

TITLE 16

STREETS AND SIDEWALKS, ETC¹

CHAPTER

1. MISCELLANEOUS.
2. EXCAVATIONS AND CUTS.
3. STREET NAME AND PROPERTY NUMBER SYSTEM.

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, etc., regulated.
- 16-111. Animals and vehicles on sidewalks.
- 16-112. Fires in streets, etc.
- 16-113. Political signs.

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. (1984 Code, § 12-101)

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 out over any street or alley at a height of less than fourteen (14) feet or over any sidewalk at a height of less than eight (8) feet. (1984 Code, § 12-102)

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. (1984 Code, § 12-103)

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.¹ (1984 Code, § 12-104)

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 or above any public street or alley except when expressly authorized by the governing body after a finding that no hazard will be created by such banner or sign. (1984 Code, § 12-105)

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 except when required by law. (1984 Code, § 12-106)

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, 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. (1984 Code, § 12-107)

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. (1984 Code, § 12-108)

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. (1984 Code, § 12-109)

¹Municipal code reference

Building code: title 12, chapter 1.

16-110. Parades, etc., regulated. It shall be unlawful for any person, 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 and treasurer. No permit shall be issued by the recorder and treasurer 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. (1984 Code, § 12-110)

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 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. (1984 Code, § 12-111)

16-112. 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. (1984 Code, § 12-112)

16-113. Political signs. Political signs shall be regulated as follows:

(1) **Political signs defined.** Signs with the intended use of denoting a political campaign headquarters, party affiliation, or advertising of a political figure or cause.

(2) **Size.** The size of a political sign shall be limited to thirty-two (32) square feet per sign face. No political sign may restrict, obstruct, impair, obscure, or interfere with traffic safety. Any sign determined to be in a location that causes an immediate hazard to the public safety may be immediately removed by the city.

(3) **Number.** There is no limit on the number of signs placed on a private parcel.

(4) **Location.** A political sign may be placed, erected or maintained on private property with the permission of the property owner and must comply with all state and federal election laws. Signs may not be placed in the public right-of-way.

(5) **Duration.** No political sign may be erected or maintained more than ninety (90) days prior to the date of any scheduled early voting. All political signs are to be removed within seven (7) days after the election. In the event that the election is a primary run-off, the candidates for the later election may leave their signs in place to be removed seven (7) days after the general or run-off election.

(6) Failure to remove. Upon failure to comply with the specified time requirements as set forth in this section, the City of Munford shall remove the sign and any expense attendant thereto shall be paid by the owner, agent or person having the beneficial use of the building, structure or premises upon which the sign is located. Any sign removed by the city shall become property of the city and may be disposed of in any manner deemed appropriate by the city. (as added by Ord. #2014-04-02, May 2014)

CHAPTER 2

EXCAVATIONS AND CUTS¹

SECTION

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

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 recorder and treasurer is open for business, and said permit shall be retroactive to the date when the work was begun. (1984 Code, § 12-201)

16-202. Applications. Applications for such permits shall be made to the recorder and treasurer, or such person as he may designate to receive such applications, 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 shall contain an agreement that the applicant will comply with all ordinances and laws relating to the work to be done. Such application shall be rejected or

¹State 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).

approved by the recorder within twenty-four (24) hours of its filing. (1984 Code, § 12-202)

16-203. Fee. The fee for such permits shall be twenty dollars (\$20.00). (1984 Code, § 12-203, modified)

16-204. Deposit or bond. No such permit shall be issued unless and until the applicant therefor has deposited with the recorder and treasurer a cash deposit. The deposit shall be in the sum of five hundred dollars (\$500.00) if no pavement is involved or one thousand dollars (\$1,000.00) if the excavation is in a paved area and shall insure the proper restoration of the ground and laying of the pavement, if any. Where the amount of the deposit is clearly inadequate to cover the cost of restoration, the recorder and treasurer may increase the amount of the deposit to an amount considered by him to be adequate to cover the cost. From this deposit shall be deducted the expense to the city of relaying the surface of the ground or pavement, and of making the refill if this is done by the city or at its expense. The balance shall be returned to the applicant without interest after the tunnel or excavation is completely refilled and the surface or pavement is restored.

In lieu of a deposit the applicant may deposit with the recorder and treasurer a surety bond in such form and amount as the recorder shall deem adequate to cover the costs to the city if the applicant fails to make proper restoration. (1984 Code, § 12-204, modified)

16-205. 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. (1984 Code, § 12-205)

16-206. 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 city, but shall be paid for promptly upon completion by such person, firm, corporation, association, or others for which the excavation or 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 city 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 city, 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. (1984 Code, § 12-206)

16-207. 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 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 and treasurer in accordance with the nature of the risk involved; provided, however, that the liability insurance for bodily injury shall not be less than \$250,000 for each person and \$600,000 for each accident, and for property damages not less than \$85,000 for any one (1) accident. (1984 Code, § 12-207, modified)

16-208. 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 city if the city 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. (1984 Code, § 12-208)

16-209. Supervision. The person designated by the mayor 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 city 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. (1984 Code, § 12-209, modified)

CHAPTER 3

STREET NAME AND PROPERTY NUMBER SYSTEM

SECTION

- 16-301. Street name system established.
- 16-302. Streets to be named before acceptance.
- 16-303. Property numbering system established.
- 16-304. Numbers to be posted.
- 16-305. Violations.

16-301. Street name system established. The official system of street names in the City of Munford is shown on the map entitled Munford-Atoka Street Names, a copy of which is made part of this chapter and is on file in the city hall. Names of streets in the City of Munford shall remain as shown on said map unless officially changed by specific ordinance passed subsequent to this date. (1984 Code, § 12-301)

16-302. Streets to be named before acceptance. No new streets shall be accepted by the city nor municipal improvements made thereon until such streets have been named according to guidelines approved by the mayor and board of aldermen. (1984 Code, § 12-302)

16-303. Property numbering system established. All principal buildings within the corporate limits of Munford shall hereafter be identified by reference to a uniform numbering system established by the Tipton County Emergency Communications District. (1984 Code, § 12-303, modified)

16-304. Numbers to be posted. Numerals indicating the official number for each building entrance which is assigned a number shall be posted in such a manner as to be visible from the street on which the property is located. (1984 Code, § 12-305, modified)

16-305. Violations. Violations of this chapter shall constitute a misdemeanor and shall be punishable under the general penalty provision of this municipal code of ordinances. (1984 Code, § 12-306)