

CHAPTER 15 – PUBLIC WORKS

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15.01 STREETS AND SIDEWALK GRADES

The grade of all streets, alleys, and sidewalks in the Village of Amherst must be formally established by resolution of the village board in accordance with state regulation. The records must be kept on file in the office of the Village clerk/treasurer. No work may be performed on any street, alley, or sidewalk until the grade has been officially established.

No person may alter the grade of any street, alley, sidewalk or public ground within the village by any means unless authorized or directed by the Village board. All approved alterations must also be documented and kept on file in the clerk/treasurer's office.

15.02 SIDEWALK CONSTRUCTION AND REPAIR

When the public works committee, with the approval of the Village board, determines that a sidewalk needs to be constructed, rebuilt, repaired, raised, or lowered along any public street, alley, or highway, the work must follow Wisconsin State Statute 66.615. All such work must be performed either by the Village employees or contractors hired by the Village board.

All sidewalks must meet the following specifications:

1. Subgrade: the ground beneath the sidewalk must be excavated to the proper line, grade, and cross-section established by the village board. Any unsuitable material must be removed and replaced with appropriate material such as sand, then compacted and moistened before concrete placement. If required by the director of public works, a sub-base layer may be added. On embankments, the subgrade must extend at least one (1) foot beyond each side of the sidewalk.
2. Material: Sidewalks must be constructed using air-entrained concrete with a mix of 5 ½ bags per cubic yard for single-course construction.
3. Drainage: Sidewalks must slope toward the curb at a minimum of ¼ inch per foot to allow proper drainage. All joints and edges must be finished with a ¼-inch radius edging tool.
4. Width and Thickness:
 - a. Residential sidewalks must be at least five (5) feet wide and four (4) inches thick, except at driveways where thickness must be six (6) inches. Existing residential sidewalks may be replaced at their current width if narrower.
 - b. Commercial or industrial sidewalks must be at least eight (8) feet wide and five (5) inches thick, or seven (7) inches thick at driveways.
 - c. Finishing must include steel troweling and broom finishing. Joints must be placed based on the width of the sidewalk (i.e. 5 ft. sidewalk must have 5 ft. joints)
5. Insurance: Contractors must provide proof of public liability insurance before beginning excavation work, as required by the director of public works.

15.03 DRIVEWAYS

No person may construct or maintain a driveway across a sidewalk or curb without first obtaining permission from the village board.

Driveways must meet the following requirements:

1. Width:
 - a. Single-family residential: maximum width is thirty (30) feet at the street edge unless special permission is granted
 - b. One-to-two family residential: a single driveway may be up to sixty (60) feet wide. If two driveways are used, each may not exceed thirty (30) feet unless approved
 - c. Multifamily residential: width is determined by the village board based on recommendations from the plan commission
2. Street Interference: Driveway aprons may not extend beyond the curb face or into the gutter. They must not interfere with drainage or existing structures. Property owners must install culverts if required for drainage.
3. Number of Driveways: Only one driveway per property is allowed unless additional access is approved by the Village board. Multiple driveways must be at least ten (10) feet apart.
4. Construction Standards: Driveways crossing sidewalks must meet the same construction standard as sidewalks (Section 15.02).
5. Liability: The permit holder is responsible for any damage or injury during construction. Any removed curb or gutter must be properly restored. Damaged sidewalks must be replaced according to Village standards.

15.04 OBSTRUCTIONS AND ENCROACHMENTS

No person may obstruct or encroach upon any street, alley, sidewalk, public grounds, or right-of-way, nor allow such conditions on property adjoining public areas. Landscaping in the right-of-way is generally prohibited, except for a small planting bed (maximum twenty-four (24) inches in diameter) around mailboxes or light poles, with plants no taller than eight (8) inches and not considered weeds or woody plants. Unauthorized plantings may be removed at the property owner's expense after two (2) weeks' notice.

Exceptions include:

1. Signs or clocks projecting no more than twelve (12) inches and at least eight (8) feet above ground.
2. Awning at least seven (7) feet above sidewalks.
3. Authorized public utility installations.

