

## **CHAPTER XI**

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**ARTICLE I****STREETS**

**11.101. NAMING AND NUMBERING OF STREETS AND AVENUES.** That all streets running north and south shall be called "Streets" and all streets running east and west shall be called "Avenues."

**11.102. SAME: AVENUES.** That streets running east and west parallel with the south boundary of the "Mill Reserve" and Block No. 1 of Colton's Second Addition to Lisbon shall be known as First Avenue, including all of its extensions and continuations; and every street south of First Avenue parallel therewith including their individual continuations shall be named "Avenue" and shall have a numeral prefix corresponding to their respective distances from First Avenue: and all streets hereafter opened, platted, or otherwise dedicated to public use on the south side of the Sheyenne River, but north of First Avenue shall have such names as may be shown on the plat made and filed for record.

**11.103. SAME: AVENUES NORTH OF SHEYENNE RIVER.** That all streets which may be platted north of the Sheyenne River running east and west shall be designated "Avenues" and have a numeral prefix corresponding to their respective distances from First Avenue and shall have the affix "North."

**ARTICLE II****NUMBERING OF LOTS AND PORTIONS OF LOTS**

**11.201. RESIDENCES AND BUSINESS PROPERTY TO BE NUMBERED, HOW.** That all residences and business property within the City of Lisbon shall be numbered in the following manner:

1. NORTH AND SOUTH STREETS WEST OF SHEYENNE RIVER. For north and south streets in all that part of the city lying west and south of the Sheyenne River:
  - a. Beginning with the Sheyenne River and running south each 25 ft. frontage on all such north and south streets shall be numbered consecutively, odd numbers on the east side and even numbers on the west side of said streets; beginning with the number 1 for the first 25 ft. frontage and so on up to First Avenue extending east and west through the city; then beginning with number 101 for the next block between First and Second Avenue, and so each block further bearing numbers of the next higher multiple of 100.
2. NORTH AND SOUTH STREETS EAST OF SHEYENNE RIVER. For north and south streets in all that part of the city lying east of the Sheyenne River:

(con 't)

- a. First Avenue extending east and west through the city shall be the base for numbering and the first 25 ft. frontage of the blocks between First and Second Avenues extended shall be number 101; the blocks between Second and Third Avenues commencing with 201 and so on, each block further south bearing numbers of the next higher multiple of 100.
3. EAST AND WEST AVENUES. For all east and west avenues and frontages thereon in all the city:
    - a. Lincoln Street extending north and south on the east platted boundary of the city shall be the base for all numbering of east and west streets.
    - b. Beginning with Lincoln Street and running west each 25 ft. frontage of all such east and west avenues shall be numbered consecutively, the odd numbers on the north side and the even numbers on the south side thereof, beginning with 101 for the blocks between Lincoln and Broadway Streets, as now named: 201 for the block next west and so on, each block further west bearing numbers of the next higher multiple of 100.

**11-202. CASES OF DISPUTE SETTLED HOW.** In all cases of dispute as to the correctness of numbering the City Attorney's written decision shall be controlling and binding in the interpretation of this ordinance.

**11-203. EXPENSE OF NUMBERING.** All numbering done under this ordinance shall be at the sole expense of the owner of the frontage involved and shall be done at the option of such owner. When the numbering is done, the numbers shall be of the following dimensions, to-wit: No less than three inches in height and with not less than two inches of space between centers of each numeral used; the cost of the material and color of the numbering used is optional with the lot owner.

### ARTICLE III

#### ESTABLISHING THE GRADE OF STREETS AND SIDEWALKS

**11-301. STREET GRADE.** That the street grade upon the following streets in the City of Lisbon shall be as follows: At First Street, elevation 103.436; at Second Street, elevation 104.4; at Third Street, elevation 104.6; at Fourth Street, elevation 103.5; at Fifth Street, elevation 103.7; at Sixth Street, elevation 102.5; at Seventh Street, elevation 103.5; at Eighth Street, elevation 104.2.

At a point on Main Street 150 feet north of first Street, elevation 103.165, and at a point on Main Street 335 feet north of First Street, elevation 103.165.

The street grade of Harris Street shall be as follows: At Fourth Street, elevation 101.6; at Fifth Street, elevation 97.2; at Sixth Street, elevation 98.2; at Seventh Street, elevation

98.8; at Eighth Street, elevation 100.4.

The street grade on Fourth Street shall be as follows: At Harris Street, elevation 101.6; at Rose Street 102.5.

The street grade at Forest Street shall be as follows: At Fifth Street, elevation 105.6; at Sixth Street, elevation 106.5.

**11-302. BENCH MARK, INITIAL.** The elevations above given are based on the initial bench mark located on the iron base for the post at the former First National Bank Building, southwest corner of Main Street, and Fourth Street, being an elevation of 104.494 feet above an assumed datum plane.

**11-303. GRADE, SIDEWALKS.** The elevation of all sidewalks shall be three-tenths of a foot above the established grade of all streets.

