

Chapter 342
STREETS AND SIDEWALKS

[HISTORY: Adopted by the Village Board of the Village of Spring Green as §§ 5.03 to 5.16 and 16.01 to 16.04 of the Village Code. Amendments noted where applicable.]

GENERAL REFERENCES

Bicycles and play vehicles — See Ch. 180.

Parades and assemblies — See Ch. 284.

Sewers — See Ch. 325.

Trees and shrubs — See Ch. 360.

Vehicles and traffic — See Ch. 375.

Water — See Ch. 390.

§ 342-1. Grades.

A. Establishment. The grade of all streets, alleys, curb and gutter and sidewalks shall be established by the Village Engineer as directed by the Village Board and the same shall be recorded by the Village Clerk-Treasurer in his office. No street, alley, curb and gutter or sidewalk shall be worked until the grade thereof is established.

B. Alteration of grade prohibited. No person shall alter the grade of any street, alley, curb and gutter, sidewalk or public ground or any part thereof in the Village of Spring Green, by any means whatsoever, unless authorized or instructed to do so by the Village Board. All such alterations of grade shall be recorded in the office of the Village Clerk-Treasurer by the Clerk-Treasurer.

§ 342-2. Sidewalk construction and repair.

A. All construction, repair or removal of any sidewalk shall be done either by the Village or by such persons as are deemed qualified and have been given permission by the Village Board to do such work.

B. Specifications. All sidewalks within the Village of Spring Green hereafter shall be repaired, rebuilt and constructed in accordance with the following specifications:

(1) Subgrade. The subgrade shall be prepared by excavating to the line, grade and cross section as established by the Village Board. Soft and unsuitable material shall be removed and replaced with sand or other satisfactory material, and the subgrade shall be thoroughly and uniformly compacted and moistened immediately before the concrete is placed. When so specified by the Village Board a subbase of sand, sand and gravel or other approved porous material shall be placed under the sidewalk. On embankments, the subgrade shall extend at least one foot beyond each edge of the sidewalk.

(2) Material. All sidewalks shall be of air-entrained concrete composed of six bags per cubic yard of one-course construction and built to the established line and grade.

Gravel shall be of good quality and washed. Concrete shall be mixed thoroughly for a minimum of one minute after all materials have been placed in the mixer.

(3) Forms. Concrete shall be placed in straight forms of wood or metal of sufficient strength to resist springing, tipping or other displacement during the process of depositing and consolidating the concrete. Wood forms shall be surfaced plank of at least two inches in thickness except for sharply curved sections. Metal forms shall be of approved section. The forms shall be of full depth of the required walk and shall be of such design as to permit secure fastening. Forms shall be thoroughly cleaned and oiled before the concrete is placed against them. Concrete shall be placed in the forms on a moist subgrade, deposited just above one finished grade and consolidated and spaded sufficiently to bring the mortar to the surface and to prevent honeycombing. It shall then be struck off level with the top of the forms and finished. To provide adequate drainage, the sidewalk shall slope toward the curb at a minimum rate of 1/4 inch per foot of width of sidewalk. All joints and edges shall be finished with a one-fourth-inch radius edging tool.

(4) Width and thickness. Residential walks shall be five feet in width and not less than four inches thick except within driveway approaches where the minimum thickness shall be six inches, provided that walks in residential areas may be repaired or replaced to a width not less than the existing width on the effective date of this section. Sidewalks in front of commercial or industrial establishments shall not be less than five feet in width and four inches in thickness except within driveway approaches where the minimum thickness shall be six inches. If truck traffic is anticipated minimum thickness shall be 8 inches or appropriate reinforcement provided as approved by the Village Engineer.

(5) Finishing. Before the last finish has set, the sidewalk shall be steel troweled and brushed in transverse direction. Before final finishing, the surface shall be checked with a ten-foot straight edge and any areas departing more than 1/8 inch from the testing edge shall be corrected by adding or removing concrete while the concrete in the walk is still plastic.

