

TITLE 16

STREETS AND SIDEWALKS, ETC¹

CHAPTER

1. MISCELLANEOUS.
2. EXCAVATIONS.

CHAPTER 1

MISCELLANEOUS

SECTION

- 16-101. Obstructing streets, alleys, or sidewalks prohibited.
- 16-102. Trees projecting over streets, etc., regulated.
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- 16-104. Gates or doors opening over streets, alleys, or sidewalks prohibited.
- 16-105. Littering streets, alleys, or sidewalks prohibited.
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- 16-107. Abutting occupants to keep sidewalks clean, etc.
- 16-108. Parades, etc., regulated.
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- 16-110. Animals and vehicles on sidewalks.
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16-101. Obstructing streets, alleys, or sidewalks prohibited. No person shall use or occupy any portion of any public street, alley, sidewalk, or right of way for the purpose of storing, selling, or exhibiting any goods, wares, merchandise, or materials. (1999 Code, § 16-101)

16-102. Trees projecting over streets, etc., regulated. It shall be unlawful for any property owner or occupant to allow any limbs of trees on his property to project over any street or alley at a height of less than fourteen feet (14') or over any sidewalk at a height of less than eight feet (8'). (1999 Code, § 16-102)

¹Municipal code reference

Related motor vehicle and traffic regulations: title 15.

16-103. Trees, etc., obstructing view at intersections prohibited.

It shall be unlawful for any property owner or occupant to have or maintain on his property any tree, shrub, sign, or other obstruction which prevents persons driving vehicles on public streets or alleys from obtaining a clear view of traffic when approaching an intersection. (1999 Code, § 16-103)

16-104. Gates or doors opening over streets, alleys, or sidewalks prohibited. It shall be unlawful for any person owning or occupying property to allow any gate or door to swing open upon or over any street, alley, or sidewalk except when required by law. (1999 Code, § 16-104)

16-105. Littering streets, alleys, or sidewalks prohibited. It shall be unlawful for any person to litter, place, throw, track, or allow to fall on any street, alley, or sidewalk any refuse, glass, tacks, mud, or other objects or materials which are unsightly or which obstruct or tend to limit or interfere with the use of such public ways and places for their intended purposes. (1999 Code, § 16-105)

16-106. Obstruction of drainage ditches. It shall be unlawful for any person to permit or cause the obstruction of any drainage ditch in any public right-of-way. (1999 Code, § 16-106)

16-107. Abutting occupants to keep sidewalks clean, etc. The occupants of property abutting on a sidewalk are required to keep the sidewalk clean. Also, immediately after a snow or sleet, such occupants are required to remove all accumulated snow and ice from the abutting sidewalk. (1999 Code, § 16-107)

16-108. Parades, etc., regulated. It shall be unlawful for any person, club, organization, or other group to hold any meeting, parade, demonstration, or exhibition on the public streets without some responsible representative first securing a permit from the city recorder. (1999 Code, § 16-108)

16-109. Operation of trains at crossings regulated. No person shall operate any railroad train across any street or alley without giving a warning of its approach as required by state law. It shall also be unlawful to stop a railroad train so as to block or obstruct any street or alley for a period of more than five (5) consecutive minutes. (1999 Code, § 16-109)

16-110. Animals and vehicles on sidewalks. It shall be unlawful for any person to ride, lead, or tie any animal, or ride, push, pull, or place any vehicle across or upon any sidewalk in such manner as unreasonably interferes with or inconveniences pedestrians using the sidewalk. It shall also be unlawful

for any person knowingly to allow any minor under his control to violate this section. (1999 Code, § 16-110)

16-111. Fires in streets, etc. It shall be unlawful for any person to set or contribute to any fire in any public street, alley, or sidewalk. (1999 Code, § 16-111)

16-112. Basketball goals alongside or within public right-of-ways.

(1) No portable or fixed basketball goal shall be placed, erected or maintained on or alongside the right-of-way of any public street within the municipal limits of the City of Clifton so as to allow a person or persons to play within the street. The placement of any basketball goal within a public right-of-way or the presence of persons within a public street playing basketball on such a goal shall be a violation of this section.

(2) Any violation of this section shall be punishable by a fine of fifty dollars (\$50.00). (1999 Code, § 16-113)

16-113. Violations and penalty. Violations of this chapter shall be punishable by a penalty under the general penalty provision of this code. Each day a violation is allowed to continue shall constitute a separate offense.

