

TITLE 16

STREETS AND SIDEWALKS, ETC.¹

CHAPTER

1. MISCELLANEOUS.
2. EXCAVATIONS, CUTS AND WORK WITHIN RIGHT-OF-WAY.

CHAPTER 1

MISCELLANEOUS

SECTION

- 16-101. Obstructing streets, alleys, or sidewalks prohibited.
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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. (2000 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 out over any street or alley at a height of less than fourteen

¹Municipal code reference

Related motor vehicle and traffic regulations: title 15.

feet (14') or over any sidewalk at a height of less than eight feet (8'). (2000 Code, § 16-102)

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. (2000 Code, § 16-103)

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 zoning ordinance.¹ (2000 Code, § 16-104)

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 any public street or alley except when expressly authorized by the board of commissioners after a finding that no hazard will be created by such banner or sign. (2000 Code, § 16-105)

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. (2000 Code, § 16-106)

16-107. 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. (2000 Code, § 16-107)

16-108. 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. (2000 Code, § 16-108)

16-109. Parades, etc., 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

¹Municipal code reference

Zoning ordinance: title 14, chapter 2.

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. (2000 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 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. (2000 Code, § 16-111)

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. (2000 Code, § 16-112)

16-112. Street specifications, etc. The requisites, specifications, and requirements for newly built streets and highways in the city shall meet or exceed the adopted City of Goodlettsville Street Standards and Specifications as adopted by resolution of the City of Goodlettsville Board of Commissioners. (2000 Code, § 16-113, as replaced by Ord. #19-929, Jan. 2019 *Ch4_1-23-20*)

16-113. Improved properties to display street numbers. (1) All improved properties or occupancies which utilize a curbside mailbox shall display their street number prominently on said mailbox in such a manner as to:

- (a) Be legible from the street on which the property is located;
- (b) Be of sufficient size so as to be seen easily from the street the address is on;
- (c) Be visible from both directions; and
- (d) Be set on a background of a contrasting color.

All one- and two-family dwellings shall display numbers a minimum of two inches (2") in height, while all other properties/occupancies shall be a minimum of four inches (4") in height.

(2) All improved properties or occupancies which do not utilize a curbside mailbox shall display their street number prominently on their building, property, sign, or similar location. All criteria concerning legibility, size and visibility contained in (1) above shall apply.

(3) Improved properties with multiple occupancies such as office buildings, shopping centers, and apartment complexes shall display the development's street number or range of numbers prominently on their building, property, sign or similar location. These street numbers shall comply with the criteria for legibility, size, and visibility as contained in (1) above.

(4) Street numbers displayed for purposes of this section shall not be limited by the Goodlettsville Sign Ordinance,¹ provided the non compliance is only that necessary to comply with this section.

(5) Enforcement of the provisions of this section shall be the responsibility of the codes department.

(6) All property owners or occupants notified in writing that they are in violation of this section shall have thirty (30) days to comply. Failure to comply shall result in being cited into city court and subject to a fine not to exceed five hundred dollars (\$500.00).

(7) If any section, clause, provision, or portion of this section is held to be invalid or unconstitutional by any court of competent jurisdiction, such action shall not affect any other section, clause, provision, or portion of this section which is not of itself invalid or unconstitutional. (2000 Code, § 16-114)

16-114. Solicitation from street or sidewalk. (1) (a) No person shall be allowed to stand in or on a street, highway, roadway or sidewalk for the purpose of soliciting a ride.

(b) No person shall stand on a highway, roadway, public street, or sidewalk for the purpose of soliciting employment, business or contributions from the occupant of any vehicle.

(c) No person shall stand on or in proximity to a street, roadway, highway or sidewalk for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street, roadway or highway.

(2) As used herein, the terms "street," "roadway," "highway," and "sidewalk" shall mean "street," "roadway," "highway," and "sidewalk" as defined in Tennessee Code Annotated, § 55-8-101. (2000 Code, § 16-115)

16-115. Permit, fees, and design standards for all small cell structures within the city limits. (1) There is hereby created the permitting requirement of all small wireless facilities constructed and maintained within the City of Goodlettsville.

(2) That a permit fee is hereby established on an annual basis as follows:

(a) An application fee of two hundred dollars (\$200.00), if this is your first application filed with the City of Goodlettsville.

