

## TITLE 16

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

#### CHAPTER

1. MISCELLANEOUS.
2. EXCAVATIONS.
3. OPERATION OF HEAVY OR LARGE VEHICLES PROHIBITED WITHIN RESIDENTIAL NEIGHBORHOODS.

#### 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. Operation of trains at crossings regulated.
- 16-111. Animals and vehicles on sidewalks.
- 16-112. Fires in streets, etc.
- 16-113. Construction and maintenance of grade crossings on railroads.
- 16-114. Construction and maintenance of tressels or other structures over waterways.
- 16-115. Basketball goals alongside or within public rights-of-way.
- 16-116. Authority of town to temporarily barricade streets.

**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. (2004 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

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<sup>1</sup>Municipal code reference

Related motor vehicle and traffic regulations: title 15.

property to project over any street or alley at a height of less than fourteen feet (14') or over any sidewalk at a height of less than eight feet (8'). (2004 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. (2004 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.<sup>1</sup> (2004 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 or above any public street or alley except when expressly authorized by the board of mayor and aldermen after a finding that no hazard will be created by such banner or sign. (2004 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. (2004 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, 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. (2004 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. (2004 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

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

remove all accumulated snow and ice from the abutting sidewalk. (2004 Code, § 16-109)

**16-110. Operation of trains at crossings regulated.** No person shall operate any railroad train across any street or alley without giving a warning of its approach as required by state law. It shall also be unlawful to stop a railroad train so as to block or obstruct any street or alley for a period of more than five (5) consecutive minutes. (2004 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 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. (2004 Code, § 16-111)

**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. (2004 Code, § 16-112)

**16-113. Construction and maintenance of grade crossings on railroads.** There shall be erected at all grade crossings on the line of any railroad in the town over which trains are operated, electric signals, crossing gates or flagman or some warning approved by the board of mayor and aldermen for the town. Such warning shall be provided and maintained by the railroad without expense to the town, and when warning devices are used they shall be erected and maintained under the supervision of the town engineer and director of public works. (2004 Code, § 16-113)

**16-114. Construction and maintenance of tressels or other structures over waterways.** There shall be installed over all waterways crossed by the line of any railroad in the Town of Rossville a structure or tressel that facilitates the unobstructed flow of surface water along the waterway as approved by the board of mayor and aldermen for the town. Such structures and/or tressels shall be constructed and maintained by the railroad without expense to the town and all structures and/or tressels shall be constructed and maintained under the supervision of the town engineer and director of public works. (2004 Code, § 16-114)

**16-115. Basketball goals alongside or within public rights-of-way.**  
(1) No portable or fixed basketball goal shall be placed, erected or maintained on or alongside the right-of-way of any public street within the municipal limits of the Town of Rossville so as to allow a person or persons to play within the street. The placement of any basketball goal within a public

right-of-way or the presence or persons within a public street playing basketball on such goal shall be a violation of this section.

(2) Any violation of this section shall be punishable by a fine of fifty dollars (\$50.00). (2004 Code, § 16-115)

**16-116. Authority of town to temporarily barricade streets.**

(1) The town, acting by and through its chief of police, shall have the authority, during construction or repair, or during a time of flooding or other emergency, or for any other purpose incident to the needs of public safety or convenience, temporarily to close any street or any portion of a street to vehicular and/or foot traffic, in order to divert such traffic therefrom. Such closure may be done by the placement of one (1) or more barricades.

(2) The chief of police shall have the authority to develop such policies and procedures as may be necessary to enforce the provisions and intent of this ordinance.

(3) It shall be unlawful to tear down, move, remove or drive around or through such barricade, and any such act shall subject the offender to a fine of up to fifty dollars (\$50.00).

(4) The restrictions set out herein shall not apply to persons in charge of the construction or repair for which one (1) or more barricades was erected by the town or to town officers or agents acting within the scope of their duties. (2004 Code, § 16-116)

## CHAPTER 2

### EXCAVATIONS

#### SECTION

16-201. Notification required.

16-202. Safety restrictions on excavations.

16-203. Restoration of streets, etc.