**11-304. GRADE OF SIDEWALKS FURNISHED ON APPLICATION.** All sidewalks hereafter constructed shall be laid to the grade as established, and the city will furnish the grade to all persons, corporations, or contractors, upon application made to the City Council.

**11-305. PENALTY FOR VIOLATION OF ARTICLE.** Any person or persons owning any lots or parts of lots adjoining, abutting, or abounding any street or streets in this city whereon the standard grade has been established who shall neglect or refuse to comply with all or any of the provisions of this article shall upon conviction thereof be punished by a fine of not more than Fifty Dollars (\$50.00).

#### ARTICLE IV

##### CONSTRUCTION OF SIDEWALKS AND CURBS

**11-401. GRADE** All sidewalks hereinafter constructed within the corporate limits of the City of Lisbon shall conform to the established grade and if no grade has been established upon any street upon or along which any sidewalk is to be constructed, then at such elevation as the City Council may prescribe.

**11-402. WIDTH.** That alley and sidewalks hereinafter constructed upon Main Street between Second Avenue and Seventh Avenue shall be of the width of twelve (12) feet; that all sidewalks constructed upon Main Street between Seventh Avenue and Twelfth Avenue shall be of the width of six (6) feet; that any and all sidewalks constructed upon Fifth Avenue between Main and Forest Street shall be twelve (12) feet wide; that any and all sidewalks hereafter constructed upon Fourth Avenue from Main to Forest Street shall be of the width of eight (8) feet; that any and all sidewalks hereafter constructed upon any other street or avenue in said City of Lisbon shall not be less than four (4) feet, six (6) inches in width.

**11-403. CURB PLACE.** Upon all streets and avenues of the width of sixty-six (66) feet the curb line shall be a distance of seventeen (17) feet from the property line of the lots abutting thereon, except on Fifth Avenue, sometimes known as Fifth Street, where the curb line shall be fifteen feet from the property line of lots abutting thereon; and except on Fourth Avenue between Main Street and Oak Street, where the curb line shall be fourteen (14) feet from the property line of lots abutting thereon; and on all streets and avenues sixty (60) feet wide the curb line shall be fourteen (14) feet from the property line of lots abutting thereon.

**11-404. CURB MATERIAL.** All curbing hereafter set or put in on any and all streets within the corporate limits of the City of Lisbon shall be of granite, cement, or plank not less than three (3) inches in thickness and not less than twelve (12) inches wide.

**11-405. MATERIALS, GENERAL.** All sidewalks that may hereafter be constructed in the City of Lisbon shall be constructed of Portland Cement concrete and in the manner hereinafter specified.

**11-406. SAME: CEMENT.** All cement used in any construction covered by this article shall be a Portland cement and shall conform in all respects to the requirements of the Standard Specifications for Portland cement adopted by the American Society for Testing Materials.

**11-407. SAME: FINE AGGREGATE.** Fine aggregate shall consist of sand, crushed stone, or gravel screenings, graded from fine to coarse, and passing when dry a screen having holes one-fourth (1/4) inch in diameter and not more than five (5) per cent shall pass through a screen having one hundred (100) meshes per linear inch.

**11-408. SAME: COARSE AGGREGATE.** Course aggregate shall consist of inert material such as gravel or crushed stone graded in size retained on a screen having holes one-fourth (1/4) inch in diameter and the maximum size shall be such as will pass a one (1) inch ring.

**11-409. SAME: NATURAL MIXED AGGREGATE.** Natural mixed aggregate or so-called bank run shall not be used as taken from the deposit but shall be screened and remixed to conform to the proportion herein specified.

**11-410. SUB-GRADE, DEPTH.** The sub-grade shall be not less than four (4) inches below the finished surface of the walk.

**11-411. SAME: PREPARATION.** The material composing soft and spongy places shall be removed and all depressions filled with suitable filling material which shall be compacted in layers not exceeding two (2) inches in thickness.

**11-412. SAME: FILLS.** For the purpose of this article fill shall be designated and specified under two heads, (a) and (b). Payment to the city shall be made in accordance therewith.

- a. Subsection (a) shall cover all fill necessary to bring the sub-foundation up to sub-grade. It may consist of earth, clay, cinders, brickbats or coal ashes. It shall be put in layers of not more than two (2) inches in thickness and thoroughly sprinkled with water. If the fill shall exceed one (1) foot in depth the walk shall not be constructed on the finished fill until the contractor shall have received a written order from the City Engineer or Street Commissioner to do so. The fill specified in this section shall extend out beyond the walk on the elevation of the sub-grade eighteen (18) inches to a line parallel to the walk. The fill shall then have a slope of one (1) vertical to one and one-half (1 1/2) horizontal.
- b. Subsection (b) shall cover the material necessary to bring the fill outside the walk line from the subgrade to the grade of the walk. It shall extend from the walk one (1) foot and shall then have the same slope as the fill has in subsection (2). The material to be used for filling in accordance with this section shall be either clay or earth. it shall be will tamped or sprinkled with water while being put in.