(b) An application fee of one hundred dollars (\$100.00) each for the first five (5) small wireless facilities and fifty dollars (\$50.00) each for additional small wireless facilities in a single application. There can be no more than twenty (20) small wireless facilities per application.

¹Municipal code reference

Sign regulations: title 14, chapter 2.

(c) The maximum annual rate for colocation of a small wireless facility on a municipal or metropolitan government-owned PSS is one hundred dollars (\$100.00);

(d) The same fees that other entities performing construction in ROW are assessed for generally applicable work and traffic permits.

(3) The construction of all small wireless facilities shall meet the following requirements:

(a) All posts are to be of metal material and coated with black powder coated paint.

(b) All Attachments to said post are to match the basic color of said post.

(c) If it is determined that the concept of certain commercial and/or residential developments would benefit from a different color scheme, then city manager shall require the permit applicant to match such color concepts. (as added by Ord #18-927, Jan 2019 *Ch4_1-23-20*)

16-116. Pavement repair policy, specifications and fees. The pavement repair policy for the City of Goodlettsville is included in its entirety as Appendix C. (as added by Ord. #19-947, Dec. 2019 *Ch4_1-23-20*)

CHAPTER 2

EXCAVATIONS, CUTS AND WITH WITHIN RIGHT-OF-WAY

SECTION

- 16-201. Work performed in public ways; permit required before performing work or making excavations; time of performing work.
- 16-202. Applications.
- 16-203. Fees.
- 16-204. Driveway cuts.
- 16-205. Barricades required.
- 16-206. Safety precautions.
- 16-207. Testing for flammable gases and/or liquids in utility manholes.
- 16-208. Safety standards.
- 16-209. Excavation and/or removal of materials.
- 16-210. Unguarded excavations or openings adjacent to sidewalks or rights-of-way.
- 16-211. Refilling excavated areas.
- 16-212. Replacement of curbs, gutters, sidewalks, pavements, etc.
- 16-213. Flow of traffic.
- 16-214. Bond and insurance required.
- 16-215. Penalty for violation.

16-201. Work performed in public ways; permit required before performing work or making excavations; time of performing work.

(1) No person, firm, association, corporation, public or private utility, or others shall perform any work, dig, or cause to be dug any ditch, drain, trench, or other excavation, nor cause any embankment or other obstruction to be constructed in, on, above, or under any street, road, alley, sidewalk, or other public way within the jurisdiction of the City of Goodlettsville without having first applied for and obtained from the public works director or his designee permission so to do.

Any person, firm, corporation, public or private utility, association, or others maintaining pipes, lines, or other underground facilities in or under the surface of any street, road, alley, sidewalk, or other public way 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 department of public works is open for business and such permit shall be retroactive to the date when the work was begun.

(2) Every permittee holding a valid permit to perform excavation or to otherwise cause any obstruction in, on, or under any street, road, alley, sidewalk, or other public way within the jurisdiction of the City of Goodlettsville

shall perform the work permitted only within the hours stipulated on said permit. Work not completed during any stipulated period of hours shall be bridged, backfilled, or otherwise rendered usable for pedestrian and/or vehicular traffic until the next period of hours during which work is permitted. Each violation of the permitted hours of work shall constitute a separate violation.

Except in an emergency affecting the public health and welfare, the director of public works shall not issue a permit for open cut of Conference Drive or other streets as may be designated by resolution of the city commission. Permits for tunneling, boring or other methods that do not involve open excavation of such designated roadways, may be issued by the director of public works. (2000 Code, § 16-201, as amended by Ord. #04-643, April 2004, and replaced by Ord. #17-900, July 2017)

16-202. Applications. Application for such permits shall be made to the public works director, or such person designated by him to receive such applications, and shall state thereon the location of the intended work, excavation, or tunnel, the size thereof, the purpose thereof, the person, firm, corporation, public or private utility, association, or others doing the actual excavating with emergency (after hours) contact information, and the name of the person, firm, corporation, public or private utility, 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 approved by the public works director or his designee in a timely fashion (2000 Code, § 16-202, as replaced by Ord. #17-900, July 2017)

