

**CITY OF SANDWICH
DEKALB AND KENDALL COUNTY, ILLINOIS**

**CITY OF SANDWICH
ORDINANCE NO. 2023-17**

**AN ORDINANCE AMENDING CHAPTER 70 “STREETS AND SIDEWALKS,”
ARTICLE I “IN GENERAL,” SECTION 70-20 “DRIVEWAYS” OF THE CITY OF
SANDWICH MUNICIPAL CODE**

**ADOPTED BY THE
MAYOR AND CITY COUNCIL
OF THE CITY OF SANDWICH**

This 7th day of August, 2023

Published in pamphlet form by the authority of the Mayor and City Council of the City of
Sandwich, DeKalb and Kendall County, Illinois, this 8th day of August, 2023.

Denise Ii, City Clerk

ORDINANCE NO. 2023-17

BE IT ORDAINED by the Mayor and City Council of the City of Sandwich, DeKalb and Kendall Counties, Illinois, THAT:

AN ORDINANCE AMENDING CHAPTER 70 “STREETS AND SIDEWALKS,” ARTICLE I “IN GENERAL,” SECTION 70-20 “DRIVEWAYS” OF THE CITY OF SANDWICH MUNICIPAL CODE

shall be, and is hereby, adopted as follows:

Section 1. BACKGROUND.

The City of Sandwich (“*City*”) has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret, and amend its ordinances, rules, and regulations. The City has the authority to enact ordinances for the preservation of the health, welfare, and safety of the community and the residents of the City. The City desires to amend its current regulations governing trees and shrubs in the City.

Section 2. AMENDMENT.

A. Chapter 70, “Streets and Sidewalks,” Article I “In General,” Section 70-20 “Driveways” of the City Code of Ordinances is hereby amended as follows:

Sec. 70-20. Driveways.

- (a) *Permit required.* No person shall construct a driveway for vehicles or animals, which driveway crosses any sidewalk in the city or abuts any street or public way within the city, without first having obtained a permit therefor. Applications for such permits shall be made to the city clerk and shall be accompanied by the fee required. All such permits shall be subject to the approval of the city’s superintendent of streets. The fee for a driveway permit shall be \$100.00.
- (b) *Grade surfaces.* No driveway shall be so constructed or graded so as to leave a step, sharp depression or other obstruction on the sidewalk or public way. The grade shall be as nearly as possible the same as that of the adjoining sidewalk or public way. It shall be unlawful for any person to have the surface finish of any driveway where the driveway crosses the sidewalk or abuts the public way constructed in such a manner and of such materials so as to render it slippery or hazardous to pedestrians using the sidewalk or to vehicles using the public way, or to have the grade of such portion vary from the grade of the sidewalk, or be other than level or be a hazard to the public way.
- (c) *Specifications.* Driveways across sidewalks or abutting a street or public way within the city shall be paved with only hot mix asphalt or concrete and constructed in compliance with specifications adopted by the mayor and city council. Such driveways shall be fully completed and paved in accordance with the provisions of this section within one calendar year from the date a permit is issued therefor, or within one calendar year of occupancy of a building for which a building permit is issued for the construction of any new building or addition to a building whether commercial, industrial or residential to be served by or benefited by such driveway, whichever date shall occur first. The completion period may be extended by the mayor and city council upon good cause shown. Any driveway, whether constructed of

concrete or asphalt, must be installed flush at its edge with any sidewalk, any city street, and/or any curb; all driveway improvements are to be in compliance with subsection (b) of this section. No reinforced concrete may be used in the city's right of way. No driveway shall be constructed without first having obtained a permit therefor. The construction of any driveway shall be subject to the inspection of the city's superintendent of streets.

- (d) *Repairs.* It shall be the duty of the person maintaining the driveway to keep the driveway in good repair where it crosses the sidewalk or abuts a city street or public way and free from obstructions and openings.
- (e) *Costs.* Any owner of a driveway that requires repair or replacement by the City for the purposes of any public works project that is not in compliance with this Code and was constructed without the issuance of a permit shall be responsible for any costs incurred in excess of those that would have been incurred had the driveway then been in compliance with the Code.
- (f) *Future Repairs or Replacements.* Any driveway that requires repair or replacement after the effective date of these provisions will be required to abide by the provisions herein, regardless of the Code then in effect at the time of construction of the original driveway.

Section 3. SUPERSEDER.

All sections, ordinances, resolutions, motions, or orders in conflict herewith shall be, and the same hereby are, repealed to the extent of such conflict.

Section 4. EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after passage, approval, and publication in pamphlet form as provided by law.

PASSED BY THIS CITY COUNCIL of the City of Sandwich, Illinois, at a regular meeting thereof held on the 7th day of August, 2023, and approved by the Mayor on the same day.

Aye: Aldermen Arnett, Erickson, Fritsch, Johnson, Kreinbrink, Littlebrant, Robinson & Whitecotton

Nay: None

Absent: None

Todd Latham, Mayor

ATTEST:

Denise Ii, City Clerk