**11-413. FORMS LONGITUDINAL.** All longitudinal forms used in the construction of monolithic sidewalks shall be not less than one and one half (1 1/2) inches thick and not less than four (4) inches. The forms shall be straight without undue warp and shall be securely staked so as to hold their alignment during the construction of the walk. The top of the form next the property line shall be set true to line and grade and the form farthest from the property line shall beset parallel to it. The transverse slope of all walks shall be one-quarter (1/4) of an inch per foot. All wood forms shall be wet down before depositing any concrete against them.

**11-414. CONSTRUCTION, SIZE OF SLABS.** All sidewalks shall be divided into slabs, the greatest horizontal dimension of which shall not exceed six (6) feet. The area of any slab shall not exceed thirty-six (36) feet. The dimension of slabs in four and one-half (4 1/2) feet walk shall be four and one-half by four and one-half (4 1/2x4 1/2) feet, and a one-fourth (1/4) inch expansion joint shall be placed every twenty-four (24) feet or less.

**11-415. SAME: THICKNESS.** The thickness of all monolithic walks laid under this article shall not be less than four (4) inches. When walks are built over excavated areas, the design and construction shall conform to that specified by the City Council in granting a permit.

**11-416. SAME: MEASURING.** All materials, including water, shall be measured in such a manner as will insure definite, uniform proportion at all times. One sack of Portland cement (94 pounds net) shall be considered as one (1) cubic foot.

**11-417. SAME: MIXING.** The concrete may be mixed by hand or by an approved form of batch mixer. The ingredients of the concrete or mortar shall be thoroughly mixed dry, sufficient water then being added to gain the required consistency and the mixing then continued until the mess is uniform in color and homogeneous.

Hand mixed concrete shall be mixed in a water tight wood or metal platform either with short handled shovels or hoes. Spread the required amount of fine aggregate over the board to a uniform thickness, on top of this sand, the required amount of cement shall be spread and the fine aggregate and cement mixed dry to a uniform color and again spread over the surface of the mixing board. The required amount of coarse aggregate shall then be added and the mess mixed until a homogeneous concrete is obtained in which all particles of aggregate are thoroughly coated with mortar.

**11-418. SAME: RETEMPERING.** The remixing of mortar or concrete which has been partially hardened with additional water shall not be permitted nor can retempered concrete be used in any construction covered by this article.

**11-419. ONE COURSE WALK, GENERAL.** All concrete walks constructed under this article shall be homogeneous and uniform throughout in the mixture of the cement, water, and aggregates.

**11-420. SAME: PROPORTIONS.** The concrete to be used in the construction of sidewalks in place shall be mixed in the proportion of one (1) cubic foot of cement; two (2) feet of fine aggregate and three (3) cubic feet of coarse aggregate.

**11-421. SAME: CONSISTENCY.** The materials shall be mixed with such a quantity of water as will produce a concrete wet enough to flush readily under light tamping, but which can be handled readily without causing a separation of the coarse aggregate from the mortar.

**11-422. SAME: PLACING.** As soon as the concrete is thoroughly mixed, it shall be rapidly deposited in place by a continuous operation until each individual section is completed. Under no circumstances shall concrete be placed that has undergone any preliminary hardening. The forms shall be completely filled and tamped against the cross frame, they shall be removed and the next section deposited so as to preserve the joint.

**11-423. SAME: FINISHING.** As soon as practicable after the concrete has been deposited, the surface shall be worked down smooth with a wooden float so as to thoroughly compact it. The slabs shall be made with a tool that will completely separate the adjacent slab for the entire depth of them. The surface edges of the slabs shall be rounded to a radius of one-half (1/2) inch.

**11424. SAME: PROTECTION.** As soon as the concrete has hardened sufficiently to prevent pitting, the surface of the walk shall be sprinkled with water and kept wet for at least three (3) days. No walks shall be opened to traffic until the City Engineer or Street Commissioner directs that they may be.

**11-425. PORTLAND CEMENT CONCRETE TILE WORK, TILE.** The blocks shall be eighteen (18) inches square and two (2) inches thick. The wearing surface shall be one-half (1/2) inch thick and composed of one (1) part Portland cement and two (2) parts of sand. The remaining part of the block shall be one (1) part cement and five (5) parts sand.

**11-426. SAME: SUBGRADE.** The subgrade shall be six (6) inches below the finished surface of the walk. All fill necessary to bring the subfoundation to subgrade shall conform to and be paid for under FILL, Section No. 11-437 and the excavation under EXCAVATION, Section No. 11-438.

**11-427. SAME: FOUNDATION.** The foundation shall be constructed upon the subgrade and shall be four (4) inches in thickness. It shall consist of coal ashes, cinders, or gravel. While it is being deposited, it shall be wetted and thoroughly tamped in order to produce a firm and unyielding foundation for the tile. The finished surface of the foundation shall be two (2) inches below the finished surface of the walk.

**11-428. SAME: JOINTS.** The tile must be held in close contact with each other and after being laid the joints must be filled by sweeping into them neat Portland cement grouting until the joints are completely filled.

