

VILLAGE OF MISHICOT

ORDINANCE 2026-05

AN ORDINANCE REPEALING AND RECREATING CHAPTER 304 OF THE MISHICOT MUNICIPAL CODE CONCERNING STREETS AND SIDEWALKS IN THE VILLAGE OF MISHICOT

WHEREAS, the Village of Mishicot previously enacted regulations concerning streets and sidewalks, as authorized by 61.36 and 61.50, Wis. Stats.; and

WHEREAS, Village Board of Trustees has reviewed such regulations and desires to revise them to comply with the current recommendations from the Plan Commission;

NOW, THEREFORE, the Board of Trustees of the Village of Mishicot, Manitowoc County, Wisconsin, does ordain as follows:

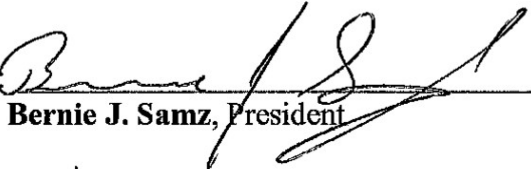
Section 1. Repealing and Recreating Code. Chapter 304 of the Village of Mishicot Code of Ordinances "Streets and Sidewalks" is repealed and recreated to read as set forth on the attachment.

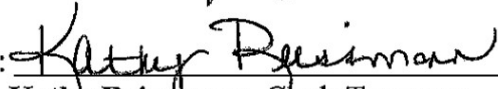
Section 2. Severability. Should any portion of this ordinance or the affected municipal code chapter be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected.

Section 3. Effective Date. This ordinance shall take effect the day after publication or posting.

Enacted on: **April 21, 2026**

VILLAGE OF MISHICOT

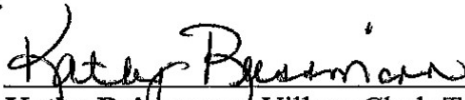
By: 
Bernie J. Samz, President

By: 
Kathy Reissmann, Clerk-Treasurer

CLERK'S CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing ordinance was duly enacted by the Village Board of the Village of Mishicot on the date indicated above.

Dated: April 21, 2026


Kathy Reissmann, Village Clerk-Treasurer

Posted/Published on: 4/22, 2026 by KR.

§ 304-1. Street and sidewalk grades.

- A. Establishment. The grade of all streets, alleys, and sidewalks shall be established and described by the Village Board and shall be recorded by the Village Clerk-Treasurer in the Clerk-Treasurer's office. No street, alley, or sidewalk shall be worked until the grade is established.
- B. Altering grade prohibited. No person shall alter the grade of any street, alley, sidewalk, or public ground or any part thereof unless authorized to do so by the Village Board.

§ 304-2. Construction and repair of sidewalks and curb and gutter.

- A. Specifications. All sidewalks hereafter to be built or rebuilt within the limits of the Village of Mishicot shall be built or rebuilt of the materials and in the manner and of the width mentioned and described in the specifications filed in the office of the Village Clerk-Treasurer and marked "Specifications Describing the Materials Used in the Building and Construction and Width of Sidewalks in the Village of Mishicot and Specifications for Cement Curbs and Gutters," and said specifications are hereby adopted as the specifications for the building and construction of curbs and gutters in said Village as therein set forth. All new developments constructed within the limits of the Village of Mishicot shall construct sidewalk on both sides of the public right-of-way. All sidewalk and curb and gutter work shall comply with Section 377. The Public Works Director or Village Engineer may waive this requirement for non-residential developments, based on their location, and connectivity within the Village.
- B. Setback. All sidewalks hereafter built or rebuilt within the Village shall be constructed of cement concrete and shall be laid parallel to and three feet distant from the abutting property line in residence districts, to the extent practicable within the right-of-way.
- C. Damages and benefits. The Board shall consider the damage and benefit to each property.
- D. Notice. Each property owner shall be notified at least 30 days before construction begins. A public hearing shall be had at least 15 days but not more than 20 days after notice.
- E. Reconsideration. The Village Board may consider the benefits and damages to each property if cause is shown or reconsideration is demanded.
- F. Maintenance. The Village of Mishicot shall maintain all sidewalks within the right-of-way areas located in the Mishicot Village limits. This includes offset joints with trip hazards ½" or greater, sunken sidewalks tight to the curb, and sidewalks that need to be replaced due to severe cracking or chipping. The Village responsibility shall only include sidewalk areas; driveways and driveway approaches abutting the sidewalk are the adjoining property owner's responsibility. All sidewalks within the Village shall be inspected and repaired on a six-year cycle unless major repairs are required at an interval less than six years.