16-203. Fees. For the privilege of excavating or doing work within, on, or across streets, roads, alleys, sidewalks, or other public ways within the jurisdiction of the City of Goodlettsville, a fee of one hundred dollars (\$100.00) will be charged for each application or permit requested in this chapter. Permits shall be only for the specified project identified within the permit application. This fee may be modified from time to time by resolution of the city commission. (Ord. #04-643, April 2004, as replaced by Ord. #17-900, July 2017)

16-204. Driveway cuts. No one shall cut, build, or maintain a driveway which joins a public right-of-way without first obtaining a permit from the public works director or his designee. Such permit will not be issued when the contemplated driveway is to be so located or constructed as to create a drainage problem or an unreasonable hazard to pedestrian and/or vehicular traffic. Driveway aprons shall not extend out into the street. The director shall be allowed to waive issuance of a permit for driveway cuts if it is determined not to be necessary. (2000 Code, § 16-204, as replaced by Ord. #17-900, July 2017)

16-205. Barricades required. Any person, firm, corporation, public or private utility, association, or others doing the excavating, who shall dig or cause to be dug any ditch, drain, or other excavation or cause any embankment or other obstruction to be constructed in, on, under, across, or adjoining any street, alley, road, sidewalk, or other public way or shall perform work in and around any utility manhole in or adjoining any public way within the jurisdiction of the City of Goodlettsville, shall have the same guarded at all times with a substantial barricade, sufficient and suitable to warn persons traveling on or using such street, road, alley, sidewalk, or other public way of the presence of such excavation or utility manhole and against danger therefrom. (2000 Code, § 16-205, as replaced by Ord. #17-900, July 2017)

16-206. Safety precautions. (1) Every person, firm, corporation, public or private utility, association, or others, who shall perform work, dig, or cause to be dug any ditch, drain, trench, or other excavation or cause any embankment or other obstruction to be constructed in, on, under, across, or adjoining any street, road, alley, sidewalk, or other public way or shall perform work in and around any utility manhole in or adjoining any public way, within the jurisdiction of the City of Goodlettsville, shall, in addition to barricades heretofore specified, post or otherwise place warning lights at the ends and sides of each excavation, utility manhole, or other obstruction during the entire night, and if such excavation or other obstruction shall extend more than fifty feet (50') along such street, road, alley, sidewalk, or other public way, then additional warning lights shall be placed each twenty-five feet (25') or fraction thereof. Where excavations or other obstructions shall extend across any street, road, alley, sidewalk, or other public way, warning lights shall be placed at six foot (6') intervals along such excavation or other obstruction. All lights shall be secured in such manner as not to be displaced by winds or storms.

(2) 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. It shall be the responsibility of the permittee to adhere to the most recent adopted edition of the Manual of Uniform Traffic-Control Devices.

(3) The permittee shall carry on the work authorized by the permit in such manner as to cause minimum of interference with traffic. He shall provide adequate warning signs and devices to warn and guide traffic, and shall place the signs and warning devices in a position of maximum effectiveness. Where the public works director or his designee determines that difficult or potentially hazardous conditions exist, competent flagmen shall be provided by the permittee to effect a safe and orderly movement of traffic. Where insufficient traffic lanes exist because of street openings, adequate bridging shall be supplied by the permittee. When traffic congestion occurs in spite of all precautions, the permittee shall be responsible for providing police assistance. On main thoroughfares and in congested districts, sufficient traffic lanes shall be kept open at all times to permit substantial normal traffic flow, except when

emergency conditions require otherwise. Unless this can be accomplished, work shall be done only during the periods as the public works director may designate. In the case of emergency occurring in any important thoroughfares, the permittee shall notify the police and fire department immediately. (2000 Code, § 16-206, as replaced by Ord. #17-900, July 2017)

16-207. Testing for flammable gases and/or liquids in utility manholes. No person engaged in working in and around any utility manhole shall enter said utility manhole until testing by instrument or other acceptable method has been performed to determine whether or not said manhole is free from toxic or flammable gases and/or liquids. When tests indicate the presence of toxic and/or flammable gases and/or liquids, the manhole shall be properly ventilated prior to entering of manhole by any person. Tests are to be repeated at such intervals as are necessary to make certain that toxic or flammable gases and/or liquids do not recur in hazardous quantities. (2000 Code, § 16-207, as replaced by Ord. #17-900, July 2017)

