

## TITLE 16

### STREETS AND SIDEWALKS, ETC<sup>1</sup>

#### CHAPTER

1. MISCELLANEOUS.
2. EXCAVATIONS AND CUTS.
3. SIDEWALKS.

#### CHAPTER 1

#### MISCELLANEOUS

#### SECTION

- 16-101. Obstructing streets, alleys, or sidewalks prohibited.
- 16-102. Trees projecting over streets, etc., regulated.
- 16-103. Trees, etc., obstructing view at intersections prohibited.
- 16-104. Projecting signs and awnings, etc., restricted.
- 16-105. Banners and signs across streets and alleys restricted.
- 16-106. Gates or doors opening over streets, alleys, or sidewalks prohibited.
- 16-107. Littering streets, alleys, or sidewalks prohibited.
- 16-108. Obstruction of drainage ditches.
- 16-109. Abutting occupants to keep sidewalks clean, etc.
- 16-110. Parades regulated.
- 16-111. Animals and vehicles on sidewalks.

**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. (1963 Code, § 12-301)

**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 out over any street, alley or sidewalk at a height of less than fourteen (14) feet. Furthermore, no person shall plant or maintain any tree within the right of way of any street. (1963 Code, § 12-302)

**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, hedge, billboard, or other obstruction which prevents

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<sup>1</sup>Municipal code reference

Related motor vehicle and traffic regulations: title 15.

persons driving vehicles on public streets or alleys from obtaining a clear view of traffic when approaching an intersection. (1963 Code, § 12-303)

**16-104. 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.<sup>1</sup> (1963 Code, § 12-304)

**16-105. Banners and signs across streets and alleys restricted.** It shall be unlawful for any person to place or have placed any banner or sign across any public street or alley except when expressly authorized by the governing body. (1963 Code, § 12-305)

**16-106. 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. (1963 Code, § 12-306)

**16-107. 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, 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. (1963 Code, § 12-307)

**16-108. 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. (1963 Code, § 12-308)

**16-109. 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. (1963 Code, § 12-309)

**16-110. 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 city clerk. No permit shall be issued by the city clerk unless such activity will not unreasonably interfere with traffic and unless such

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<sup>1</sup>Municipal code reference  
Building code: title 12, chapter 1.

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 immediately clean up the resulting litter. (1963 Code, § 12-310)

**16-111. 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 to knowingly allow any minor under his control to violate this section. (1963 Code, § 12-312)

## CHAPTER 2

### EXCAVATIONS AND CUTS<sup>1</sup>

#### SECTION

- 16-201. Permit required.
- 16-202. Applications.
- 16-203. Fee.
- 16-204. Manner of excavating--barricades and lights--temporary sidewalks.
- 16-205. Restoration of streets, etc.
- 16-206. Insurance.
- 16-207. Time limits.
- 16-208. Supervision.
- 16-209. Driveway curb cuts.

**16-201. Permit required.** It shall be unlawful for any person, firm, corporation, association, or others, to make any excavation in any street, alley, or public place, or to tunnel under any street, alley, or public place without having first obtained a permit as herein required, and without complying with the provisions of this chapter; and it shall also be unlawful to violate, or vary from, the terms of any such permit; provided, however, any person maintaining pipes, lines, or other underground facilities in or under the surface of any street may proceed with an opening without a permit when emergency circumstances demand the work to be done immediately and a permit cannot reasonably and practicably be obtained beforehand. The person shall thereafter apply for a permit on the first regular business day on which the office of the city clerk is open for business, and said permit shall be retroactive to the date when the work was begun. (1963 Code, § 12-101)

**16-202. Applications.** Applications for such permits shall be made to the city clerk, or such person as he may designate to receive such applications, on forms prescribed by the city and shall state thereon the location of the intended excavation or tunnel, the size thereof, the purpose thereof, the person, firm, corporation, association, or others doing the actual excavating, the name of the person, firm, corporation, association, or others for whom the work is being done, and such other information as may reasonably be deemed necessary by the city clerk. All applications shall be made in quintuplicate with one copy

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<sup>1</sup>State 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).

being retained by the applicant, one going to the telephone company, one to the gas company, one to the director of public works and one to the city clerk. Each application shall be rejected or approved by the city clerk within twenty-four (24) hours of its filing. (1963 Code, § 12-102)

**16-203. Fees.** Charges for a permit to excavate city streets, alleys or public ways is hereby authorized and shall be in accordance with fees the municipality may from time to time adopt by resolution.