(6) Jointing. Transverse, full depth, one-half-inch expansion joints of premolded expansion material shall be located every 40 feet, and where the walk intersects another walk, curblines, building or driveway approach, and at buildings, walls, poles and stop boxes. A full depth expansion joint shall be placed at the nearest dummy groove joint on either side of all trees that are within three feet of any sidewalk. The expansion joint material shall be placed at intervals of approximately four feet. Steel division plates shall be placed at full depth of walk at right angles to the center line of the sidewalk at intervals of not less than 12 feet. All joints shall be at right angles to the directions of and grade of the sidewalk. Diagonal joints may be used only when approved by the Village Board.

(7) Curing and drying. All curing and drying of any finished sidewalk surface shall be done in accordance with the specifications of the Village Engineer.

C. At locations along or upon any street, alley or highway in the Village where the Village Board has directed that sidewalk will be constructed, it shall be the duty of the abutting property owner

to construction, repair, and perpetually maintain sidewalks and pay the entire cost therefore unless resolved as described below or if specifically exempted by written Village policy and approved by the Village Board.

D. Expense of the sidewalk to taxpayer. Except in the event of damage by the property owner or those acting on their behalf and upon resolution of the Village Board that sidewalk shall be constructed, removed or repaired, the Village and the abutting property owner shall share equally the expense of construction, repair, removal and all other costs incidental thereto of all sidewalks to the hereinabove prescribed width and depth. If any sidewalk shall be constructed to a depth and to a width in excess of the depths and widths hereinabove prescribed, such excess shall be at the full expense of the abutting owner. If any sidewalk is damaged or broken due to the actions of the abutting property owner or those acting on their behalf, the property owner shall be responsible for having the sidewalk repaired or replaced and for all costs associated therewith.¹

§ 342-3. Driveways.

A. Width. No driveway shall exceed 16 feet in width at the outer or street edge of the sidewalk unless special permission is obtained from the Village Board.

B. Interference with intersections prohibited. At street intersections a driveway shall not provide direct ingress or egress to or from the street intersection area and shall not occupy areas of the roadway deemed necessary by the Village Board for effective traffic control or for highway signs or signals.

C. Interference with street. No driveway apron shall extend out into the street further than the face of the curb, and under no circumstances shall such driveway apron extend into the gutter area. All driveway entrances and approaches shall be so constructed that they shall not interface with the drainage of streets, side ditches or roadside areas or with any existing structure on the right-of-way. When required by the Village Board to provide for adequate surface water drainage along the street, the property owner shall provide any necessary culvert pipe at his own expense.

D. Number of approaches limited. No more than one driveway entrance and approach shall be constructed for any lot or premises except where deemed necessary and feasible without undue impairment of safety, convenience and utility of the street by the Village Board. Any two approaches shall be at least 10 feet apart.

E. Construction across sidewalks. All driveway entrances and approaches which are constructed across sidewalks shall be paved in accordance with the requirements for sidewalk construction as hereinabove prescribed except as otherwise approved. All sidewalk crossings must provide paved aprons between the curb and sidewalk. All new or reconstructed sidewalk crossings shall provided concrete aprons between the sidewalk and curb and gutter as detailed by the Village Engineer. Concrete or asphalt paving shall extend a minimum three feet behind the sidewalk.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§342 Amended 6/12/2013 to add §342-13: Damage to Streets, Sidewalks, Curb and Gutter and Other Public Improvements, §342-14: Heavy Equipment Operation Upon Sidewalks and Curb and §342-15: Restoration of Damaged Public Terrace

Paving thickness shall be in accordance with the requirements for sidewalk construction as hereinabove prescribed except as otherwise approved.

F. Permittee liable for damage or injury. The permittee shall assume all responsibility for any injury or damage to persons or property resulting directly or indirectly during the construction or repair of driveway approaches or entrances. When curb and gutter are removed, the new connection shall be of equivalent acceptable material and curb returns provided or restored in a neat, workmanlike manner. Driveway surfaces shall connect with the street pavement and sidewalk in a neat and workmanlike manner. Any sidewalk areas which are damaged or are inadequate by reason of vehicle travel across the sidewalk shall be replaced in accordance with the requirements hereinabove prescribed.

§ 342-4. Curb and gutter.

A. Dimensions. Curb and gutter shall be two feet wide. The curb shall be six inches in width and 12 inches deep. The gutter shall be six inches thick and 18 inches in width.

B. Materials. The materials used in construction shall be of the same material as hereinabove prescribed for use in sidewalks.