CHAPTER 2

EXCAVATIONS

SECTION

- 16-201. Street obstructions.
- 16-202. Permit required.
- 16-203. Bond required.
- 16-204. Liability and responsibility for repair.
- 16-205. Protection, guards and warnings.
- 16-206. No dumping.
- 16-207. Removal of obstructions.
- 16-208. Right of appeal.
- 16-209. Violations and penalty.

16-201. Street obstructions. No fence, barricade, temporary driveway or other obstruction may be placed on a street, sidewalk or gutter except as may be permitted by the building code of the City of Clifton and authorized by the city manager or his representative. (1999 Code, § 16-201)

16-202. Permit required. The city manager may issue permits for the temporary obstruction of streets or sidewalks in connection with the construction of buildings or other permanent installations on property adjacent to streets or sidewalks. Such permits shall be in writing and shall state the time and place where such obstructions are to be placed and when they are to be removed. The temporary blocking of sidewalks by the unloading of fuels, building materials, household furnishings, or mercantile supplies shall require no permit provided that they do not constitute an undue hazard to traffic and that they are removed within a reasonable time. (1999 Code, § 16-202)

16-203. Bond required. When permits are requested to disturb, dig up or in any wise obstruct any street or public place in the city, it shall be the duty of the city manager to require from such applicant, before granting a permit, a bond with good end sufficient sureties, conditioned to secure the city against all loss, damage or injury of any kind which may result to the city by reason of such disturbance digging up or obstruction of the street; provided that persons engaged in the business of contracting shall be allowed to give an annual bond instead of a bond for each obstruction such annual bond in every instance, however, to be renewed at least once every twelve (12) months; and it shall be a misdemeanor for any person not having given an annual bond to so disturb the streets without the permission and the bond herein required. (1999 Code, § 16-203)

16-204. Liability and responsibility for repair. Where digging is done in the streets for the purpose of making sewer, gas, water or wire connections, or for any other purpose, at the instance of and for the benefit of the abutting owners said abutting property owner shall be liable and responsible, and the person doing said work shall be liable and responsible for the proper and sufficient repair of said street and the city manager is hereby authorized and required to make such necessary and proper repairs at the cost and expense of the person doing such work, or having such work done or for whose benefit such work is done, or at the cost and expense of each of such persons or all of such persons, jointly and severally.

Where such work is by any person for his own use and benefit, in the execution of his business, said person doing such work shall be liable and responsible for the proper repair of the same and the city manager is hereby authorized and required to make such repairs at the cost and expense of the person doing such work or having such work done. (1999 Code, § 16-204)

16-205. Protection, guards and warnings. It shall be unlawful for any person to take out a pole or put in a pole, or take out or put in a grating or light area in any sidewalk, or take out or remove a tree in any sidewalk within the corporate limits of the city without protecting, guarding or warning the public against any hole in the sidewalk, and after said pole is put in or taken out, or said grating or area cover is put in or taken out, or said tree is put in or taken out, all such excavations or holes shall be guarded with red lights at night, or, if reasonably necessary, with a guard or barrier by day or night to protect the traveling public along said sidewalks from personal injuries.

Any person leaving a hole or excavation in the sidewalk unguarded by barrier, guard or light, or other reasonable protection against the dangers thereof, whether caused by the taking out or putting in of a light area or grating, or from any other cause which leaves the sidewalk in an unsafe condition for travel and dangerous to pedestrians passing to and from thereon, shall be guilty of a misdemeanor. (1999 Code, § 16-205)

16-206. No dumping. It shall be unlawful for any person to accumulate on any street, or sidewalk refuse, trash, or any other materials which may constitute a traffic hazard, a menace to public health or a public nuisance. (1999 Code, § 16-206)

16-207. Removal of obstructions. The city manager may order the removal of any building, fence, barricade or other obstruction which had been placed on the streets, sidewalks or other city property prior to the passage of this section. Such orders shall be in writing and shall allow not less than ten (10) days to correct the offending condition. (1999 Code, § 16-207)

16-208. Right of appeal. Any person receiving an order under § 16-207 shall have the right to appeal his case to the city commission. Such appeal must be made in writing to the mayor within ten (10) days after the receipt of such order from the city manager. The city commission shall conduct an open hearing on the appeal and a majority vote of the commission shall make final disposition of the case. (1999 Code, § 16-208)

16-209. Violations and penalty. Any person or persons found to be in violation of the foregoing provisions shall be deemed guilty of a misdemeanor and subject to a fine not to exceed the amount of fifty dollars (\$50.00). (1999 Code, § 16-209)