**11-429. ONE COURSE DRIVEWAYS AND CROSSINGS, GENERAL.** All concrete crossings and driveways constructed under this article shall be laid in one course, shall be homogeneous and uniform throughout in the mixture of water, cement and aggregates. The contractor shall be furnished upon application to the office of the City Engineer or Auditor with a blue print drawing showing the dimensions of the standard street crossing. The depth of the concrete crossing or driveway shall be seven (7) inches and the foundation shall be four (4) inches in depth.

**11-430. SAME: PROPORTION.** The concrete used in concrete driveways and crossings shall be mixed in the proportion of one (1) cubic foot cement to not more than two (2) cubic feet of fine aggregate and not more than three (3) cubic feet of coarse aggregate.

**11-431. SAME: CONSISTENCY.** The materials shall be mixed with such a quantity of water as will produce a concrete wet enough to flush readily under light tamping, but which can be handled readily without causing a separation of the coarse aggregate from the mortar.

**11-432. SAME: FOUNDATION.** The foundation for the crossings or driveways shall be four (4) inches in depth and shall be placed directly on the sub-foundation. It shall be composed of cinders, coal ashes, or brickbats. When being placed, it shall be thoroughly wet down and tamped so as to produce an unyielding foundation for the concrete crossing. The foundation shall not be considered nor paid for as fill, but the contractor shall include it in his bid per square yard on the concrete crossing.

**11-433. SAME: PLACING.** As soon as the concrete is thoroughly mixed, it shall be rapidly deposited in place by a continuous operation until the crossing is completed. Under no circumstances shall concrete be placed that has undergone any preliminary hardening. The forms shall be completely filled and tamped to the grade established. The City shall furnish single irons to the contractor that shall be set in the concrete at each end of the crossing. The labor of setting these angle irons shall be included in the price bid per square yard.

**11-434. SAME: FINISHING.** As soon as practicable after the concrete has been deposited, the surface shall be worked down smooth with a wooden float so as to thoroughly compact it. The surface shall be grooved in accordance with the plans, or as directed by the City Engineer or Street Commissioner.

**11-435. SAME: PROTECTION.** After the driveway or crossing has been constructed it shall be covered up for its full length with earth to a depth or not less than one (1) foot. The slope of the earth covering shall be not less than one (1) foot in four (4) feet on section parallel with the center line of the street or highway. The earth covering shall be removed not less than thirty (30) days after construction of the crossing by the Street Commissioner.

The contractor shall erect suitable barriers protected by red lights at night to prevent traffic over the crossings during the first forty-eight (48) hours following construction.

**11-436. NAME OF CONTRACTOR ON WALKS AND CROSSINGS.** Before the walks and crossings have hardened the contractor shall stamp the name of his firm together with the year in which the work was done at each end of every fifty (50) foot length of walk. If the name is stamped in the concrete, the height of the letters shall be one and one-fourth (1 1/4) inches. If metal plate is used, it shall be securely placed in the walk and flushed with the surface of it.

**11-437. DEFINITION, FILL.** Fill shall be understood to mean material required to bring the sub-foundation to subgrade and alongside the walks from subgrade to grade.

The following tabulations give the distance from the grade to the subgrade.

1. Sidewalks, monolithic, four (4) inches.
2. Sidewalks, tile, six (6) inches.
3. Crossings and Driveways, eleven (11) inches.

Fill underneath the walks and crossings may consist of earth, clay, brickbats, coal ashes, or cinders. The fill alongside the finished walk above the sub-grade shall consist only of earth or clay.

Fill shall be paid for by the cubic yard measured in place.

**11-438. SAME: EXCAVATION.** Excavation shall be understood to mean the actual amount of earth to be removed from the surface or crossing. It shall be paid for by the cubic yard measured in place. Excavation shall not be removed from the place it is deposited alongside of the walk without the permission of the City Engineer of Street Commissioner.

**11-439. PAYMENT FOR CONSTRUCTION.** Sidewalks, crossings and driveways shall be paid for by the square yard, superficial area, and the price bid shall not include any fill or excavation, it shall, however, include the removal of the old walk, if any, out of the way of the new walk to be constructed.

**11-440. BIDS FOR CONSTRUCTION.** The City Auditor shall receive bids for the construction of such walks as the city may find it necessary to construct.

Such bids will be made upon blanks furnished by the City Auditor and in accordance with the following forms:

**11-441. BIDS FOR SIDEWALKS PURSUANT TO NOTICE FOR BIDS FOR CONSTRUCTION OF SIDEWALKS.** The undersigned hereby offers and proposes to construct sidewalks and appurtenances thereto in the City of Lisbon during the year ending on the first Monday of April, 19 , according to the provisions and specification and subject to all the terms and conditions of the Revised Ordinances of 1984 prescribing the kind and quality of material or which and the manner in which sidewalks shall be constructed, at and for the prices hereinafter set forth, to-wit:

	Unit Prices	
	Figures	Written
Tile, Concrete Walks, per square yd.	(            )	_____
Monolithic Concrete Walks, per sq. yd	(            )	_____
Driveways and Crossings, per sq. yd.	(            )	_____
Filling Material, per cubic yd.	(            )	_____
Excavation, per cubic yd.	(            )	_____

All said work included in this bid shall be done in strict accordance with the specification, conditions and provisions of said Revised Ordinances which shall be deemed a part of any contract which may be awarded to me hereunder.