If, in the opinion of the director of public works or his representative, the costs to the city of repairing and/or resurfacing the excavation will exceed the fee established by resolution, it may be increased as reasonably necessary.

In the event the cost of repairs and/or resurfacing exceeds the fee paid for the permit the applicant shall pay such additional sum as necessary to compensate the city for its expense. (1963 Code, § 12-103)

**16-204. 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. (1963 Code, § 12-104)

**16-205. 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 municipality shall restore said street, alley, or public place to its original condition except for the surfacing, which shall be done by the municipality at the applicant's expense. In case of unreasonable delay in restoring the street, alley, or public place, the city clerk 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 municipality 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 municipality, 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. (1963 Code, § 12-105)

**16-206. Insurance.** 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 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 city clerk in accordance with the nature of the risk involved; provided, however, that the liability insurance for bodily injury shall not be less than \$100,000 for each person and \$300,000 for each accident, and for property damages not less than \$25,000 for any one (1) accident, and a \$75,000 aggregate. (1963 Code, § 12-106)

**16-207. 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 municipality. It shall be unlawful to fail to comply with this time limitation unless permission for an extension of time is granted by the city clerk. (1963 Code, § 12-107)

**16-208. Supervision.** The director of public works 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 municipality 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. (1963 Code, § 12-108)

**16-209. Driveway curb cuts.** No one shall cut, build, or maintain a driveway across a curb or sidewalk without first obtaining a permit from the director of public works. Such a permit will not be issued when the contemplated driveway is to be so located or constructed as to create an unreasonable hazard to pedestrian and/or vehicular traffic. No driveway shall exceed thirty-five (35) feet in width at its outer or street edge and when two (2) or more adjoining driveways are provided for the same property a safety island of not less than ten (10) feet in width at its outer or street edge shall be provided. Driveway aprons shall not extend out into the street.

Upon denial of a permit by the director of public works, an applicant may file an appeal with the city council for a variance from the standards set forth above if such variance will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions of this section would result in unnecessary hardship. A variance from the terms of this section shall not be granted by the city council unless and until a written application for a variance is submitted demonstrating:

- (1) That the space available for off-street parking on this lot is non-conforming;
- (2) That the property was constructed prior to April 1, 1963;
- (3) That this variance is being requested for only one driveway to serve this lot and not more than one variance for driveway be granted for any lot;

(4) That the variance being sought is for a driveway that would not exceed fifty (50) feet in width at its outer or street edge.

Any variance to the standards set out above must be approved by an affirmative vote of four members of the city council. (1963 Code, § 12-109)

## CHAPTER 3

### SIDEWALKS

#### SECTION

- 16-301. When abutting property owners are required to lay sidewalks.
- 16-302. Sidewalks to be laid according to prescribed specifications, etc.
- 16-303. Permit required for laying sidewalks; specifications.
- 16-304. Inspection and acceptance of sidewalks.
- 16-305. Abutting owners required to build, repair, and keep clean and open; failure; notice.
- 16-306. When city to build, repair, etc., at expense of abutting owner.
- 16-307. Special improvement tax for sidewalks.
- 16-308. Payment of tax in installments.
- 16-309. Abutting owners to keep sidewalks clean and unobstructed.
- 16-310. Sidewalks not to be rented, etc., for merchandising.
- 16-311. Permit for sidewalk work.
- 16-312. Rights of way for sidewalks to be kept unobstructed.
- 16-313. Littering sidewalks.
- 16-314. Animals and vehicles on sidewalks.
- 16-315. Permanent obstructions on sidewalks.
- 16-316. Barrels, boxes, etc. on sidewalks, etc.
- 16-317. Spitting on sidewalks, etc.
- 16-318. Drainage of water, etc., prohibited on sidewalks.
- 16-319. Slippery or unsafe sidewalks.
- 16-320. Trees and shrubbery over or near sidewalks.
- 16-321. Gates or doors not to open over sidewalks generally.
- 16-322. Metal drains across sidewalks.
- 16-323. Location of meter boxes, cut-off valves, etc.
- 16-324. Poles on sidewalks.
- 16-325. Goods not to be stored or displayed on sidewalks.
- 16-326. Utility poles.
- 16-327. Defacing signs, etc., on poles.
- 16-328. Doors in sidewalks.
- 16-329. Improperly drained sidewalks.
- 16-330. Unguarded openings in sidewalks prohibited.
- 16-331. Signs, etc., over sidewalks.
- 16-332. Obstruction of gutters prohibited.
- 16-333. Letters, numbers, etc., in sidewalks.
- 16-334. Violations.
- 16-335. Enforcement of chapter.