4. Central Business District allowances for merchandise and furniture, provided pedestrian space (minimum thirty-six (36) inches or fifty-percent (50%) of sidewalk) is maintained and areas remain orderly and accessible for snow removal.

In other zoning districts, the following are prohibited in the right-of-way:

1. Sale or storage of merchandise or furniture.
2. Storage of personal items like vehicles or appliances.
3. Storage of materials such as gravel or sand.
4. Storage of snow not from the adjacent property.

Property owners may apply for right-of-way permits for other uses.

If an obstruction is not removed within twenty-four (24) hours of notice, a \$25-per-day penalty applies until corrected. Unpaid penalties may be added to property taxes.

15.05 STREET USE PERMITS

Village streets are intended for public use, but the Village board may grant permits for events or construction-related uses when appropriate and safe.

Applications must be submitted at least thirty (30) days in advance and include:

1. Applicant and organization details;
2. Event description, location, date and time;
3. Estimated attendance; and
4. Responsible party information.

Permits may be denied if:

1. The event is primarily for private gain;
2. Laws or ordinances would be violated;
3. Emergency access would be hindered;
4. Required information is missing; or
5. The event could be held elsewhere.

Permit holders must restore the street within twelve (12) hours after use or pay the Village for cleanup. Authorities may suspend or terminate permits if safety concerns arise.

Food trucks are only allowed during Village-approved events.

15.06 PUBLIC WORKS CONTRACTS

This section governs contracts for public works:

1. The Village may choose to perform work directly without bidding.
2. Contracts must include detailed plans and specifications.
3. Certain trades (plumbing, HVAC, electrical) must be bid separately.
4. Contracts may require up to a 5-year repair guarantee.
5. Bidders may be required to prove qualifications and financial ability .
6. Public bidding must follow legal notice requirements.
7. Bids must include a sworn statement and subcontractor list.
8. A bid bond (5-10%) may be required.
9. The Village may reject any or all bids, especially in cases of fraud or lack of competition.

15.07 SNOW AND ICE REMOVAL

Property owners adjacent to sidewalks must remove snow and ice within twenty-four (24) hours and maintain safe conditions. If removal is not possible, abrasive materials (such as sand or salt) must be applied.

Depositing snow or ice onto streets or sidewalks is prohibited. Violations may result in fines or penalties.

If the property owner fails to comply, the Village may perform the work and charge the cost to the owner, either directly or through property taxes.

Violators of this provision may be subject to a “Class E” forfeiture or incarceration, as outlines in Chapter 2.12.

15.08 SOLID WASTE DISPOSAL

All households must participate in village garbage and recycling services, with fees collected monthly. Unpaid fees may be added to property taxes.

Residents must separate and recycle designated materials, including paper, cardboard, metals, plastics, glass, motor oil, and batteries, following guidelines from the Portage County Solid Waste Department. Additional rules may be issued and are considered part of this ordinance.

15.09 PENALTIES

Unless otherwise specified, violations to this chapter may result in a “Class D” forfeiture or possible incarceration, as outlines in Chapter 2.12.

15.10 PUBLIC UTILITY WORK

Utilities must notify the director of public works before performing any work involving excavation or disturbance of land. Notices must include location, timing, and coordination with other utilities.

After completion, the work area must be restored to its original condition.

15.11 PLANTING OF TREES

No trees or shrubs may be planted in public parkways without approval of the Village Forester or Director of Public Works. A parkway is defined as any unpaved areas within a road right-of-way.

15.12 ADOPTION OF STATE STATUTE 62.15

The Village adopts Wisconsin Statute 62.15 as an alternative method for handling public construction over \$25,000. The Village board acts as the board of public works and may choose to complete work without bidding.

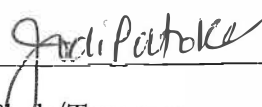
Accurate cost records must be kept for projects completed directly by the Village, and reports must be published. Failure to comply may result in a \$50 forfeiture.

Adopted this 25 day of August, 2026

VILLAGE OF AMHERST

By: 

Village President

Attest: 

Village Clerk/Treasurer