

**VILLAGE OF NORTH BRANCH
RIGHT-OF-WAY ORDINANCE
ORDINANCE 1.2**

An ordinance to regulate the construction and placement of sidewalks, driveway or other structures within the public right of ways of the Village of North Branch.

THE VILLAGE OF NORTH BRANCH ORDAINS:

Section 1. Obligation to Construct Sidewalks. All development within the Village, other than single family residential or agricultural, shall include the construction of sidewalks in front of the property along all public streets at the property owner's expense.

Section 2. Plan Submittal. No sidewalk, driveway or other structures shall be constructed upon or extended into any public street, alley, or other public right of way within the Village until the owner of the property shall submit in writing the plans and specifications and shall secure the approval of the Village.

Section 3. Permits and Fees. A permit shall be required for any work performed in the Village rights of way, including sidewalk and driveway construction and mailboxes where a pole has to be placed in the ground. The permits shall be issued and inspections conducted by an official designated by the Village Council. The fees for any such permits shall be established by motion of the Village Council.

Section 4. Review Standards. Before granting any permits, the designated Village official shall take into account all applicable provisions of Village ordinances and shall be satisfied that no flooding or diversion of water onto the streets of the Village shall occur as the result of said construction.

Section 5. Repeal. The former Village Ordinance Number 1.1. Sidewalk and Driveway Ordinance adopted on October 24th, 2002, is hereby repealed in its entirety.

Section 6. Effective Date. This ordinance shall take effect twenty (20) days after the date of adoption specified below.

We, the undersigned President and Clerk of the Village of North Branch do hereby certify that this Ordinance was passed by the North Branch Village Council on the 5th of August, 2004, and was published in the County Press on the 25TH day of August, 2004.

M. Kelly Martin, Village President

Betty L. Kennedy, Village Clerk