**16-301. When abutting property owners are required to lay sidewalks.** The owners of every lot and parcel of land abutting on any street,



alley, avenue, parkway, boulevard or other public thoroughfare of the City of Union City, Tennessee, for which an established grade has been lawfully fixed, shall be and is hereby required to lay in front of his property a concrete sidewalk in accordance with the specifications hereinafter set out, when ordered to do so by the city council. It shall be mandatory that sidewalks be placed in all business and commercial areas. When, in the opinion of the city council, sidewalks are necessary for the comfort, safety and general welfare of the public, they shall be placed adjoining any street or public thoroughfare as ordered and directed by the city council. (1963 Code, § 12-401)

**16-302. Sidewalks to be laid according to prescribed specifications, etc.** Whenever it becomes necessary to relay sidewalks or when any sidewalks are lawfully ordered to be made, or are laid or repaired on all streets on which concrete curbs have been set or on streets which have been brought to the established grade, such sidewalks shall be laid or repaired with concrete in accordance with lines and grades established by the city manager or his duly authorized representative and in strict accordance with the specifications hereinafter set out. (1963 Code, § 12-402)

**16-303. Permit required for laying sidewalks; specifications.** All sidewalks, however ordered, shall not be laid without a permit from the city manager or his duly authorized representative and under the conditions and pursuant to the directions contained in said permit. The width of all sidewalks built on any and all streets within the City of Union City, Tennessee, shall be determined by the city manager or his duly authorized representative; however, in no case shall the width be less than four (4) feet. Sidewalks constructed under these specifications shall be of concrete four (4) inches thick.

## GENERAL SPECIFICATIONS

(1) Description - concrete. Concrete shall be composed of Portland Cement, fine aggregate, coarse aggregate, and water, so proportioned and mixed as to produce a plastic workable mixture in accordance with all requirements under this section and suitable to the specific conditions of placement.

No admixtures shall be added to the concrete mix except those approved by the city engineer, city manager, or their authorized representative.

The concrete mix to be used under these specifications shall be approved by the city engineer, city manager or their authorized representative.

The mix will be designed to secure concrete having a minimum of 3,000 pounds per square inch compressive strength at the age of 28 days.

(2) Materials. (a) Cement. Cement for all concrete shall conform to the latest standard specifications for "Portland Cement," ASTM Designation C 150 Type 1; or "Air-Entraining Portland Cement," ASTM Designation C 175 Type 1-A.

(b) Fine aggregate. Fine aggregate shall consist of natural sand having clean, hard, strong, durable, uncoated grains. When incorporated in the mixture, the fine aggregate shall be free from frost, frozen lumps, injurious amounts of dust, mica, soft or flaky particles, shale, alkali, organic matter, loam or deleterious substances. It shall be uniformly graded between the one-fourth inch and the 100 mesh sieves, not more than 25 percent of the material shall pass a 50 mesh sieve and not more than 3 percent of dry material by weight shall pass the 100 mesh sieve.

(c) Coarse aggregate. Coarse aggregate shall be uniformly graded crushed stone, washed gravel or other inert materials of similar characteristics having hard, strong, durable pieces, free from adherent coatings. Maximum size of pieces shall be 1-1/2 inch down to a minimum of 1/4 inch.

(d) Water. Water shall be clean, and free from injurious amounts of oils, acids, alkalies, organic materials, or other deleterious substances.

(3) Concrete mix. Concrete shall be furnished by approved ready mixed plants, when available for the project. Ready mixed concrete shall conform to the latest ASTM Specifications C-94, except that cement and aggregate shall be as specified herein. Each cubic yard of concrete shall contain not less than 6.0 bags, 564.0 pounds of cement. The total water content including surface moisture in the aggregate, shall be not more than 6.0 gallons per sack of cement.

The slump shall be between 2 inches and 4 inches when tested in accordance with the latest ASTM Designation C-143, "Method of Test for Consistency of Portland Cement Concrete."