C. Jointing. Transverse, full depth, one-half-inch thick expansion joints of premolded expansion material shall be located at least every 50 feet. Steel division plates shall be placed at right angles every 10 feet.

D. Forms and finishing. The forms used and the finishing of the curb and gutter shall be of the same as hereinabove prescribed for sidewalks.

E. Expense of the curb and gutter to the taxpayer. The Village and the abutting property owner shall share equally the expense of construction, repair or removal and all other costs incidental thereto of curb and gutter to the prescribed width and depth. Any additional depth or width shall be at the full expense of the abutting property owner.

§ 342-5. Restoration of property.

If the abutting owner has done any construction, removal or repair of sidewalks, driveway, or curb and gutter he shall repair or restore the adjacent street, alley, sidewalk or curb and gutter to its proper grade and original condition at his expense.

§ 342-6. Violations and penalties. ²

Any person who shall violate any provision of §§ 342-1 through 342-5 of this chapter shall, upon conviction thereof, forfeit not less than \$20 nor more than \$300 together with the costs, fees and surcharges imposed under Ch. 814, Wis. Stats., and, in addition, the penalty surcharge provided under § 757.05, Wis. Stats.

2. **Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).**

3. **Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).**

§342 Amended 6/12/2013 to add §342-13: Damage to Streets, Sidewalks, Curb and Gutter and Other Public Improvements, §342-14: Heavy Equipment Operation Upon Sidewalks and Curb and §342-15: Restoration of Damaged Public Terrace

§ 342-7. Excavations and openings.

A. Excavating permits.

(1) A permit must be applied for and received from the Village of Spring Green before excavating in any street, sidewalk, alley, or other public way in the Village of Spring Green to repair, alter, or install plumbing or any other utility or for any other purpose. Tunneling or otherwise excavating under the surface of any street or alley shall come within the provisions of this section, even though the surface shall not apparently be disturbed, it being the intention that this section shall cover all work of every kind and nature by any person in or under any public street, sidewalk, alley, or other public way.

(2) The fee for each permit to make an opening in any public street or alley shall be as set by the Village Board. If work is not commenced within 45 calendar days of the date of permit, said permit shall become void and a new permit shall be taken out and a new fee paid, and the original fee shall be forfeited to the Village of Spring Green. The applicant must furnish a bond as provided for in Subsection B before any permit shall be issued.³

(3) Application for excavating permits shall be made in writing on forms which may be obtained from the Village Clerk-Treasurer.

(4) The fee and bond requirements shall be waived for any work performed by the Village or any of its employees or a contractor operating under a contract with the Village of Spring Green.

B. Bond required.

(1) Before a permit may be issued for excavating for plumbing or for any other purpose in any public street, way, or alley in the Village of Spring Green, the person applying for such permit shall have executed unto the Village of Spring Green and deposited with the Village Clerk-Treasurer a bond to be approved by the Village President, or his designated representative, to perform faithfully all work with due care and skill and, when applicable, in accordance with the laws, rules and regulations of the plumbing codes. The bond shall state that the person will indemnify and save harmless the Village of Spring Green and the owner of the premises against all damages, costs, expenses, outlays and claims of every nature and kind arising out of unskillfulness or negligence on his part in connection with the excavation.

(2) Such bond shall remain in force and must be executed for a period of one year, except that on such expiration it shall remain in force as to all penalties, claims and demands that may have accrued there under prior to such expiration.

(3) For public utilities under the jurisdiction of the Public Service Commission, a letter to insure satisfactory performance in lieu of a bond, subject to the conditions of approval under Subsection B(1) above, will be accepted.

C. Street openings.

(1) No opening in streets, alleys or other public ways shall be made when the ground is frozen, except in emergencies or with the approval of the Village Engineer. In opening any street or other public way, all materials for paving or ballasting shall be removed with the least possible injury or loss and together with the excavated material from the trenches shall be placed where the least practicable inconvenience to the public will be caused, and admit free passage of water along the gutters.

(2) All openings made in public streets or alleys in accordance with permission given pursuant hereto shall be enclosed with sufficient barriers, and warning lights shall be maintained upon the same at night and all other necessary precautions shall be taken to guard the public against accidents from the beginning to the completion of the work. Sewers, drains, or any other underground work may be laid only on condition that the contractor is bonded as hereinbefore mentioned for all damages that may result from the neglect of necessary precaution against all accidents to persons or property of others. The Village Engineer shall be notified of the completion of said work when the contractor is finished.

