



# Guide to Right-of-Way, Sidewalk & Public Property Requirements

Chapter 94 of the City Code contains several sections specific to use, obstructing and prohibited actions in the right-of-way, including sidewalks, public properties and occasional load restrictions. This document will identify several primary expectations and serve as a how-to guide for Saint Anthony Village residents and business owners. As in all cases, it is the resident's responsibility to abide by the complete code language.

## City Code contains controls for occasional and seasonal restrictions on load upon public ways:

- The City Manager will by written order pursuant to M.S. § 169.87, as it may be amended from time to time, prohibit the operation of vehicles, or restrict the weight of vehicles, upon any city street which by reason of deterioration, rain, snow, or other climactic conditions will be seriously damaged or destroyed without those restrictions. The Manager will have the street affected by the order posted with notice in the manner provided in M.S. § 169.87, as it may be amended from time to time. It is unlawful for any person to operate any vehicle or combination of vehicles on a city street or highway contrary to the prohibition or restriction set forth in the order and notice.

## City Code identifies obstructions in public ways and prohibited actions as follows:

- No person, except under a proper permit issued by the City Manager or otherwise permitted in this code, shall obstruct or encumber any sidewalk, street, avenue, alley, lane, or other public way in the city with yard clippings, leaves, stone, brick, sand, lumber, or other material or property. Consistent with Minnesota Statute 160.2715 Section (a) subdivision (1) which advises that pushing / blowing snow from driveways and sidewalks onto public roads may be punishable as a misdemeanor, no person shall plow, shovel or blow or permit the plowing, shoveling or blowing of snow onto any sidewalk, street, avenue, alley, lane, or other public way in the city.



Do not place snow on roads



Before scheduling deliveries, know restrictions



Do not blow leaves/grass into road



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- When an obstruction is placed or left on a street or other public way contrary to § 94.15, the city will notify the person who placed or left the obstruction and the owner of the abutting property to immediately remove the same. If the person fails or refuses to remove the obstruction within a reasonable time, it may be removed by the city. The person responsible for the obstruction shall reimburse the city for the cost of removal within 10 days after receiving an invoice from the city.
- The owner and the occupant of property adjacent to a public sidewalk must use due diligence to keep the walk safe for pedestrians. No owner or occupant may allow snow, ice, dirt, or rubbish to remain on the walk longer than 12 hours after it has been deposited.

## City Code designates expectations and requirements for properties abutting sidewalks, as follows:

- The owner and the occupant of property adjacent to a public sidewalk must use due diligence to keep the walk safe for pedestrians. No owner or occupant may allow snow, ice, dirt, or rubbish to remain on the walk longer than 12 hours after it has been deposited.
- The owner of any property within the city abutting a public sidewalk is required to promptly notify the city if the sidewalk needs repair and is not safe for pedestrians.
- If conditions exist in violation, the city may order the owner or occupant to have the conditions corrected by written notice to the occupant or to the owner at the address of the taxpayer for the property as shown by the city's records. The order will require the conditions to be corrected within 5 days after receipt of the notice, or in the case of sidewalk repairs within 30 days. The notice will state that in case of noncompliance, the work will be done by the city at the expense of the owner and that if unpaid, the charge for the work will be made a special assessment against the owner's property. If the owner or occupant fails to comply with the notice within the required period, the city's Public Works Director may have the conditions corrected. The Public Works Director will keep a record showing the cost of the work attributable to each separate lot and parcel and will deliver the information to the City Manager.



Please remove temporary obstructions as soon as possible



Public Works may aid in the clearing of sidewalks, but it is the property owner/occupant's responsibility to keep adjacent sidewalks safe for pedestrians



Do not place dumpsters, flexible or solid on any part of a sidewalk



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## **Obstruction Permit**

The permit which, pursuant to this chapter, must be obtained before a person may obstruct a right-of-way, allowing the holder to hinder free and open passage over the specified portion of right-of-way by placing equipment described therein on the right-of-way for the duration specified therein.

## **Trees and shrubs in the right-of-way:**

- No person may plant any tree or shrub on the public right-of-way without the permit referred to in section 94.53.
- The owner of land abutting a public right-of-way is to perform all care and maintenance of trees and shrubs on the abutting public right-of-way. The Manager may order an abutting owner to trim or remove any tree or shrub that is diseased, dangerous, a public nuisance, or planted contrary to this subchapter. If the owner fails to comply with the order, the City Council may order the work done and assess the cost of the work against the abutting land in the same manner as other assessments for municipal improvements.
- The owner of property abutting on the public right-of-way may apply to the Public Works Director for a permit to replace a tree or shrub removed under § 94.52. The Public Works Director may grant the permit only upon finding that the proposed replacement tree or shrub does not interfere with traffic safety, proposed or existing sidewalks, or proposed or existing utility easements.