The total aggregate content per cubic yard shall be determined by an independent testing laboratory after samples of the coarse and fine aggregate have been submitted to them for determination of their respective, specific gravities. The laboratory shall also determine the optimum ratio of fine aggregate to coarse aggregate.

(4) Finishing and protection. Concrete shall be struck off with a transverse template resting on the side forms and then floated with a 10-foot longitudinal float working transversely across the sidewalk. Concrete shall be given a wooden float finish just prior to the final set so as to produce a sandy texture. Maximum allowable variations will be 1/4 inch to 10 feet longitudinally and 1/8 inch to 5 feet transversely. The edges of sidewalks shall be rounded with an edging tool having a radius of 1/2 inch.

The surface of sidewalks shall be divided into blocks with an edging tool. Blocks shall be approximately 5 feet in length. Grooves shall be cut to a depth of 1 inch and edged with an edging tool having a radius of 1/4 inch.

Immediately after finishing the concrete, it shall be covered with moist burlap, cotton, jute, plastic, etc., and kept moist for a period of not less than 72

hours. In lieu of moist curing, the concrete may be sprayed with an approved white membrane curing compound.

No pedestrian traffic will be allowed on the finished surface for a period of 24 hours. No vehicle will be allowed on the finished surface until the concrete has obtained sufficient strength to bear the load.

Retempering, that is, remixing with additional water, mortar or concrete that has partially hardened, will not be permitted.

(5) Joints. Expansion joints shall be placed at intervals of approximately 60 feet. Expansion joints shall be 3/4 inch in width. Approved premolded expansion joint material shall be used, trimmed to 1/2 inch below the surface.

Expansion joint material shall be placed at each intersection of sidewalk and street curb and at such other joints as may be designated by the city engineer, city manager or their authorized representative. Sidewalks shall be separated from abutting buildings and/or other structures by a 3/4 inch expansion joint.

(6) Grading. Excavating or grading shall be done to a depth below the top of the surface of an intended pavement, equal to the thickness of the finished walk and in exact conformity to the grade stake set by the city manager or his authorized representative. Any and all filling required to bring the subgrade to the proper level shall be laid in thin layers and shall be thoroughly rammed until it has been made compact and solid. The subgrade shall be damp prior to placing the concrete.

(7) Forms. The forms shall be well staked and set to the established lines and their upper edges shall conform to the grade of the finished walk, which shall have 1/4 of an inch per foot fall from the lot line toward the curb line to provide for drainage. All grass plots shall have a 1 inch fall per foot if less than 2 feet 6 inches wide, and a 1/2 inch per foot fall if over 2 feet 6 inches wide, to provide for proper drainage. (1963 Code, § 12-403)

**16-304. Inspection and acceptance of sidewalks.** The laying of such sidewalks and the material and component parts thereof shall be under the inspection and subject to the acceptance of the city engineer, or city manager, or, his authorized representative and no such sidewalks shall be taken to have been laid in compliance with the ordinances of the City of Union City until the same shall have been inspected and accepted by the city engineer, or city manager, or their authorized representatives. (1963 Code, § 12-404)

**16-305. Abutting owners required to build, repair, and keep clean and open; failure; notice.** It shall be the duty of every owner of property within the limits of the City of Union City abutting on or adjacent to any street or public highway, to build, repair, keep clean and open for public passage all public sidewalks abutting on or adjacent to such property. Whenever it is made to appear to the city engineer, city manager, or his lawfully authorized

representative, that there has been a failure on the part of the owner, or owners, of such property to build, repair, keep clean and open for public passage any such sidewalk abutting on or adjacent to such property, the city engineer, city manager, or his duly authorized agent shall give notice to such owner, or his duly authorized agent, of the failure of such owner to build, repair, keep clean and open for public passage, such sidewalk. Such notice may be given either by personal service on the owner or his duly authorized agent, or by registered letter addressed to the last known place of residence of such owner, or his duly authorized agent, and proof of the mailing of such registered letter by the city engineer, city manager or his duly authorized representative, shall be complete compliance with the provisions of this chapter. In the cases of non-resident or unknown owners, a publication of said notice by one insertion in a daily newspaper published in the City of Union City shall be a complete compliance with the provisions of this chapter as to notice.