§ 304-3. Connections to sanitary sewer and water systems.

- A. No outhouse, privy or vault shall be built, constructed, or maintained upon any premises within the Village located adjacent to a sewer system extension. This provision shall prohibit the construction of any such structure at any time after sewer facilities are available and shall prohibit the maintenance of any such structure at any time after one year from the date such sewer facilities become available. [Amended 12-21-2021 by Ord. No. 12-21-2021]

- B. No septic tank shall be built, constructed, or maintained upon any premises within the Village located adjacent to a sewer main or in any block through which such sewer system extends. This provision shall prohibit the construction of any septic tank at any time after sewer facilities are available and shall prohibit the maintenance of any septic tank at any time after one year from the date such sewer facilities become available.
- C. Within one year after sewer facilities become available, the owner of every building located adjacent to a sewer main, or in a block through which said sewer system extends, shall connect the sewage facilities for such building properly with the sanitary sewer mains of the Village.
- D. Within two years after the Village water distribution facilities are available, the owner of every building located adjacent to a water main, or in a block through which said water main extends, shall connect the water facilities for such building properly with the Village water distribution system.
- E. Within one year after sewer facilities become available all septic tanks located in the Village shall be disconnected and removed, or emptied and disinfected, or emptied of all sewage and filled with sand, or disinfected and completely sealed at all outlets.
- F. The owner of every building, prior to connecting the sanitary sewer system of such building to the Village sewage system, shall cause all roof water, surface water, and foundation water drains to be disconnected from the sanitary sewer system and disposed of into a storm drain system where available. **[Amended 12-21-2021 by Ord. No. 12-21-2021]**
- G. It shall be the duty of the Director of Public Works to strictly enforce the provisions of this section and to see that all violations thereof are abated. The Director of Public Works shall have the authority to serve a written notice requiring the owner of any premises in said Village to abate any privy, outhouse, septic tank, or improper drain and to order such property owner to connect all plumbing to the sewage and water system in compliance with this section. If any person shall fail to comply with any provision of this section for more than 10 days after such notice by the Director of Public Works, the Village Board may cause the appropriate connections to be made and the expense thereof to be assessed as a special tax against the property. The Director of Public Works shall keep an accurate account of such expenses and report the same to the Village Clerk-Treasurer, and the amount shall thereby be charged to each lot or parcel of land and shall be by such Clerk-Treasurer entered in the tax roll as a special tax against said lot or parcel of land. The imposition and collection of any fine or forfeiture provided by this section shall not bar the right of the Village to collect such charges. **[Amended 12-21-2021 by Ord. No. 12-21-2021]**
- H. The owner of any property for which facilities are installed pursuant to Subsection G of this section may, within 30 days after completion of the work, file a written statement with the Village Clerk-Treasurer stating that he cannot pay such charges in one sum and requesting that such charges be levied in not to exceed 10 equal annual installments, and the amount shall be so collected with interest at the rate of 6% per annum from the completion of the work. The unpaid balance shall be a special tax lien.
- I. No person shall deposit or permit to be deposited in any sewer or drain any garbage, gas, tar, grease, rags, or any substance likely to cause any obstruction, nuisance, or explosion therein, or do any act which may cause injury thereto.
- J. Except where another penalty is prescribed, any person who shall violate any provisions of this section shall be subject to a penalty as set forth in § 1-2 of the Code. **[Amended 3-7-2023 by Ord. No. 2023-04]**