(con `t)

This bid is accompanied by a certified check as provided by law.

Dated at Lisbon, North Dakota, \_\_\_\_\_ 19 \_\_\_\_\_

**11-442. BOND.** If the principal's bid be accepted and the contract for the work or improvement awarded to him, he shall within ten (10) days after shall grant, enter into and execute a contract bond in the amount, manner, and form as provided by law.

**11-443. GRADE AND LINE.** All sidewalks hereafter constructed must be constructed on the grade and line given by the City Engineer or Street Commissioner, and all persons, corporations, and contractors shall apply to the City Engineer or Street Commissioner for a permit for all sidewalks hereafter constructed prior to the commencement thereof.

**11-444. PENALTY FOR VIOLATION OF ARTICLE.** Any person who shall hereafter construct any sidewalk or curb in the City of Lisbon not conforming to the requirements of this article shall be required by the Street Commissioner to rebuild the same at once, to conform to the requirements hereof. If the same be not done at once a written notice signed by the Mayor, City Engineer, or Street Commissioner shall be served upon such person in the same manner as a summons is served, directing him to rebuild such walk or curb. If after such service such person shall for three (3) days fail to commence the rebuilding thereof or fail to complete such rebuilding within ten (10) days thereafter he shall on conviction thereof be subject to the penalty as defined in 11-901.

## ARTICLE V

### USE AND CARE OF STREETS AND SIDEWALKS

**11-501. SNOW AND ICE: REMOVAL OF FROM SIDEWALKS REQUIRED WHEN.** The owner or occupant of each and every lot, tenement, or building in the City shall at all times keep the sidewalk along and upon such premises clear, clean, and free from snow and ice. Every such person shall cause such sidewalk to be so cleaned and cleared from snow and ice before ten o'clock (10:00) A.M. each day.

**11-502. SAME: TO BE REMOVED BY CITY, WHEN.** In case of the failure, neglect, or refusal of any such owner or occupant of such lot or premises to clean such sidewalk before ten o'clock (10:00) A.M., each day or to keep the same clean and free from snow and ice as aforesaid, then the Street Commissioner or other proper City official, shall cause the same to be cleaned up and kept clear and free from snow and ice and shall report, in writing, to the City Auditor the cost and expense thereof together with a particular description of each piece, parcel, or tract of property upon which such labor shall be done. The City Auditor shall cause the same to be assessed against said property as special tax.

**11-503. RUBBISH OR REFUSE, PROHIBITED, WHERE.** It shall be unlawful for any person to throw, place, or leave in or upon any street or alley in the City, any paper, cloth, hay, straw, weeds, rubbish, or waste material of any kind, or to leave or place the same in any yard or place where the same may blow or be likely to blow in or upon any such street, or alley.

**11-504. SPITTING AND THROWING OF LITTER ON SIDEWALKS, PROHIBITED.** No person shall spit or expectorate nor throw fruit, fruit parings, or skins, nuts or nut shells upon the sidewalk or crossings of any streets, avenues, alleys, or driveways within the corporate limits of the City, or in or upon the floors, stairs, or hallways within, or sidewalks leading to or from any public building, theater, public hall, or office or store, or any railway depot or platform connected therewith or connected thereto, whether such public buildings, theaters, hall or depot, office or store belongs to the City or not.

**11-505. DRIVING ON SIDEWALK PROHIBITED.** No person shall ride, drive, place, push, draw or back any horse, or other animal, wagon, car, automobile or other vehicle or heavy object upon or over or across any sidewalk, except at a regular crossing or concrete driveway, or where alleys intersect the streets. The occupant of any yard, lot or warehouse may have access across the same by placing in front hereof, at his expense, with the consent of the Street Commissioner, a temporary bridge or carriageway over the sidewalk, gutter and curbing in such manner as will preserve the same from injury.

**11-506. REGULATING MOVEMENT OF TRACTORS, HEAVY VEHICLES ON PAVEMENT.** No person, firm, or corporation shall move, or cause to be moved, over the paved streets, sidewalks, crosswalks, culverts, bridged, and viaducts, within the City of Lisbon, any steam or combustion engine, tractor, wagon, truck, or other vehicle, object, or things, which will tend to injure the paving sidewalks, crosswalk, culvert, bridge or viaduct over which the same are transported, or which exceeds, in weight 18,000 pounds per axle and exceeds 550 pounds per inch of tire width, or any vehicle, to the wheels of which are attached spurs, bars, angle irons, or cleats which will tend to mar or deface the paving, sidewalks, crosswalks, culverts, bridges or viaducts, except under the direction and permission of the Street Commissioner of the City of Lisbon; and, in addition thereto, shall pay or cause to be paid to said City, upon demand, any and all damages done to the paving, sidewalks, crosswalks, culverts, bridges or viaducts.

