

TITLE 16

STREETS AND SIDEWALKS, ETC¹

CHAPTER

1. MISCELLANEOUS.
2. EXCAVATIONS AND CUTS.
3. UNIFORM PROPERTY NUMBERING SYSTEM.

CHAPTER 1

MISCELLANEOUS

SECTION

- 16-101. Obstructing streets, alleys or sidewalks prohibited.
- 16-102. Trees and shrubbery 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. (1994 Code, § 16-101)

16-102. Trees and shrubbery 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 feet (14'). (1994 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, hedge, billboard, or other obstruction which prevents

¹Municipal 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. (1994 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 building code.¹ (1994 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 governing body. (1994 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. (1994 Code, § 16-106)

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, 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. (1994 Code, § 16-107)

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. (1994 Code, § 16-108)

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. (1994 Code, § 16-109)

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 recorder. No permit shall be issued by the recorder unless such activity will not unreasonably interfere with traffic and unless such

¹Municipal 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. (1994 Code, § 16-110)

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 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. (1994 Code, § 16-112)

CHAPTER 2

EXCAVATIONS AND CUTS

SECTION

- 16-201. Permit requirements.
- 16-202. Application process.
- 16-203. Fee schedule.
- 16-204. Deposit or bond requirements.
- 16-205. Safety restrictions.
- 16-206. Restoration of streets, sidewalks, etc.
- 16-207. Insurance.
- 16-208. Time limits.
- 16-209. Supervision.
- 16-210. Driveway curb cuts.
- 16-211. Violation and penalty.

16-201. Permit requirements. (1) 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, or to make a cut in 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 all applicable state and federal regulations.

(2) It shall also be unlawful to violate, or vary from the terms of any such permit.

(3) Any person maintaining pipes, lines or other underground facilities in and/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 town recorder is open for business and said permit shall be retroactive to the date when the work was done. A written report detailing the circumstances surrounding the emergency work shall be attached. (Ord. #98-05-12, May 1998)

16-202. Application process.¹ (1) Applications for such permits shall be made to the town recorder, or such person as designated by the town recorder to receive such applications, and shall state the following nonexclusive:

- (a) Location of the intended excavation, tunnel and/or cut;
- (b) Size of excavation, cut and/or tunnel with square or lineal footage;

¹The street cut application is on file in the town recorder's office.

- (c) Purpose;
- (d) Person, firm, corporation, association and/or others doing the actual specified work;
- (e) Name of the person, firm, corporation, association or others for whom the work is being done;
- (f) Plans and details to show all excavation, cut, tunnel, etc. by size, location and elevation;
- (g) Description of activities, facilities and processes on the premises including all materials, processes and types of materials which are to be used;
- (h) Hours of work;
- (i) All Tennessee Department of Environment and Conservation and Environmental Protection Agency permits required;
- (j) Any other information as may be deemed by the director of public works to be necessary to evaluate the permit application; and
- (k) Signature of applicant on agreement stating the applicant will comply with all ordinances and laws relating to the work to be done.

(2) The director of public works will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the town recorder, or designate, may issue a street use permit subject to terms and conditions provided herein.

(3) Such application shall be rejected or approved by the director of public works, or designate, within two (2) business days of its filing.

(4) Use of any remedy herein contained shall not preclude utilization of any other remedy available at law, or in equity, nor shall it preclude revocation of permits as provided. (Ord. #98-05-12, May 1998)

16-203. Fee schedule. The fee for such permits shall be:

(1) Twenty-five dollars (\$25.00) for excavations and/or cuts which do not exceed twenty-five (25) square feet in area or tunnels not exceeding twenty-five feet (25') in length; and

(2) In excess of the above, twenty-five cents (\$0.25) for each additional square foot in the case of excavations and/or cuts, or per lineal foot in the case of tunnels. (Ord. #98-05-12, May 1998)

16-204. Deposit or bond requirements. (1) No such permit shall be issued unless and until the applicant has deposited with the town recorder:

(a) A cash deposit in the sum of five hundred dollars (\$500.00) if no pavement and/or sidewalk is involved;

(b) One thousand dollars (\$1,000.00) if the excavation is in a paved and/or sidewalk area;

(c) Where the amount of the deposit is clearly inadequate, the town recorder, or designate, may increase the amount of the deposit to an

amount considered by him/her to be adequate to cover the said cost of restoration.