§ 304-4. Service laterals to be installed before paving. [Amended 12-21-2021 by Ord. No. 12-21-2021]

Whenever the Village Board shall determine to lay a permanent pavement, or to pave or repair any street or portion thereof in which water or sewer mains have been laid, the Village Board shall proceed to lay the necessary water service pipes and sewer laterals before the improvement of such street. The expense of laying such water service pipes and sewer laterals from main to curb and of connecting such water pipes and sewer laterals with the street mains shall be charged to the Village until used by the property owner if said owner makes use of the property.

§ 304-5. Street excavations.

- A. Permit required. No person shall make or cause to be made any excavation or opening in any street, alley, highway, sidewalk, or other public way within the Village without first obtaining a permit therefor from the Village Clerk-Treasurer.
- B. Fee. The fee for such permit shall be as set by the Village Board, based on the size of the project (small, medium or large). **[Amended 12-21-2021 by Ord. No. 12-21-2021]**
- C. For projects that are classified as medium or large projects, additional supplemental conditions shall apply, as set by the Village Board.
- D. Safety requirements. Any person holding a permit under this section shall guard any hole, trench or ditch dug or excavation made by sufficient fence, railing, lights, or otherwise, for the period of time the same shall be or continue unsafe or dangerous to the public.
- E. Duty to restore. Street excavations shall not be larger and shall not be left open longer than the necessity of the work demands. The backfilling below the top surface of the street shall be done with sand and gravel, firmly tamped in the presence of or under the supervision of the Director of Public Works. All earth, stone or other material shall be hauled away by the person authorized to make the excavation, and the pavement or top surface of the street shall be replaced as it was prior to the excavation. **[Amended 12-21-2021 by Ord. No. 12-21-2021]**
- F. Village may restore. If the person holding a permit hereunder shall neglect to repair or restore to its former condition any street, alley, or sidewalk excavated, altered or taken up, within the time and in the manner directed by the Public Works Committee, the Village shall cause the same to be done at the expense of such person. The expense thereof, when chargeable to a lot owner, shall be certified to the Village Clerk-Treasurer by the Director of Public Works and if not paid shall be carried into the tax roll as a special tax against the lot. **[Amended 12-21-2021 by Ord. No. 12-21-2021]**

§ 304-6. Placing building materials in streets.

- A. Permit required. No person shall place any building material in or upon any street, alley, sidewalk, or public grounds within the Village without a written permit from the Village Clerk-Treasurer.
- B. Fee. The fee for such permit shall be as set by the Village Board. **[Amended 12-21-2021 by Ord. No. 12-21-2021]**
- C. Indemnity agreement. No person shall be granted a permit unless the applicant shall file with the Village Clerk-Treasurer an agreement that he will hold the Village free from any and all damages, liability costs or expenses that may result in consequence of the granting of said permit or the occupancy of said street, alley, sidewalk, or public grounds; that he shall put up and maintain such barriers and lights as will effectually prevent the happening of accidents in consequence of such occupancy or use; that he will obey all ordinances of the Village and

all rules which may be made in its behalf; and that upon the expiration of said permit he shall leave the street, alley, sidewalk, or public grounds in as good and clean condition as the same was prior to the issuance of said permit.

- D. Obstruction limited. Such permit shall not authorize the obstruction of more than 1/3 of the roadway proper, or 1/3 of the sidewalk proper, nor for a longer period than one month, nor shall such material be so placed as to obstruct the flow of water in the gutters, and during the period of time such material shall remain upon such public street, alley, sidewalk, or public way, public travel shall be protected by proper lights during the nighttime.

§ 304-7. Snow and ice removal.