**11-507. SALE OF MERCHANDISE FROM STANDS ON STREETS PROHIBITED.** It shall be unlawful for any person, firm, or corporation to set up any stand, truck or wagon upon any of the streets, alleys, sidewalks, crosswalks, or public grounds within the City of Lisbon, for the purpose of selling therefrom, or exposing for sale, any meats, provisions, refreshments, or any goods or merchandise whatsoever, unless given permission by the City Council to do so during special events.

**11-508. SIDEWALKS, KEEPING IN REPAIRS.** It shall be the duty of the owner or occupant of any property along which any sidewalk is constructed to maintain and keep the same in good repair and in case they fail to make any repairs thereto within five (5) days after receiving notice thereof from the City they shall be subject to the penalty as hereafter defined for such neglect and a like penalty for each additional day of such continuance thereof.

**11-509. COASTING ON SIDEWALKS, PROHIBITED.** It shall be unlawful to coast with any wagon or sled or drive a dog or any other animal hitched to any wagon, sled, or other vehicle on any wagon, sled, or other vehicle on any sidewalks or crosswalks of the City.

**11-510. COASTING, TOBOGGANING ON STREETS, PROHIBITED.** No person shall use any portion of any street for coasting, tobogganing, or similar sports unless special Council permission has been granted.

**11-511. AMUSEMENTS IN STREETS, PROHIBITED.** No person shall in any street or avenue of the City of Lisbon fly a kite, play at ball, or engage in any other game, sport, or amusement having a tendency or likely to annoy person passing on the streets or sidewalks, or to impede the passage of vehicles.

**11-512. PLACING OF MERCHANDISE ON SIDEWALK, PROHIBITED, EXCEPTION.** No person, firm, or corporation shall place or suffer to be placed upon any sidewalk in the City of Lisbon any goods, wares, or merchandise for sale or show, beyond the front line of the lot where such goods may be so exposed, except as provided in Section 11-611.

**11-513. EMPTY PACKING CASES PROHIBITED ON STREET AND SIDEWALK, WHEN.** No person, firm, or corporation shall place or suffer to be placed upon any sidewalk or street in the City of Lisbon any empty packing cases for a longer period than one (1) hour.

**11-514. SNOW SLED OR SNOWMOBILE PROHIBITED ON STREET, EXCEPTION.** It shall be unlawful for any person to drive or operate upon any street, alley, or other public ground in the City of Lisbon any self-propelled snow sled or snowmobile unless such vehicle is a duly licensed motor vehicle under the laws of the State of North Dakota and is entitled to be operated upon the public highways of the State or North Dakota.

**ARTICLE VI****ENCROACHMENTS, OBSTRUCTIONS, AND EXCAVATIONS**

**11-601. UNLAWFUL TO WORK ON STREETS, WHEN.** It shall be unlawful for any owner or occupant of any lot or parcel of land or for the agents or servants of such owner or occupant or by the City of Lisbon or for any other person who may undertake to do any work upon any street, alley, sidewalk or other public ground in the City of Lisbon to put down in front of any such lot or parcel of ground in said city where the same may have been directed by the City Council any sidewalk, curb, gutter or macadamizing or to do any grading, excavating, filing, or any other work thereon of any other or different form materials, or workmanship or upon any other grade or in any other form, materials, workmanship, grade or manner than required by ordinance of the City Council.

**11-602. EXCAVATIONS.** The removal of any sand, gravel, or earth from any street or alley in the City by any person except by express direction of the Street Commissioner or other properly designated official, is hereby prohibited. All street excavations shall be filled and repaired by the City or with the permission and under the supervision of the Street Commissioner or other properly designated official. Any expenses incurred by the City because of said work shall be paid by the person or business responsible for the excavation, and a schedule listing the City's fees for said work shall be filed at the office of the City Auditor and be open to inspection during regular business hours.

**11-603. SAME: GUARDING OF.** It shall be unlawful for any person within the city limits to leave or keep open, uncovered or unguarded any cellar door, pit, grating, vault, or other subterranean passage opening from, into or upon any street, alley, or sidewalk.

**11-604. SAME: UNLAWFUL TO KEEP IN INSECURE OR UNSAFE CONDITION.** It shall be unlawful for any such person to permit any such cellar door, vault, grating, or other opening or place of like nature connected with the premises, owned or occupied by him, to remain in any insecure or other unsafe condition, so that persons may fall into or be otherwise injured by the same.

**11-605. STREETS AND CROSSING, OBSTRUCTING OF PROHIBITED.** No person shall stop any team or vehicle on any street or alley within the city limits in such a manner as to prevent or hinder other teams, vehicles or persons from passing freely along such street or alley. No person shall in any manner obstruct any street or alley crossing within the City limits so as to prevent the free passage of persons traveling on foot.

