

VILLAGE OF LYONS  
NOTICE OF ORDINANCE AMENDMENT  
Ordinance Chapter 14 Streets, Sidewalks, and Other Public Places

At the Lyons Village Council meeting September 16, 2013 a motion was made to amend Article III Public Right-of-Way to add Sec.14-65 and Sec. 14-66 effective 1/1/2014

Sec. 14-65 Maintenance of Public Right-of-Way

- A. The owner of private property adjoining a public right-of-way shall maintain that portion of the right-of-way located between the private property line and the edge of the paved street in a safe and sanitary condition. Said owner shall not permit grass or weeds to grow within the right-of-way to a height in excess of eight (8) inches above the ground. Nothing herein shall be deemed to require an owner of private property adjoining a right-of-way to repair sidewalks or curbs located within the right-of-way.
- B. The owner of private property adjoining a public right-of-way shall not place any structure, wall, fence, tree, hedge, shrubbery or any other plant growth except low growing plantings, within the right-of-way without permission from the Village. Any such tree, hedge, shrubbery, or other plant growth located within the right-of-way may be maintained, but not replaced, provided that it does not interfere in any manner with pedestrian or vehicular traffic, and is maintained in such a manner and at such height that a clear and unobstructed view is available to pedestrians and vehicular traffic.
- C. Any non-public structure, wall, fence, tree, hedge, shrubbery, or any other plant growth located within the public right-of-way in violation of any provision of this section 14-65 shall be removed by and at the expense of the owner and occupant of the abutting private property upon the request of the Village. The Village may take such action as is necessary to return the right-of-way to a condition required by this section. The cost of any corrective action may be specifically addressed against the abutting private property and collected with the property taxes or collected by a suit for damages.
- D. Any person who violates any provision of this Section or allows a violation of this Section shall be guilty of a municipal infraction and shall be jointly and severally subject to a penalty of One Hundred Dollars (\$100.00) for each day that the violation exists.

Sec. 14-66 Man-Made Obstruction Prohibited in Public Road Right-of-Way.

No person shall place or cause to be placed a man-made obstruction within any public road right-of-way in the Village without a permit or approval from the Village. This Prohibition includes, but is not limited to the following:

- (a) Rocks, boulders or other man-made obstructions shall not exceed twelve (12) inches in total height, and shall not be located closer than three feet from the edge of the road pavement.
- (b) Placement of fill or creation of a berm or wall.
- (c) Excavation or alteration of ditches, grade, contour, embankment or road drainage.
- (d) Any person guilty of violating this section may be subject to a penalty not to exceed Two Hundred Fifty Dollars (\$250.00) for each day that a violation exists.