16-208. Safety standards. All work shall be performed in and about any utility manhole in or adjoining any highway, street, alley, sidewalk, or any public way in accordance with OSHA standards and the most recent approved edition of MUTCD - Manual on Uniform Traffic Control Devices. The city manager, chief of police or director of public works or their designees shall have the authority to require work to cease if in their judgment adequate flaggers, signage and other safety measures are not being utilized. (2000 Code, § 16-208, as replaced by Ord. #17-900, July 2017)

16-209. Excavation and/or removal of materials. Any person who shall perform work, dig, quarry, or cause to be dug or quarried any dirt, earth, sand, stone, or paving and/or shall remove said materials from, in, on, or under any street, road, alley, sidewalk, or other public way within the jurisdiction of the City of Goodlettsville, without the specific direction and/or permission of the public works director or his designee, shall be subject to such a violation, with each location of such diggings, quarrying, and/or removal to constitute a separate offense. (2000 Code, § 16-209, as replaced by Ord. #17-900, July 2017)

16-210. Unguarded excavations or openings adjacent to sidewalks or rights-of-way. It is hereby declared to be a nuisance for any person, firm, corporation, public or private utility, association, or others, to perform any work, make any excavation, or to establish any opening adjacent to any sidewalk or public right-of-way within the jurisdiction of the City of Goodlettsville without the erection of barricades or other proper precautions to prevent danger to persons or vehicles passing along said sidewalk or public right-of-way. (2000 Code, § 16-210, as replaced by Ord. #17-900, July 2017)

16-211. Refilling excavated areas. Every person, firm, corporation, public or private utility, association or others, who shall dig or cause to be dug any ditch, drain, trench, or other excavation in, on, under, or across any street, road, alley, sidewalk, or other public way within the jurisdiction of the City of Goodlettsville, shall refill carefully all such ditches, drains, trenches, or other excavations by replacing with compacted crushed stone in paved areas, under sidewalks and roadway shoulders pending replacement of pavements and/or other improvements, and shall fill said ditch, drain, trench, or other excavation with selected earth materials in unpaved or otherwise unimproved areas. (2000 Code, § 16-211, as replaced by Ord. #17-900, July 2017)

16-212. Replacement of curbs, gutters, sidewalks, pavements, etc. Every person, firm, corporation, public or private utility, association or others, excavating in, on, under, or across any street, road, alley, sidewalk, or other public way within the jurisdiction of the City of Goodlettsville shall replace all curbs, gutters, sidewalks, pavements, or other special structures disturbed, displaced, or removed, at the expense of said persons making the excavations and in accordance with the standard requirements and specifications of the public works director. (2000 Code, § 16-212, as replaced by Ord. #17-900, July 2017)

16-213. Flow of traffic. At no time shall any permitted work under this chapter create a negative impact on traffic flow on streets and highways within the city. The city manager, chief of police or director of public works or their designees shall have the authority to require work to cease if in their judgment work being performed is negatively effecting traffic flow on streets and highways within the city. (2000 Code, § 16-213, as replaced by Ord. #17-900, July 2017)

16-214. Bond and insurance required. No permit shall be issued by the public works director or his designee to any person, firm, corporation, public or private utility, association, or others, for the privilege of excavating in, on, or across any street, road, alley, sidewalk, or other public way within the jurisdiction of the City of Goodlettsville, until a bond is posted in the amount of ten thousand dollars (\$10,000.00) to insure faithful performance of all work and payment of fees and shall have further furnished certificates of liability insurance in total amount of one million dollars (\$1,000,000.00) per occurrence. Such liability insurance policies shall contain a rider annexed to such policies containing the following provision:

"This policy shall not be cancelled, terminated, nullified, or changed by the company unless thirty (30) days prior written notice is sent to the insured by registered mail addressed to the public works director of the City of Goodlettsville, Tennessee."

This chapter shall not apply to any excavation in connection with a public improvement or public work where the work is performed by the city. (2000 Code, § 16-214, as replaced by Ord. #17-900, July 2017)

16-215. Penalty for violation. The violation of any provision of this chapter shall be subject to a penalty of up to five hundred dollars (\$500.00) for each violation. (as added by Ord. #17-900, July 2017)