**11-606. OPENING IN SIDEWALK.** It shall be unlawful for any person to permit any opening in the sidewalk to remain uncovered unless such opening is protected on all sides by a substantial railing or guard to prevent any person from falling therein or being injured thereby; such opening to be kept closed at all times except when actually being used in filling space below or removing property therefrom.

**11-607. ACCUMULATIONS IN STREET OR ALLEY TO BE REMOVED BY OWNER, WHEN.** All surplus earth or the re-accumulation of whatever kind or character placed or left in the street or alley which may interfere with good and usual movement of traffic or is not a proper deposit on the street or alley or tends to change the character of the street or alley make-up shall be removed by the person owning the property abutting such sidewalk or area within three (3) days after written notice signed by the Mayor addressed to him and served upon him in the same manner as a summons is served directing him to remove the deposit or accumulation. Failure to remove the same within the time aforesaid will subject the offender, upon conviction thereof, to punishment as for a misdemeanor. Further, each separate day such deposit or accumulation is not removed will constitute a separate offense.

**11-608. TREES, HEIGHT OVER SIDEWALKS, ETC.** Any person who may own or have a interest in any lot, parts of lots, or parcel of land in this City, and having any shade trees growing alongside of a sidewalk, or on the line between the sidewalk and the carriage-way of such street, and in such position that the shade tree in any manner overhangs the sidewalk, shall at all times keep the tree trimmed so that there will be eight (8) feet clearance between the sidewalk and the limbs. This trimming shall be done to the satisfaction of the Street Commissioner.

**11-609. WIRES: PERMISSION REQUIRED FOR STRETCHING.** It shall be unlawful for any person to stretch any wire of any kind in any street or alley in the City for the transmission of electricity without having first obtained permission from the City Council to do so.

**11-610. SAME: MANNER OF STRETCHING.** All persons stretching wires in any streets or alleys in said City shall so stretch the same and maintain it in such condition that it shall not interfere with any other wire previously stretched in the same street or alley for transmission of electricity. All persons stretching wires in said streets or alleys or repairing same shall so handle such wires that they not interfere with or come in contact with the electric current upon any other wire stretched in the said street or alley.

**11-611. SIDEWALK, OBSTRUCTION OF, PROHIBITED, EXCEPTIONS.** No person shall for any purpose whatever obstruct, either wholly or partially, any sidewalk within the city limits, by placing thereon any object, obstacle, goods, wares, merchandise, building, erection, scaffold, or any part of either, and the sidewalks shall be deemed to be obstructed within the meaning of

this section when any part of it is not free and open to public travel; provided, however, any regularly established retail business establishment may place and expose for sale, during regular business hours only, new merchandise and wares in front of such business establishment using not more than 36 inches of the sidewalk immediately adjacent to the front of the building housing each business. All portions of sidewalk used for such display must be covered by liability insurance protecting the owner and the City of Lisbon from any claim for damage by reason of such use of the sidewalk. Provided further, that anything in this section shall not be construed to allow the displaying of goods contained in boxes, crates, barrels, or any article or thing unsightly or dangerous to pedestrians or a nuisance.

**11-612. GLASS, NAILS IN STREETS.** Any person who shall throw, leave or deposit upon the streets, alleys or sidewalks of the city any glassware, nails, or other similar material shall be subject to the penalty hereinafter provided.

**11-613. DEPOSITING OF SNOW FROM DRIVEWAYS INTO STREET PROHIBITED.** It shall be unlawful to deposit or dump snow that is removed or shoveled from filling station driveways and approaches or from other driveways and approaches into or on any city street between the curb-lines thereof.

**11-614. STREET EXHIBITIONS. ASSEMBLIES, PROHIBITED.** It shall be unlawful for any person upon any of the public streets or grounds within the city limits, to exhibit any show or any performance of any kind, which may obstruct public travel or cause the gathering of a crowd or congregation of people upon any street or sidewalk or tend to injure any public park or ground without first having obtained the written consent and permission of the Mayor. no person shall call, hold, or address any public meeting upon any street, alley, or public grounds or address any mob, gathering, crowds, or congregation of people without having obtained permission as aforesaid.

**11-615. PLACING OF PROPERTY ON PUBLIC WAYS, PROHIBITED.**The placing or leaving of any property or refuse on the streets, alleys, parking, boulevards, sidewalk or public grounds is prohibited. The placing or leaving of any property or refuse of any kind, character or description on any street, alley, parking, boulevard, sidewalk or public ground within the City of Lisbon, is hereby prohibited.

**11-616. SAME: EXCEPTION OF VEHICLES.** Section 11-615 above shall not be construed to prohibit the parking of vehicles, in constant and daily use, but not for sale or display purposes, on the streets and parking lots of the City of Lisbon, in accordance with the parking regulations of the City of Lisbon, now in force or hereafter to be promulgated.

**11-617. SAME: PERMITS.** Anyone desiring to obtain a temporary permit for using the streets, alleys, parking, boulevards, sidewalks, or public grounds for the placing or leaving of any property, or otherwise thereon, shall file with the City Auditor an application in writing giving an exact description of the space wanted, the purpose or purposes for which to be used and the length of the time desired, which application the City Auditor shall place before the City Council at its next meeting. If the City Council acts favorably on such application, a permit shall be issued therefore, over the signatures of the Mayor and City Auditor, which permit shall specify the space, purpose, and time for which it is issued.