Such notice shall in each case specify what is required of the owner with respect to the sidewalk, and the notice shall advise the owner that unless the requirement is carried out within thirty (30) days of the date of service, mailing or publication of the notice, the necessary work, will be done by the City of Union City, at the expense of the owner. (1963 Code, § 12-405)

**16-306. When city to build, repair, etc., at expense of abutting owner.** Upon the failure, refusal or neglect of any person so notified to comply with the terms and orders of such notice, the city engineer, or city manager, is hereby authorized to build, repair, keep clean and open for public passage any sidewalk abutting on or adjacent to the property of the person owning or controlling same, and the cost of such work shall be a lien on said property, to be enforced by suit in any court of competent jurisdiction. (1963 Code, § 12-406)

**16-307. Special improvement tax for sidewalks.** As an additional and cumulative remedy, the city engineer, or city manager may certify to the city clerk, the cost of such work, and it shall be the duty of the city clerk to place the amount so certified on the bill for city taxes assessed against the property abutting on or adjacent to the sidewalk laid, and it shall be the duty of the city clerk to collect, as a special tax, the amount so certified, which is hereby declared to be a special improvement tax on the property abutting on or adjacent to such sidewalks. Said special tax may be collected as other general taxes are collected by the City of Union City. (1963 Code, § 12-407)

**16-308. Payment of tax in installments.** The special tax levied under provisions of this chapter may be paid by the abutting property owners, in four (4) equal installments plus six percent (6%) interest if he elects to do so, by signing a written request and agreement electing to pay in four (4) equal installments, said installments will be payable each year and collected when and as the general taxes of the city are paid. It is further ordained that said

election and agreement will in no wise affect the lien for said special tax. (1963 Code, § 12-408)

**16-309. Abutting owners to keep sidewalks clean and unobstructed.** Every owner, tenant, leasee or occupant of any building or lot, whether vacant or occupied, within the City of Union City, shall keep, or cause to be kept, the sidewalks in front of such property, or adjacent to or abutting thereon, free from mud, weeds, grass, noxious growth, obstructions, encumbrances, trash, debris and foreign substances of every kind. And every owner of any building or lot, whether vacant or occupied, within the City of Union City shall keep the sidewalks in front of such property, or adjacent to or abutting thereon, in good repair and condition.

All sidewalks shall be kept free from ice or snow; provided, however, that tightly adhering ice may be sprinkled with sawdust, ashes or sand, so as to make the use of the sidewalk by pedestrians safe. (1963 Code, § 12-409)

**16-310. Sidewalks not to be rented, etc., for merchandising.** It shall be unlawful for any person to rent, lease or let to another any portion of the sidewalks of the City of Union City for the purpose of selling fruits, vegetables, newspapers, magazines, or any class of merchandise thereon. (1963 Code, § 12-410)

**16-311. Permit for sidewalk work.** It shall be a misdemeanor for any person to lay, construct, build or repair a sidewalk, hire others to work upon, or knowingly permit work to be done on any part of a sidewalk or street from the curb to the property line without first obtaining for such work a permit from the city engineer, or city manager, which permit shall state the place where the work is to be done, the nature of the work, and the material with which such work is to be constructed. The work embraced in this section shall not be held to include the removal of grass, weeds, trash, debris or other obstructions which can be done without damage to the surface of such sidewalk, or which can be done, without endangering the safety of persons lawfully using such sidewalk. (1963 Code, § 12-411)

**16-312. Rights of way for sidewalks to be kept unobstructed.** On streets or avenues having no sidewalks the owners of abutting and adjacent property to such streets are required to keep the space provided for walkway or passageway for pedestrians in front of their properties in safe condition, free from all obstructions, excavations, grass, weeds, trash, debris or other substances or material which may interfere with the free use of such passageway by the public. (1963 Code, § 12-412)

**16-313. Littering sidewalks.** It shall be a misdemeanor for any person to place any straw, dirt, chips, shells, swill, nails, iron, glass, fruit peeling,

melon rinds, paper, shavings, rags, hair or any other substance or thing on any sidewalk in the City of Union City, unless within a lawful container, and it shall be unlawful for the owner, occupant, or lessee of any property abutting or adjacent to such sidewalk to knowingly permit such foreign substance to remain on such sidewalk in front of his property, house, lot or place of business, unless within a lawful container. (1963 Code, § 12-413)