(3) In opening a trench on any roadway, alley, tree bank, or terrace, or on any public lot or parkway, the sidewalk, curbs, driveways, earth or any other material removed or penetrated must be replaced in precisely the same condition and relation to the remainder and as it was before, except that permanently paved roadways, streets, or alleys shall be replaced as required in Subsection D(4). All rubbish must be removed at once, leaving the street or sidewalk in perfect repair. All existing gas, water, sewer and electric lines or conduits and telecommunications cables must be protected from injury or settling in a manner approved by the Village Engineer.

(4) When any excavation is made in a permanently paved road or street, or in any road or street which is to be permanently paved, all clay or hardpan must be removed and hauled away and the excavation entirely backfilled with sand or gravel to within two feet of the finished surface and thoroughly wet or consolidated in a manner approved by the Village Engineer. Material shall be replaced in a maximum of twelve-inch lifts. Any tunnel dug in such road or street shall be backfilled with concrete in a manner approved by the Village Engineer. After the subgrade has been consolidated, the finished surface shall be completed as follows: an eight-inch sand lift tamped or rolled in place, a six-inch gravel base tamped or rolled in place, and eight-inch concrete slab poured over the tamped gravel, and finally a two-inch bituminous single aggregate compacted in place to fit the established finished grade of the street or alley surface. The width of trench in any street which has a surface of concrete, soil, cement or single aggregate bituminous hot-mix material shall not be wider than four feet. Any other trench may be wider with permission of the Village Engineer. Any such trench shall have the surface cut in a straight line perpendicular to the surface before excavation. All borings must be approved by the Village Engineer.

(5) If any underground work is done in a street before a permanent surface has been placed, i.e. a street with no accepted surface whatsoever except earth, the top two feet of surfacing may be omitted upon written approval of the Village Engineer, provided that the ditch is otherwise

backfilled as required in Subsection C(4). In streets which have a gravel surface but no bitumen or other additive has been added, the eight-inch concrete slab required in Subsection C(4) may be replaced with eight inches of gravel upon written approval of the Village Engineer, provided that the ditch is otherwise backfilled as required in Subsection C(4).

(6) In the event that said person, firm or corporation shall fail to begin proper repairs to said street within 24 hours after completion of the project, or within such reasonable time as may be required because of weather, holidays, weekends, or such other unavoidable delays as may be considered an act of God, the Public Works Department shall make such repair and charge the cost thereof to the person to whom the permit was issued at the rate set by the State Highway Maintenance Manual. The property owner and the person to whom the permit was issued shall both be responsible for said cost of repairs, and the Village may recover said cost from either person. The Village Board shall from time to time review and determine the costs per square foot as set forth in this section and if required set up a new schedule of rates.

(7) Any person, firm or corporation who or which shall fail to pay a bill rendered for repair made by the Public Works Department under this section within 30 days after the bill has been rendered shall be barred from receiving any further permits until all accrued bills shall be paid in full.

(8) During the winter months a temporary patch will be acceptable, such patch to consist of sand and gravel lifts with bituminous cold patch surface, so that said excavation may be open to traffic. Such temporary patches must be replaced with a permanent patch in accordance with Subsection C(4) by the end of the month of April following said winter period. The contractor will be responsible for any temporary patches until replaced by a permanent patch acceptable by the Village.

(9) Referring to Subsection C(4), the two-inch bituminous single aggregate compacted in place may temporarily be replaced with two-inch bituminous cold patch material when such bituminous single aggregate hot-mix material is not immediately available. Such a temporary patch must be replaced within 45 days unless controlled elsewhere under Subsection C(8).

(10) In the event that the adjoining surface is not a single aggregate bituminous surface, and in the judgment of the Village Engineer the cold patch material will make an acceptable permanent patch, and provided that the rest of the hole has been fixed in accordance with Subsection C(4), the Village Engineer may allow the cold patch bituminous surface in lieu of the hot-mix single aggregate bituminous surface.

