

CITY OF ST. CHARLES

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ORDINANCE NO. 1989-M-47

AN ORDINANCE AMENDING TITLE 12, "STREETS, SIDEWALKS  
AND PUBLIC PLACES," CHAPTER 12.04, "GENERAL PROVISIONS,"  
OF THE ST. CHARLES MUNICIPAL CODE

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ADOPTED BY THE

CITY COUNCIL

OF THE

CITY OF ST. CHARLES

THIS 1ST DAY OF MAY, 1989

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PUBLISHED IN PAMPHLET FORM BY  
AUTHORITY OF THE CITY COUNCIL  
OF THE CITY OF ST. CHARLES,  
KANE AND DU PAGE COUNTIES,  
ILLINOIS, THIS 5TH DAY OF  
MAY, 1989

  
CITY CLERK

(S E A L)

DATE OF PUBLICATION 5/5/89  
NEWSPAPER Pamphlet form

REFER TO:  
MINUTES 5-1-89  
PAGE 2708

AN ORDINANCE AMENDING TITLE 12, "STREETS, SIDEWALKS AND PUBLIC PLACES", CHAPTER 12.04, "GENERAL PROVISIONS", OF THE ST. CHARLES MUNICIPAL CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:

1. That Title 12, "Streets, Sidewalks and Public Places", Chapter 12.04, "General Provisions", of the St. Charles Municipal Code be and is hereby amended to add the following:

**"12.04.005 Definitions.**

For the purpose of this Chapter, the following words shall have these meanings:

- a. "Curbing". As defined in Chapter 12.30.030.
- b. "Parkway". A portion of the Right-of-Way (R-O-W) between the edge of the pavement structure or curbing and the lot or parcel adjacent to the R-O-W. The parkway may include sidewalk, driveway, trees, shrubs, seeded and/or sodded lawn areas and utility services.
- c. "Pavement Structure". As defined in Chapter 12.30.030.
- d. "Right-of-Way". As defined in Chapter 12.30.030.
- e. "Sidewalk". As defined in Chapter 12.30.030.
- f. "Sidewalk, Approach Type". A parkway structure intended for pedestrian use usually extending from the curbing or edge of pavement structure to the sidewalk or the lot or parcel adjacent to the Right-of-Way. This approach sidewalk is intended primarily for the private convenience of the adjacent lot or parcel.
- g. "Utility". As defined in Chapter 12.30.030.

**12.04.217 Parkway maintenance responsibility.**

A. It is the responsibility of the owner of the lot or parcel adjacent to the parkway to mow the lawn areas of the parkway. The height of such grass lawn areas shall be governed by Chapter 8.28.020. If the owner does not maintain the grass lawn area to the height requirements, the nuisance will be handled in accordance with Chapter 8.28.

B. Exceptions to the responsibility defined in 12.04.217A are described in the "LAND MAINTENANCE AGREEMENT" which is annually executed by the City of St. Charles with the St. Charles Park District.

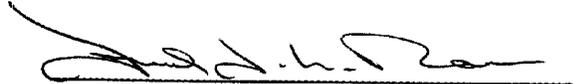
C. It is the responsibility of the owner of the lot or parcel privately served by a sidewalk, approach type, to maintain and repair such sidewalk, approach type."

2. That after the adoption and approval hereof, this Ordinance shall (a) be printed or published in book or pamphlet form, published by the authority of the City Council, or (b) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

PRESENTED to the City Council of the City of St. Charles, Illinois, this 1st day of May, 1989.

PASSED BY THE City Council of the City of St. Charles, Illinois, this 1st day of May, 1989.

APPROVED by the Mayor of the City of St. Charles, Illinois, this 1st day of May, 1989.

  
MAYOR

ATTEST:

  
CITY CLERK

COUNCIL VOTE:

Ayes: 9

Nays: 0

Absent: 1

-2-

MISC. 9  
12.04 STREET  
1/24/89

STATE OF ILLINOIS )  
 )  
COUNTIES OF KANE AND DU PAGE ) SS.

C E R T I F I C A T E

I, Jean M. Connors, certify that I am the duly elected and acting municipal clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on May 1, 1989 the Corporate Authorities of such municipality passed and approved Ordinance No. 1989-M-47, entitled AN ORDINANCE AMENDING TITLE 12, "STREETS, SIDEWALKS & PUBLIC PLACES," CHAPTER 12.04, "GENERAL PROVISIONS," OF THE ST. CHARLES MUNICIPAL CODE

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 1989-M-47, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on May 5, 1989, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 4<sup>th</sup> day of May, 1989.

Jean M. Connors  
Municipal Clerk

(S E A L)