**11-618. AUTHORIZING BLOCKING OF STREETS UNDERGOING REPAIRS AND BEING USED FOR RECREATIONAL PURPOSES.** The Street Commissioner and Mayor are each authorized to provide for and erect and maintain blocks on streets, avenues, and alleys undergoing repairs and/or improvements or being used for recreational purposes, for the purpose of protecting from injury such repair and/or improvement being made and the men and equipment being used thereon and for the protection of the people using a street, avenue, or alley, thus blocked off for recreational purposes.

**11-619. REMOVING BLOCK ON STREET PROHIBITED.** Anyone found guilty of moving, removing, or in anywise interfering with any block placed upon any street, avenue, or alley, for any of the purposes set forth in Section 11-616, by authority of the Street Commissioner and Mayor, or either of them, shall be subject to the penalty provided for in this chapter.

**11-620. PROJECTIONS OVER SIDEWALKS, HEIGHT OF.** All awnings and their fixtures and all porches, signs, (except electric signs) verandas, and roofs projecting over any walk or street in the City shall be at least eight (8) feet in the clear above such sidewalk or street, at the lowest point or part of such awning, porch, veranda, roof, or sign.

## **ARTICLE VII.**

### **ELECTRICAL SIGNS**

**11-701. LAWFUL, WHAT SIGNS.** It shall be lawful for the owner or occupant of any building within the City of Lisbon, upon complying with the provisions of this ordinance to erect and construct metal electric signs over the sidewalk in front of such building; such sign not to be less than twelve (12) feet clear above the level of the sidewalk and not to project over the width of the sidewalk adjacent to such building. The wiring and electric construction of such sign to be approved by the Street Commissioner

**11-702. APPLICATION TO ERECT SIGN.** Any person, firm, or corporation desiring to erect and construct such sign shall make written application to the Street Commissioner for a permit therefore fully describing such sign, and the manner in which it is to be attached to the building on which it is to be erected and containing an agreement to indemnify and save the City of Lisbon harmless from any and all costs, expenses, and damages caused by reason of the negligence of any person, firm, or corporation hanging or erecting such sign.

**11-703. STREET COMMISSIONERS DUTY.** The Street Commissioner upon the completion of any sign for which he shall issue a permit shall inspect the same and see that it is in all respects safe and secure and he shall have power to remove any sign erected under this ordinance in case the owner thereof fails or refuses to erect and maintain same in a safe and secure manner.

#### **ARTICLE VIII.**

##### **TREES AND AWNING OVERHANGING STREETS**

**11-801. DUTY OF OWNERS AND OCCUPANTS AS TO TREES AND AWNINGS.** That it shall be the duty of all occupants and owners of real property within the City of Lisbon to keep trees and shrubbery growing on premises owned or occupied by them and overhanging sidewalks, streets, or alleys, trimmed so as to clear sidewalks at least eight feet arid streets or alleys twelve feet; and all awnings overhanging sidewalks must be so hung as to clear the sidewalk at least seven feet, and if overhanging a street or alley it must clear the same at least twelve feet.

**11-802. NOTICE TO OWNERS AND OCCUPANTS, PENALTY FOR NON-COMPLIANCE.** All owners or occupants of premises who have not complied with the provisions of Section 11-801 must upon written notice served on them signed by the Mayor, Street Commissioner, or any Alderman immediately proceed to comply with said Section 11-801, and should the owner or occupant fail, neglect, or refuse to comply with Section 11-801 hereof upon such written notice being served upon him, he shall be liable upon conviction to the penalty hereinafter provided after the time limit set in such notice.

**11-803. PENALTY.** Any owner or occupant of premises who fails to comply with the provisions of Section 11-801 hereof shall upon conviction be subject to a fine of not less than three dollars or more than ten dollars for each and every day that he fails, neglects, or refuses to comply with the same after the expiration of the time limit given him according to Section 11-802.

**11-804. STREET COMMISSIONERS AUTHORITY.** If the owner or occupant of any real property should refuse, neglect or fail to comply with Section 11-801 of this article for more than three days, then the Street Commissioner is authorized to proceed to see that the trees, shrubbery, or awnings are placed in a condition so as to comply with such ordinance and the expense of so doing shall be paid by the owner or occupant and may be enforced by a civil suit brought in the name of the City by order of the Mayor.

**ARTICLE IX.**

**PENALTY**

**11-901. PENALTY FOR VIOLATION OF CHAPTER.** Any person, firm, or corporation violating any of the terms or provisions of this chapter shall upon conviction be punished except where otherwise specifically provided herein, by a fine not exceed Five Hundred (\$500.00) Dollars, or imprisonment not to exceed thirty (30) days, or by both such fine and imprisonment in the discretion of the court, the court to have power to suspend said sentence and to revoke the suspension thereof.