(2) From this deposit shall be deducted the expense to the municipality of relaying the surface of the ground, pavement, sidewalk and of making a refill, if necessary within six (6) months of completion of the project. The balance shall be returned to the applicant, without interest, after the tunnel, excavation, cut, and/or sidewalk is completely refilled and the surface is restored, if applicable.

(3) The applicant shall ensure the proper restoration of the ground and laying of the pavement/sidewalk at the applicant's expense.

(4) In lieu of a deposit, the applicant may deposit with the town recorder a surety bond, not less than twenty thousand dollars (\$20,000.00), in such form and amount as the town recorder and/or director of public works shall deem adequate to cover the costs to the municipality if the applicant fails to make proper restoration. The bond will remain in effect for six (6) months from completion of the project to ensure adequate funds if making a refill is necessary. (Ord. #98-05-12, May 1998)

16-205. Safety restrictions. (1) Any person, firm, corporation, association or others making any excavation, cut and/or tunnel shall do so according to the terms and conditions of the application and permit authorizing the work to be done.

(2) Sufficient and proper barricades and lights shall be maintained, at the expense of the person, firm, corporation, association or others making application, to protect persons and property from injury by, or because of, the excavation being made.

(3) In addition to the requirements in subsection (2) of this section, if any street, or part of a street, is blocked to cause a disruption in the normal flow of traffic or create a hazard, the person, firm, corporation, association or others making application shall provide, at their expense, personnel to ensure the safety of motorists traveling in and/or around the work area.

(4) 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. (Ord. #98-05-12, May 1998)

16-206. Restoration of streets, sidewalks, etc. (1) Any person, firm, corporation, association or others making any excavation, tunnel and/or cut in or under any street, alley, sidewalk or public place in this municipality shall restore said street, alley, sidewalk or public place to its original condition within thirty (30) days of completion of project.

(2) If restoration on street, alley, sidewalk, or public place is not finished within thirty (30) days of completion of project, the town recorder shall give notice to the person, firm, corporation, association or others that the town will contract the work and charge the total expense of doing the same to such person, firm, corporation, association or others as named on the application for

payment within twenty (20) days of receipt of invoice from said contractor. (Ord. #98-05-12, May 1998)

16-207. Insurance. (1) In addition to making the deposit of giving the bond herein before required to ensure that proper restoration is made, each person applying for a permit shall file a certification of insurance with the town recorder, or designate, 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.

(2) Such insurance shall cover collapse, explosive hazards, underground work, equipment on the street, and shall include protection against liability arising from completed operations.

(3) The amount of the insurance shall be prescribed by the town recorder, or designate, in accordance with the nature of the risk involved, provided:

(a) 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

(b) That the liability insurance for property damages shall not be less than fifty thousand dollars (\$50,000.00) for any one accident and one hundred thousand dollars (\$100,000.00) aggregate. (Ord. #98-05-12, May 1998)

16-208. Time limits. (1) 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, sidewalk and/or pavement.

(2) Restoration will be made within thirty (30) days of completion of project.

(3) It shall be unlawful to fail to comply with this time limitation unless, unforeseen acts of God preclude completion at which time written submission to the town recorder, or designate, stating circumstances occurring preventing completion and/or restoration within the specified time period is submitted, prior to original completion date, requesting a thirty (30) day extension. Only one (1) extension per project will be considered for approval. (Ord. #98-05-12, May 1998)

16-209. Supervision. (1) The director of public works shall periodically inspect all excavations, tunnels and cuts being made in, or under, any public street, alley, sidewalk or public place in the municipality and ensure the enforcement of the provisions of this chapter.

(2) The person, firm, corporation, association or others making application shall give twenty-four (24) hours prior notice before the work of refilling any such excavation, tunnel, cut and/or sidewalk commences.

