

TITLE 16

STREETS AND SIDEWALKS, ETC¹

CHAPTER

1. EXCAVATIONS AND CUTS.
2. MISCELLANEOUS.

CHAPTER 1

EXCAVATIONS AND CUTS²

SECTION

- 16-101. Manner of excavating--barricades and lights--temporary sidewalks.
- 16-102. Restoration of streets, etc.
- 16-103. Insurance.
- 16-104. Time limits.
- 16-105. Supervision.

16-101. Manner of excavating--barricades and lights--temporary sidewalks. Any person, firm, corporation, association, or others making any excavation or tunnel shall do so according to the terms and conditions of the application and permit authorizing the work to be done. Sufficient and proper barricades and lights shall be maintained to protect persons and property from injury by or because of the excavation being made. If any sidewalk is blocked by any such work, a temporary sidewalk shall be constructed and provided which shall be safe for travel and convenient for users. (2004 Code, § 16-101)

16-102. Restoration of streets, etc. Any person, firm, corporation, association, or others making any excavation or tunnel in or under any street, alley, or public place in this town shall restore said street, alley, or public place to its original condition except for the surfacing, which shall be done by the town, but shall be paid for by such person, firm, corporation, association, or others promptly upon the completion of the work for which the excavation or

¹Municipal code reference

Related motor vehicle and traffic regulations: title 15.

²State law reference

This chapter was patterned substantially after the ordinance upheld by the Tennessee Supreme Court in the case of *City of Paris, Tennessee v. Paris-Henry County Public Utility District*, 207 Tenn. 388, 340 S.W.2d 885 (1960).

tunnel was made. In case of unreasonable delay in restoring the street, alley, or public place, the recorder shall give notice to the person, firm, corporation, association, or others that unless the excavation or tunnel is refilled properly within a specified reasonable period of time, the town will do the work and charge the expense of doing the same to such person, firm, corporation, association, or others. If within the specified time the conditions of the above notice have not been complied with, the work shall be done by the town, an accurate account of the expense involved shall be kept, and the total cost shall be charged to the person, firm, corporation, association, or others who made the excavation or tunnel. (2004 Code, § 16-102)

16-103. Insurance. In addition to making the deposit or giving the bond hereinbefore required to insure that proper restoration is made, each person applying for an excavation permit shall file a certificate of insurance indicating that he is insured against claims for damages for personal injury as well as against claims for property damage which may arise from or out of the performance of the work, whether such performance be by himself, his subcontractor, or anyone directly or indirectly employed by him. Such insurance shall name the Town of Trezevant as an additional insured and shall cover collapse, explosive hazards, and underground work by equipment on the street, and shall include protection against liability arising from completed operations. The amount of the insurance shall be prescribed by the recorder in accordance with the nature of the risk involved; provided, however, that the liability insurance for bodily injury shall not be less than one hundred thousand dollars (\$100,000.00) for each person and three hundred thousand dollars (\$300,000.00) for each accident, and for property damages not less than fifty thousand dollars (\$50,000.00) for any one (1) accident, and a one hundred thousand dollars (\$100,000.00) aggregate. (2004 Code, § 16-103)

16-104. Time limits. Each application for a permit shall state the length of time it is estimated will elapse from the commencement of the work until the restoration of the surface of the ground or pavement, or until the refill is made ready for the pavement to be put on by the town if the town restores such surface pavement. It shall be unlawful to fail to comply with this time limitation unless permission for an extension of time is granted by the recorder. (2004 Code, § 16-104)

16-105. Supervision. The street superintendent shall from time to time inspect all excavations and tunnels being made in or under any public street, alley, or other public place in the town and see to the enforcement of the provisions of this chapter. Notice shall be given to him at least ten (10) hours before the work of refilling any such excavation or tunnel commences. (2004 Code, § 16-105)

CHAPTER 2

MISCELLANEOUS

SECTION

- 16-201. Obstructing streets, alleys, or sidewalks prohibited.
- 16-202. Trees projecting over streets, etc., regulated.
- 16-203. Trees, etc., obstructing view at intersections prohibited.
- 16-204. Projecting signs and awnings, etc., restricted.
- 16-205. Banners and signs across streets and alleys restricted.
- 16-206. Gates or doors opening over streets, alleys, or sidewalks prohibited.
- 16-207. Obstruction of drainage ditches.
- 16-208. Abutting occupants to keep sidewalks clean, etc.
- 16-209. Parades regulated.
- 16-210. Animals and vehicles on sidewalks.

16-201. 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. (2004 Code, § 16-201)

16-202. 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 out over any street, alley at a height of less than fourteen feet (14') or over any sidewalk at a height of less than fourteen feet (14'). (2004 Code, § 16-202)

16-203. 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, hedge, billboard, or other obstruction which prevents persons driving vehicles on public streets or alleys from obtaining a clear view of traffic when approaching an intersection. (2004 Code, § 16-203)

16-204. Projecting signs and awnings, etc., restricted. Signs, awnings, or other structures which project over any street or other public way shall be erected subject to the requirements of the building code.¹ (2004 Code, § 16-204)

16-205. Banners and signs across streets and alleys restricted. It shall be unlawful for any person to place or have placed any banner or sign

¹Municipal code reference
Building code: title 12, chapter 1.

across any public street or alley except when expressly authorized by the governing body. (2004 Code, § 16-205)

16-206. 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. (2004 Code, § 16-206)

16-207. 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. (2004 Code, § 16-208)

16-208. 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. (2004 Code, § 16-209)

16-209. Parades regulated. It shall be unlawful for any club, organization, or similar group to hold any meeting, parade, demonstration, or exhibition on the public streets without some responsible representative first securing a permit from the recorder. No permit shall be issued by the recorder unless such activity will not unreasonably interfere with traffic and unless such representative shall agree to see to the immediate cleaning up of all litter which shall be left on the streets as a result of the activity. Furthermore, it shall be unlawful for any person obtaining such a permit to fail to carry out his agreement to clean up the resulting litter immediately. (2004 Code, § 16-210)

16-210. 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 to unreasonably interfere with or inconvenience pedestrians using the sidewalk. It shall also be unlawful for any person knowingly to allow any minor under his control to violate this section. (2004 Code, § 16-212)