- A. From sidewalks. The owner or occupant of any lot abutting on a public sidewalk shall clear the sidewalk of snow within 24 hours after a snowfall and keep the same free of ice. If such snow or ice is not removed as required herein, the Director of Public Works shall cause the same to be done and the cost thereof assessed against the abutting property pursuant to § 66.0627, Wis. Stats. When ice is formed on the sidewalk so that it cannot be removed, it shall be kept sprinkled with ashes, salt, sand or like material. **[Amended 12-21-2021 by Ord. No. 12-21-2021]**
- B. Deposit in streets prohibited. It is unlawful for any person in clearing snow from parking lots, driveways, filling stations, garages, retail stores, apartment buildings, or other areas to pile or distribute snow, or cause snow to be piled or distributed, in a street or alley in any manner that tends to narrow the traveled portion of the street, prevent parking at the curb, or in any other way impede snow removal or create a traffic hazard. Persons having an accumulation of snow that cannot be removed as set forth in this section shall be responsible for its handling at their own expense without depositing the same in the public streets or alleyways.

§ 304-8. Use of streets, alleys and sidewalks.

- A. Moving buildings. See Chapter 147, Building Construction, § 147-12, Regulations for moving buildings. **[Amended 12-21-2021 by Ord. No. 12-21-2021]**
- B. Operation of vehicles. No person shall operate upon a street, alley, or other public way in the Village any motor vehicle in such manner as to permit to escape therefrom any unnecessary smoke, gas, steam, or offensive odor, or in such manner as to discharge any embers, oil, or residue from the fuel used in the operation thereof.
- C. Parade regulations; distribution of items. No person participating in any Village of Mishicot parade may sell, distribute or give away in any manner any pamphlet, article, good, ware, merchandise, candy or thing along the parade route while the parade is being conducted, unless the method of distribution involves one or more individuals walking along the curblane distributing the item without the item being thrown from a vehicle, trailer, or float or otherwise dropped into the street.

§ 304-9. Official Map.

- A. Establishment. There is hereby established an Official Map of the Village of Mishicot showing the location and width of streets, highways, and parkways as laid out, adopted and established.
- B. Plat approval. No land subdivision plat shall be approved unless such plat conforms to the Official Map.
- C. Permits. For the purpose of conserving the integrity of the Official Map, no building shall be erected within the bed of any street, highway, or parkway shown on the Official Map unless

a permit therefor shall first have been applied for and issued in accordance with § 62.23(6)(d), (e), (f), and (g), Wis. Stats. The applicant for such a permit shall submit to the Village Board, with his application, an accurate plot plan, certified by a qualified surveyor, showing the location of the proposed building with a reference to any street, highway or parkway shown on the Official Map.

- D. Changes and amendments. The Village Board may, whenever and as often as it may deem it for the public interest, and after a public hearing as provided in § 62.23(6)(b), Wis. Stats., change or add to the Official Map of the Village so as to establish the exterior lines of planned new streets, highways, and parkways, or to widen, extend or close existing streets, highways, or parkways.
- E. Registration. The Village Clerk-Treasurer shall file with the Register of Deeds of Manitowoc County a certificate showing that the Village of Mishicot has established an Official Map and shall do likewise as to any changes or additions.

§ 304-10. Street address numbers. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

The owner of any property to which a street address number has been assigned shall display and maintain the street number upon a building located on such property. The street address number shall be located on the front face of the building or premises so as to be readily visible from the street at all times. In wooded areas, fenced-in enclosures or other areas where the front face of the building is not readily visible from the street, the address shall also be displayed parallel to the street so that it is readily visible from the street. The recommended minimum size for street address numbers is 2 1/2 inches.

§ 304-11. Curbside mail receptacles.

No person shall place a permanent or temporary curbside mail receptacle within the right-of-way of East Main Street between the East Twin River Bridge and County Trunk Highway B.