(3) Failure to give minimum notice will result in violation of permit regulations and will be subject to fines/penalties as outlined in § 16-211(1). (Ord. #98-05-12, May 1998)

16-210. Driveway curb cuts. (1) No person, firm, corporation, association or others shall cut, build or maintain a driveway across a curb or sidewalk without first obtaining a permit from the town recorder.

(2) Such 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.

(3) No driveway shall exceed thirty-five feet (35') in width at its outer, or street edge.

(4) When two (2) or more adjoining driveways are provided for the same property, a safety island of not less than ten feet (10') in width at its outer, or street edge, shall be provided at the owner's expense.

(5) Driveway aprons shall not extend out into the street.

(6) No streets within subdivisions shall be constructed by the Town of Gordonsville.

(7) No drain tile shall be provided to any person, firm, corporation, association or others by the Town of Gordonsville. (Ord. #98-05-12, May 1998)

16-211. Violation and penalty. (1) Any violation of this chapter shall constitute an offense and shall be punishable by a penalty under the general penalty provision of this chapter; by revocation of permit, or by both penalty and revocation.

(2) Any person violating any of the provisions of this chapter shall be liable to the Town of Gordonsville for any expense, loss or damage incurred by the town as a result of such violation.

(3) Violation of any provisions of this chapter is hereby declared to be unlawful and shall be punishable as prescribed in the general penalty clause of the code of ordinances, Town of Gordonsville and/or as noted in this chapter. Each violation and/or each day any violation occurs shall be deemed a separate offense.

(4) In addition to the penalties provided in the foregoing subsections, whenever a person, firm, corporation, association or others violate any provision of this chapter or fail to comply with any requirement of the Town of Gordonsville under authority of this chapter, the town may petition the appropriate court(s) for injunctive relief. (Ord. #98-05-12, May 1998)

CHAPTER 3

UNIFORM PROPERTY NUMBERING SYSTEM

SECTION

16-301. Adopted.

16-302. Assignment of numbers.

16-303. Administration.

16-301. Adopted. A uniform system of numbering properties and principal buildings, as shown on the map identified by the title "Official Property Numbering Map," which is filed in the office of the town recorder, is hereby adopted for use in the Town of Gordonsville, Tennessee. This map and all explanatory matter thereon, is hereby adopted and made a part of this code. (1994 Code, § 16-301)

16-302. Assignment of numbers. All properties or parcels of land within the corporate limits of Gordonsville, Tennessee, shall hereafter be identified by reference to the uniform numbering system adopted herein.

As shown on the "Property Numbering Map," a separate number shall be assigned for each fifty feet (50') of frontage in the section of town bounded on the north by Interstate 40; on the south by a line paralleling Main Street approximately one thousand seven hundred feet (1,700') to the south (said line being the boundary between the 100 and 200 blocks to the south); and on the east and west by the corporate limits. Numbers shall be assigned for each one hundred feet (100') of frontage elsewhere in the community.

Even numbers shall be assigned on the east side of north-south streets and the north side of east-west streets. Odd numbers shall be assigned on the west side of north-south streets and the south side of east-west streets.

A structure on a corner lot shall be assigned a number on the street it is facing. If it has two (2) entrances which appear to both be "front" entrances, the number on the more significant street shall be assigned.

Each individual business fronting on a public street shall be given a separate number. Doorways leading to several businesses or offices via a hallway or stairs shall be given one (1) number and the individual businesses distinguished by alphabetical letters.

Multi-unit residential developments (mobile home parks, apartments, and duplexes unless they front on two (2) different streets) shall be assigned one (1) number. The individual units shall be distinguished by the letters A, B, C, etc.

Numerals indicating the official numbers for each principal building or each front entrance to such building shall be posted in a manner as to be visible from the street on which the property is located. (1994 Code, § 16-302)

16-303. Administration. The Gordonsville Municipal Planning Commission shall be responsible for maintaining the numbering system. In the performance of this responsibility, these persons shall be guided by the provisions of § 16-302 of this code.

The town recorder shall keep a record of all numbers assigned under this code. (1994 Code, § 16-303)