**16-314. Animals and vehicles on sidewalks.** It shall be a misdemeanor for any person in the city to lead, drive, place or permit to remain, any horse, cow, goats, sheep, hog or beast of burden, automobile or other vehicle, other than a perambulator or baby carriage, on any sidewalk or footway otherwise than in crossing a sidewalk on any driveway leading into or out of any premises. (1963 Code, § 12-414)

**16-315. Permanent obstructions on sidewalks.** It shall be a misdemeanor to place, or cause to be placed, any manner of buildings, erections, depositories or other obstructions, with any sort of permanency for private use, benefit or profit upon any part or portion of the public grounds, thoroughfares or passageways of the city, without express permission from the mayor and councilmen. (1963 Code, § 12-415)

**16-316. Barrels, boxes, etc., on sidewalks, etc.** It shall be a misdemeanor to obstruct any street, alley or sidewalk with boxes, barrels or other things interfering with the free passageway of the public, or which may render such street, alley or sidewalk unsafe for public travel. (1963 Code, § 12-416)

**16-317. Spitting on sidewalks, etc.** It shall be a misdemeanor for any person to spit on any sidewalk within the limits of the City of Union City, or upon any crosswalk set apart for pedestrians in crossing streets, or upon the walks in any public square. (1963 Code, § 12-417)

**16-318. Drainage of water, etc., prohibited on sidewalks.** No person, whether owner, lessee, tenant or occupant of any house or building shall permit any water or other liquid to run or drip from or out of his building upon or across any sidewalk, and if such water or other liquid shall be carried on to the street, same shall be confined in pipe, tile or other enclosed passageway, which shall be constructed of suitable strength and material underneath the surface of such sidewalk, and shall at all times be kept in repair and adequate to handle the waters or other liquids flowing into such street. No such water, or liquid or ice therefrom shall be allowed to gather or remain or drip upon the upper surface of such sidewalk or passageway. No stormwater shall be allowed to fall through downpipes from any building upon the sidewalks or street, or across any sidewalk, but shall be conducted by down pipe or gutter under the

sidewalk to the street gutter; provided, however, that it shall be lawful for such stormwaters, when conducted to alleys, to be conducted in the surface of such alleys, provided that all down spouts are to be kept in good repair from ground level to roof. (1963 Code, § 12-418)

**16-319. Slippery or unsafe sidewalks.** It shall be unlawful for any person to permit to remain on or in any sidewalk adjacent to or adjoining his property, dwelling house, store building or other property, any tile or other material which may through use become slippery or unsafe for public travel. It shall be the duty of the city engineer, or city manager, or his duly authorized representative to order existing sidewalks which have become slippery or unsafe to be removed or made safe, and sidewalks according to the specifications hereinbefore set out to be laid. And the notice and remedies of the city for the failure of any such person to obey such lawful order shall be the same as prescribed in the preceding sections of this chapter. (1963 Code, § 12-419)

**16-320. Trees and shrubbery over or near sidewalks.** It shall be a misdemeanor to permit shrubbery, hedges or foliage of any kind to project over sidewalks so as to interfere with the free use of such sidewalks by pedestrians. All trees upon or near sidewalks shall be so trimmed that the lower branches thereof are not less than eight (8) feet above the sidewalk. (1963 Code, § 12-420)

**16-321. Gates or doors not to open over sidewalks generally.** It shall be a misdemeanor to permit any gate or door to open outwardly upon or across a sidewalk or driveway except where required by statute. (1963 Code, § 12-421)

**16-322. Metal drains across sidewalks.** It shall be a misdemeanor to permit any iron or metal drain across a sidewalk unless the top of such drain shall be roughened in an approved manner and be level or flush with the surface of the walk and securely bolted or riveted to the body of said drain. (1963 Code, § 12-422)

**16-323. Location of meter boxes, cut-off valves, etc.** Wherever possible meter boxes, cut-off valves, and like instrumentalities shall be placed in the grass plot between the sidewalk and curb; but where no grass plot exists, such meter boxes, cut-off valves and other like instrumentalities shall be placed adjacent to the curb. (1963 Code, § 12-423)

**16-324. Poles on sidewalks.** It shall be a misdemeanor to set or install in any concrete sidewalk any pole or post without properly concreting around the base of same within thirty (30) days after installation. (1963 Code, § 12-424)

