

Ordinance #O-12-23

**An Ordinance AMENDING CHAPTER 36, "STREETS AND SIDEWALKS", OF THE CODE OF ORDINANCES OF THE CITY OF GALENA.**

Adopted by the City Council of the City of Galena this 12<sup>th</sup> Day of November 2012.

Published in pamphlet form by authority of the City Council of the City of Galena, Jo Daviess County, Illinois, this 12<sup>th</sup> Day of November 2012.

STATE OF ILLINOIS            )  
  )        City of Galena  
COUNTY OF JO DAVIESS    )

CERTIFICATE

I, Mary Beth Hyde, certify that I am the duly elected municipal clerk of the City of Galena, Jo Daviess County, Illinois.

I further certify that on the 12<sup>th</sup> Day of November 2012, the Corporate Authorities of said municipality passed and approved Ordinance No. O-12-23 entitled **AN ORDINANCE AMENDING CHAPTER 36, "STREETS AND SIDEWALKS", OF THE CODE OF ORDINANCES OF THE CITY OF GALENA** which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. O-12-23 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing the 12<sup>th</sup> Day of November 2012 and commencing for at least ten (10) days thereafter.

Dated at Galena, Illinois, this 13<sup>th</sup> Day of November 2012.

  
\_\_\_\_\_  
Mary Beth Hyde  
City Clerk

(Seal)

**AN ORDINANCE AMENDING CHAPTER 36, “STREETS AND SIDEWALKS,” OF  
THE  
CODE OF ORDINANCES OF THE CITY OF GALENA**

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**WHEREAS**, the City Council of the City of Galena recognizes the preservation of all aspects of Galena’s local history as important to the local economy, culture and quality of life, and

**WHEREAS**, local streets constructed of bricks and cobblestones are valuable historic assets, and

**WHEREAS**, only one brick surfaced street and one cobblestone surfaced street remain in Galena today, and

**WHEREAS**, there are an unknown number of brick and possibly cobblestone streets in Galena that are surfaced with other materials, and

**WHEREAS**, the City Council seeks to protect by ordinance the brick and cobblestone streets, whether the bricks and cobblestones are on the surface or covered with other surfacing materials.

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Galena, Jo Daviess County, Illinois, as follows:

**SECTION I:** The following section shall be added as Chapter § 97.45 “Brick and Cobblestone Streets”.

**§ 97.45 Brick and Cobblestone Streets**

- (A) Brick and cobblestone streets, such as Johnson Street (intersecting with Park Avenue) and Perry Street (between Main Street and Bench Street), are protected as important parts of the city’s history. Any portion of any brick or cobblestone street surface disturbed by any public or private agency for any reason must be replaced in a manner consistent with original construction. Any bricks or cobblestones removed from any street, whether through repair, reconstruction or removal, are the property of the City of Galena and must be returned to the street department.
  
- (B) In circumstances where a brick or cobblestone street has previously been paved over with other material, the street shall be returned to its brick or cobblestone surface when resurfacing is required and the brick or cobblestone surface is deemed safe, practical, and economically feasible.

- (C) *Repair.* Any utility cuts or other disturbances to brick or cobblestone street surfaces must be repaired in a manner consistent with original construction as outlined in Chapter 97.44.
- (D) *Removal or resurfacing.* Occasionally circumstances may lead to a request for removal or resurfacing with another material of a section of a brick or cobblestone street. In making a determination concerning removal or resurfacing of a brick or cobblestone street, the Historic Preservation Commission must consider one or more of the following factors, plus any other information presented at the time of the request:
  - (1) Adjacent to historic or potentially historic buildings
  - (2) Majority of the brick surface intact
  - (3) Importance to neighborhood history
  - (4) Importance to downtown redevelopment efforts
  - (5) Structural condition/indications for long-term stability
- (E) *Review.* Review of requests for removal or resurfacing should be conducted prior to project bid, and must be completed before removal or resurfacing can begin. Any contractor or department wishing to remove or alter a brick or cobblestone street surface must submit complete plans to the Historic Preservation Commission, and review of such plans will be placed on the next available agenda of the commission. The Historic Preservation Commission shall forward its recommendation to the City Council who shall make the final decision.

**SECTION II:** The current Chapter § 97.45 “City’s Right to Restore” shall be renumbered as § 97.46. Each subsequent section in Chapter 97 shall be renumbered accordingly.

**SECTION III:** All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed.

Council. **SECTION IV:** Passed on this 12<sup>th</sup> day of November, A.D., 2012, in open

**AYES:**

**Lincoln, Murphy, Painter,  
Cording, Fach**

**NAYS:**

**Greene**

**ATTEST:**

  
\_\_\_\_\_  
**TERRY/RENNER, MAYOR**

  
\_\_\_\_\_  
**MARY BETH HYDE, CITY CLERK**