

CHAPTER 6.02 - STREETS, SIDEWALKS, CURB AND GUTTER

- 6.0201 Street Surfacing. The surfacing of streets shall be at the expense of the owners of the property abutting the street(s) to be surfaced, with materials to be approved by the City Council. Cost of the street improvements including legal, engineering, grading and any other costs related to the improvement, may be assessed against said property on a frontage foot basis. The cost of each street or alley intersection shall be assessed on a front footage basis to all lots or property included within a project area. (SDCL 9-45-31)
- 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 called One Call and having had any underground utilities identified. The Excavation Permit Application for approval of such excavation shall state who will make such excavation, where such excavation is to be made, the extent thereof, and the purpose of such excavation. Excavation Permit Applications shall be made to the City's Maintenance Supervisor.
- 6.0203 Excavation Permits. Excavation Permit Applications for excavations other than emergency situations may require a deposit in such sum as deemed necessary by the City Council to ensure proper replacement and refilling of any such excavation and to cover the costs of any damages and administrative expenses which may be caused by such excavation. Any required deposit shall be paid to the City Finance Office before approval of an Excavation Permit Application is made and any unused portion of said deposit shall be refunded to the applicant upon 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 may adopt by resolution 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. Applicant shall be responsible to the City for any such excavation for a period of two years.
- 6.0205 Excavation Inspections. It shall be the duty of the Maintenance Supervisor or his designee 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 signs, fences or 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. Sidewalk construction shall include base material of three inches in thickness, of approved materials. Sidewalks shall be no less than four inches in thickness, of Portland

Cement Construction, and not less than four feet nor more than five feet wide in residential areas, with slope toward street of one-fourth 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 in accordance with SDCL 9-46.

- 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 five-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. A driveway approach is defined as the portion of a driveway from the edge of the abutting street driving surface to the property line where the driveway proper on the property begins.
- 6.0209 Curb and Gutter. Curb and gutter shall be of Portland Cement Construction, not less than 3,000 PSI, with curb six inches in width, and extending six inches above the gutter. Gutter shall be of six and one-half inch thickness, extending twenty-four inches into the street and shall include two No. 4 Rebar centered on pan. The City Council may 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 City construction project or an approved building permit for the construction of a new structure, a property owners or his agent shall submit an Approach Permit Application for approval by the City Maintenance Supervisor for the construction or installation of sidewalks, driveway approaches, curb cuts, or curb and gutter. When these improvements are constructed simultaneously or as one project, only one application is necessary to include all improvements. All improvements, installations, and engineering recommendations shall be in conformance with the City's adopted Design Standards.
- 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 the City's adopted Design Standards. (SDCL 9-46-1.2)
- 6.0212 Permission to Deposit Materials. No person shall deposit, place, store, or maintain, upon any public place of the municipality, including street rights-of-way, any dumpster, container, stone, brick, sand, concrete or any other materials, unless first approved by the City's Maintenance Supervisor.
- 6.0213 Sidewalk Maintenance. Whenever any public right-of-way in the City shall have been improved by the construction of a sidewalk along either side thereof, it shall be the responsibility of the owner or occupant of abutting property to inspect, maintain, remove or correct any condition which renders a sidewalk unsafe or unfit to use.
- 6.0214 Removal of Sidewalks Prohibited. It shall be unlawful for any person to remove, alter, or excavate any sidewalk, or cause the same to be done at any location within the City where sidewalks exist. Any person removing, altering or excavating any sidewalk shall be

responsible for replacing said sidewalk upon obtaining an approved Approach Permit. In the event a person violates this Section and fails to replace a sidewalk or any portion thereof which is unlawfully removed or altered, the City shall be entitled to cause the same to be replaced, after notice to the property owner, and to assess the cost of replacement as provided for in South Dakota law.

- 6.0215 Council Permission for Parades or Public Gatherings on Streets or Sidewalks. It shall be unlawful for any person to hold or conduct any parade, meeting or public gathering on the streets or sidewalks of the City, without first obtaining permission to do so from the City Council.