**16-201. Notification required.** It shall be unlawful for any person, firm, corporation, association, or others, including utility districts to make any excavation in any street, alley, or public place, or to tunnel under any street, alley, or public place without having notified the town recorder; 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 such notification when emergency circumstances demand the work to be done immediately and notification cannot reasonably and practicably be given. The person shall thereafter give notification on the first regular business day on which the office of the town recorder is open for business. (2004 Code, § 16-201)

**16-202. Safety restrictions on excavations.** Any person, firm, corporation, association, or others making any excavation or tunnel shall provide sufficient and proper barricades and lights to protect persons and property from injury by or because of the excavation being made. If any sidewalk is blocked by any such work, a temporary sidewalk shall be constructed and provided which shall be safe for travel and convenient for users. (2004 Code, § 16-202)

**16-203. Restoration of streets, etc.** Any person, firm, corporation, association, or others making any excavation or tunnel in or under any street, alley, or public place in this town shall restore the street, alley, or public place to its original condition. In case of unreasonable delay in restoring the street, alley, or public place, the town recorder shall give notice to the person, firm, corporation, association, or others that unless the excavation or tunnel is refilled properly within a specified reasonable period of time, the town will do the work and charge the expense of doing the same to such person, firm, corporation, association, or others. If within the specified time the conditions of the above notice have not been complied with, the work shall be done by the town, an accurate account of the expense involved shall be kept, and the total cost shall be charged to the person, firm, corporation, association, or others who made the excavation or tunnel. (2004 Code, § 16-203)

## CHAPTER 3

### OPERATION OF HEAVY OR LARGE VEHICLES PROHIBITED WITHIN RESIDENTIAL NEIGHBORHOODS

#### SECTION

16-301. Definitions.

16-302. Heavy vehicle and cargo traffic prohibited on certain streets.

16-303. Signs posted.

16-304. Violations and penalty.

**16-301. Definitions.** (1) "Cargo" means persons and every type of property, material, matter, or substance which is or may be transported in, upon, or by a "vehicle," as defined in subsection (2) below.

(2) "Vehicle" means every device, including trucks, in, upon, or by which any person or property is or may be transported or drawn upon street, road, highway or public thoroughfares, excepting devices moved by human power or used exclusively upon stationary rails or tracks.  
(2004 Code, § 16-301)

**16-302. Heavy truck traffic prohibited on certain streets.** (1) For the purpose of this section, a heavy vehicle is defined to be any vehicle whose gross vehicle weight exceeds thirty thousand (30,000) pounds.

(2) For purposes of this section, a heavy cargo is defined to be any cargo whose gross weight exceeds twenty-six thousand (26,000) pounds.

(3) For purposes of this section, a heavy cargo vehicle is defined to be any vehicle transporting cargo whose combined gross vehicle and cargo weight exceeds fifty-six thousand (56,000) pounds.

(4) All heavy cargo vehicles shall be prohibited from following or traveling streets that have signs reading "NO TRUCKS" posted.

(5) The following categories are exempt from the prohibition of this section:

(a) The operation of heavy cargo vehicles upon any street where necessary to the conduct of business at a destination point within the town except in platted residential neighborhoods, provided streets designated as truck routes are used until reaching the intersection nearest the destination point;

(b) The operation of heavy cargo vehicles owned or operated by the town, any contractor or materialman, while under contract to the town while engaged in the repair, maintenance, or construction of streets, street improvements, or street utilities within the town;

(c) The operation of school buses and buses used to transport persons to and from a place of worship, which run a designated route; and

(d) The operation of emergency vehicles upon any street in the town. (2004 Code, § 16-302)

**16-303. Signs posted.** Signs shall be posted at the entrances to each of the streets to which the prohibition applies indicating either by words or by appropriate symbols that heavy vehicles or heavy cargo vehicles are prohibited from traveling upon said street.

The streets to which the prohibition applies are listed as follows:

- (1) Neville Road;
- (2) High Street;
- (3) Cotton Bend Drive; and
- (4) Bailey Ridge Lane. (2004 Code, § 16-303)

**16-304. Violations and penalty.** Any violation of this chapter shall be punishable by fine not to exceed fifty dollars (\$50.00). (2004 Code, § 16-304)