**16-325. Goods not to be stored or displayed on sidewalks.** It shall be a misdemeanor to use any part of any sidewalk between the private property line and curb for the storage of goods, merchandise or other material or for the purpose of displaying goods or articles for sale or barter. (1963 Code, § 12-425)

**16-326. Utility poles.** It shall be a misdemeanor for any telegraph, telephone, gas, electric light, or any other public utility to erect, maintain or allow to remain, in any sidewalk, any pole or post, unless there shall be visibly pinned or securely affixed to such pole or post some device, character, sign or other symbol which shall be legible, and shall not be affixed at greater height than eight (8) feet from the surface of the sidewalk. All persons now maintaining such poles in any sidewalk shall comply with the provisions of this section within thirty (30) days after the final passage of the ordinance comprising this chapter. (1963 Code, § 12-426)

**16-327. Defacing signs, etc., on poles.** It shall be a misdemeanor for any person to efface, deface, or to otherwise make illegible any such device, character, sign or symbol affixed to any pole or post in any sidewalk. (1963 Code, § 12-427)

**16-328. Doors in sidewalks.** Every opening in the paved sidewalk leading into an area or vault beneath the surface of such sidewalk, or into a cellar or basement, shall be fitted with an iron grating or cover, or by prism glass squarely set in iron frames, which shall be flush with the level of the sidewalk. Glass settings shall be not larger than four (4) square inches each, and set in concrete or flagging even with the surface of the sidewalk, said cover, grating or prism covering shall have no lock, hinges or any fastening projecting above the sidewalk, and shall be secured in such manner as to prevent accident to anyone passing over same. Any grating or cover as aforesaid shall not be permitted to become slippery, or unsafe to users of such sidewalk. (1963 Code, § 12-428)

**16-329. Improperly drained sidewalks.** It shall be a misdemeanor to permit any sidewalk to remain which does not properly drain stormwater, or which permits water to lie upon the surface thereof. (1963 Code, § 12-429)

**16-330. Unguarded openings in sidewalks prohibited.** It shall be a misdemeanor to leave open or unguarded any cellar or vault door, or grating on any sidewalk, or to suffer any sidewalk in front of, abutting on or adjacent to any lot, building or premises owned or occupied by any person to become or continue so broken or out of repair as to endanger the safety of pedestrians or others lawfully using the sidewalk; or to permit any unguarded hole or other opening to remain open and uncovered in any sidewalk. (1963 Code, § 12-430)



**16-331. Signs, etc., over sidewalks.** No awning shall be permitted on any street, roadway, place or alley or on any building fronting the street, so as to obstruct the sidewalk, or so as to endanger the safety of persons passing under them. Awnings or marquees shall be not less than nine (9) feet above the surface of the sidewalk. No sign board shall be erected across any sidewalk, the bottom of which is less than nine (9) feet from the surface of the sidewalk, nor shall any sign board be erected so as to in any manner obstruct any sidewalk. (1963 Code, § 12-431)

**16-332. Obstruction of gutters prohibited.** It shall be a misdemeanor to obstruct any gutter adjoining a sidewalk with dirt, gravel, sand or other substance, bridge or thing which will prevent the free and unobstructed flow of water in such gutter. (1963 Code, § 12-432)

**16-333. Letters, numbers, etc., in sidewalks.** It shall be a misdemeanor for any person to erect on, in or about any sidewalk, or to permit on, in or about any sidewalk adjacent to his premises, any character, device, letters or numbers of any material, so constructed as to interfere with the free and safe use of any sidewalk. It shall be a misdemeanor for any person maintaining in any sidewalk any such character, device, letter or number to permit same to become slippery, or otherwise dangerous to those using the sidewalk. (1963 Code, § 12-433)

**16-334. Violations.** The word "person," as used in this chapter, shall be held to include the singular and plural, and a firm, corporation or association. Any person, as thus defined, owning, occupying, leasing or otherwise having control of any sidewalk or property adjacent to, or abutting on, any public sidewalk, upon whom a duty is placed with reference to sidewalks by the laws of the State of Tennessee, or by the provisions of this chapter, who violates any provisions of this chapter, shall be guilty of a misdemeanor. (1963 Code, § 12-434)

**16-335. Enforcement of chapter.** The city manager shall employ an inspector, to be known as the building and/or sidewalk inspector, whose duty it shall be to enforce the provisions of this chapter, under the direction of the city manager. (1963 Code, § 12-435)