D. Any person, firm or corporation who or which shall violate any of the provisions of Subsections A to C inclusive shall, upon conviction thereof, be punished with a fine of not less than \$20 nor more than \$300, together with the cost of prosecution.⁴

§ 342-8. Dumping or burning of waste materials.⁵ [Added 8-26-1998]

A. No person shall throw, scatter, place or deposit upon any street, alley or other public property in the Village of Spring Green any grass, manure, grass clippings, ashes, leaves, vegetation or

other rubbish or waste materials which may, as a result, be washed by rainfall into storm sewer catch basins.

B. Except as from time to time authorized by the Village Board, no person shall, at any time, burn grass, grass clippings, leaves, brush, vegetation, garbage, rubbish or other waste materials in any street or alley or outdoors on any public or private property in the Village of Spring Green. This provision shall not apply to burning pursuant to a permit from the State of Wisconsin.

C. Any person violating this section shall be subject to a forfeiture of not less than \$20 nor more than \$300 together with applicable costs and assessments.⁶

§ 342-9. Signs, advertisements, awnings and other fixtures on sidewalks.

A. No person, firm, or corporation shall construct, erect, or maintain within the fire limits of the Village any post, fixture or device, or other obstruction, attached to the sidewalk below, or connected therewith, for the purpose of supporting any sign, advertisement, awning or other fixture or thing, except as hereinafter provided, but all signs, advertisements, awnings, and indred fixtures, by whatsoever name they may be known or designated, shall be supported wholly from adjacent buildings; provided, however, that tradesmen or dealers may support signs from the sidewalk below if placed within two feet of the lot line adjacent thereto or may display their goods, wares and merchandise upon the sidewalks within two feet from the storefront or lot line.

B. Every such sign, advertisement, awning frame or support, or other fixture or thing supported in whole or in part from the sidewalks below or more than two feet from the lot line within the Downtown Design District is condemned as a nuisance, and the owners or occupants of the premises fronting or abutting thereon are hereby ordered to remove and abate all such fixtures and devices, of whatsoever character the same may be. In default of such abatement and removal the same will be abated and removed in a summary manner, at the expense of the offending owner or occupant, and the offender shall in addition be subject to the penalties prescribed in Subsection C.

C. Any person, firm or corporation who or which shall violate this section shall forfeit and pay to the Village of Spring Green, upon conviction of such violation, a fine of not less than \$20 nor more than \$300, besides the cost of prosecution.⁷

§ 342-10. Street identification numbers.⁸

A. From and after the effective date of this section (its date of adoption and public posting thereafter), each residence, place of business, or other primary building structure within the

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

5. Editor's Note: See also Ch. 334, Solid Waste.

6. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§342 Amended 6/12/2013 to add §342-13: Damage to Streets, Sidewalks, Curb and Gutter and Other Public Improvements, §342-14: Heavy Equipment Operation Upon Sidewalks and Curb and §342-15: Restoration of Damaged Public Terrace

Village of Spring Green shall be required to have assigned to it, from and through the Village, a street identification number. Within six months of residency, all such assigned identification numbers shall be placed upon a mailbox or upon a signpost located at or near the front property line or upon a building on or as close as possible to the entrance door. All such identification numbers shall be visible, from both directions, from the abutting public right-of-way. This section shall not prohibit the assigned numbers from being written out in addition to the numerical numbers required above. The Village Board may grant variances from the terms of this section if a property owner can demonstrate that a literal enforcement of this section will be unduly burdensome.

B. Any person violating this section shall be subject to a forfeiture of not less than \$20 nor more than \$300 together with applicable costs and assessments.

§ 342-11. Snow and ice on sidewalks. [Added 2-13-2002⁹]

A. Within 24 hours after the cessation of any fall of snow it shall be the duty of the owners and of the occupants of any lot or parcel of land in the Village of Spring Green to remove the snow from any and all sidewalks adjacent to the premises of such owner or occupant and to keep the same free and clear of snow and ice. 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.

B. If an owner or occupant of a lot or parcel fails to remove the snow and keep the sidewalk free and clear of snow and ice as and when specified in Subsection A, the Village President shall cause the snow to be removed from such sidewalk and the cost of such removal shall be charged against said lot or parcel as a special tax pursuant to § 66.0907(3)(f) and (5), Wis. Stats. In any winter season, the cost for so removing shall be \$50 for the first time and \$100 each time thereafter during the rest of that calendar year.

