

CHAPTER 11

CROSSING OF NATURAL WATER COURSES

Section 11.01 PURPOSE

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Section 11.03 PENALTY

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Section 11.01. PURPOSE. In the development of the Village of River Hills from a somewhat rural area to a more urban community, it has been found to be necessary in the protection of the health, welfare, and safety of the public to enact rules and regulations relating to the construction of highways, driveways, culverts and bridges crossing natural water courses extending through the Village.

Section 11.02. PERMIT REQUIREMENTS.

(1) Permit Required. No person, firm or corporation shall build, erect or construct any highway, driveway, culvert or bridge upon, across, over, or through any natural water course, whether such crossing shall be located on public or private lands, within the Village of River Hills, without first obtaining a permit therefor from the Village Clerk.

(2) Application for Permit. The application for said permit shall describe fully the location of the point at which the crossing of the natural water course shall be made and the purposes for which the crossing shall be used.

(3) Permit Fee. A permit fee as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board shall accompany the application as the time of filing thereof. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website.

(4) Deposit. A deposit as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board shall be submitted at the time of filing the application for the purpose of covering any expenses the Village may incur for engineering services in the approval or preparation of plans and specifications, the supervision of the construction of any such crossing, or otherwise attending upon the application and permit herein involved. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website.

In the event that the estimated costs to be incurred by the Village are in excess of what was estimated by the Village Manager, the deposit shall be to an amount as estimated by the Village Manager. Any excess of said deposit over such expenses shall be refunded and all such expenses above the deposit shall be paid by the permittee. (Amd Ord #537, 10/16/19)

(5) Approval of Village Engineer. The application for said permit shall be referred by the Village Clerk to the Village Engineer, who shall check any plans submitted and approve or disapprove of same, or prepare the design of the structure and the manner in which the crossing may be permitted. All work contemplated herein involving any natural water course in the Village shall be performed in accordance with the design, plans and specifications approved by or prepared by the Village Engineer. Any expense incurred by the Village by way of charges of the Engineer, for work contemplated in this Chapter, shall be deducted from the deposit required in this section.

(6) Right to Appeal. In the event the applicant is dissatisfied with the plan prepared by the Village Engineer, he may appeal to the Village Board, which shall proceed to cause an investigation, conduct a hearing and make a decision to approve or disapprove of the determination and plan of the Village Engineer.

(7) Consent of Applicant. The applicant shall consent to the construction of the structure or the crossing, as prescribed by the Village Engineer, before any permit shall be issued by the Village Clerk.

(8) Contents of Permit. The permit shall specify the following:

- [a] The name and address of the applicant;
- [b] The location of the point at which the crossing of the natural water course is to be made;
- [c] The name of said water course, if there is such a name;
- [d] The method by which such crossing shall be accomplished;
- [e] The time within which said work shall be done; and
- [f] The expiration date of said permit, which shall be six (6) months from the date of its issuance.

(9) Work Contemplated After Expiration Of Permit. Since the permit herein required shall be void after six (6) months from the date of its issuance, any person desiring to effect any such crossing after the expiration of such permit shall be required to file a new application, pay the permit fee, and secure a new permit for the crossing to be effected.

Section 11.03. PENALTY. Any person, firm, or corporation found guilty of the violation of any provision of this Chapter, shall be subject to a forfeiture of not less than Ten (\$10.00) Dollars nor more than Five Hundred (\$500.00) Dollars together with costs of the action; and in default of payment thereof, shall be subject to imprisonment in the County Jail or the House of Correction

of Milwaukee County until such forfeiture and costs, together with any subsequent costs, have been paid, but in any event not to exceed thirty (30) days. Each day of violation shall constitute a separate offense and be subject to a forfeiture as such.