined by the City Council.

- 6.0503 Abuse of Trees. Unless otherwise specifically authorized by the City Council, no person shall intentionally damage, cut, carve, transplant, or remove any tree; attach any rope, wire, nails, advertising posters, or other contrivance to any tree, allow any gaseous liquid, or solid substance which is harmful to such tree to come in contact with them; or set fire or permit any fire to burn when such fire or the heat thereof will injure any portion of any tree located on public grounds along the street or enclosing public grounds. (SDCL 9-38-2)
- 6.0504 Permission to Deposit Materials. No person shall deposit, place, store, or maintain upon any public place of the municipality, any stone, brick, sand, concrete or other materials which may impede the free passage of water, air, and fertilizer to the roots of any tree growing therein, except by permission of the City Council.
- 6.0505 Removal of Hazards. Where any tree branches or hedges protrude or overhang on any thoroughfare within the City so as to be determined as in violation with this Chapter or affecting motor vehicle traffic and good maintenance practices, notification shall be given by the City Council to the property owner to remove such obstructions or undesirable branches or hedges within a prescribed time period. If not completed within such time, the City Council may take immediate action to have such items removed with all costs assessed to the property owner. (SDCL 9-38-2)