C. Any person who shall violate the provisions of this section shall, upon conviction thereof, forfeit not less than \$20 nor more than \$300 together with the costs, fees and surcharges imposed under Ch. 814, Wis. Stats., and, in addition, the penalty surcharge provided under § 757.05, Wis. Stats.

§ 342-12. Depositing snow on streets, alleys or tree banks.

A. No person, firm or corporation shall deposit any snow, except snow removed from sidewalk areas, on any public street, alley or tree bank in the Village of Spring Green, unless the person, firm or corporation depositing such snow shall, within one hour thereafter, cause the same to be removed from such street, alley or tree bank.

B. Any person, firm or corporation who or which shall violate the provisions of Subsection A shall, upon conviction thereof, be subject to a forfeiture of not less than \$20 nor more than \$300

together with the costs, fees and surcharges imposed under Ch. 814, Wis. Stats., and the penalty surcharge set forth in § 757.05, Wis. Stats.¹⁰

§ 342-13. Damage to Streets, Sidewalks, Curb and Gutter and Other Public Improvements

A. Any person causing damage to a street, sidewalk, curb and gutter or other public improvement within the Village limits, including, but not limited to, damage resulting from the loading or unloading, snow removal, and/or moving of construction equipment or machinery on public property shall be subject to a forfeiture of not less than \$20 nor more than \$300 together with the cost of prosecution. In addition to such monetary penalty, any person who violates this section shall be required to repair the damage he or she caused or, if necessary, replace the damaged public improvement. The Village shall provide written notice of such damage and a timeline for repair. If the repairs are not made in the timeframe described the Village shall cause the repairs to be made and the costs the cost thereof to be charged to the owner of the property if the damage was done by them on or their behalf, who will be billed for such services within thirty (30) calendar days. The owner of the property shall pay all charges so billed within thirty (30) calendar days of the date of invoice. Failure to compensate the Village within thirty (30) calendar days of the date of invoice will result in a penalty of twelve (12) percent per annum being added to the cost of the services billed. Failure to pay the Village for the services billed will result in the costs being assessed against the property as a special tax, If damage is caused by someone other than the property owner or those acting on their behalf the unpaid cost of repairs shall be assess under the order of the Village municipal court.

§ 342-14. Heavy Equipment Operation Upon Sidewalks and Curb

A. Heavy equipment including; trucks, farm equipment and implements, endloaders, etc. shall not be operated upon or used for snow removal on Village sidewalks. Heavy equipment trucks, farm equipment and implements, endloaders, etc. shall not traverse curb and gutter or sidewalk except at property entrances designated for such use. If it is necessary to cross sidewalk or curb at a location other than a designated entrance the operator must provide a curb cut, mounding of aggregate, plating or other means of crossing the curb and sidewalk as approved by the public works director. Any person found in violation of this part shall be subject to a a forfeiture of not less than \$20 nor more than \$300 together with the cost of prosecution. In addition to such monetary penalty, any person who violates this section shall be required to repair the damage he or she caused or, if necessary, replace the damaged public improvement as described in section 342-13.

§ 342-15. Restoration of Damaged Public Terrace

Any person causing damage to a public terrace or greenway within the Village limits, including, but not limited to, damage resulting from the loading or unloading, snow removal, and/or moving of construction equipment or machinery on public property shall restore such damage no

10. **Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).**

later than 30 days from the time of disturbance during the period of April 1st to November 1st. Damage occurring as a result of snow removal or other winter operations shall be repaired 30 days from April 1st of each year unless the damage poses a public hazard in which case it temporary measures shall be employed to repair the damage. If the damage is not repaired in a timely fashion the Village shall provide written notice of such damage and a timeline for repair. If the repairs are not made in the timeframe described the Village shall cause the repairs to be made and the costs the cost thereof to be charged to the owner of the property if the damage was done by them on or their behalf, who will be billed for such services within thirty (30) calendar days. The owner of the property shall pay all charges so billed within thirty (30) calendar days of the date of invoice. Failure to compensate the Village within thirty (30) calendar days of the date of invoice will result in a penalty of twelve (12) percent per annum being added to the cost of the services billed. Failure to pay the Village for the services billed will result in the costs being assessed against the property as a special tax, If damage is caused by someone other than the property owner or those acting on their behalf the unpaid cost of repairs shall be assessed under the order of the Village municipal court.