

© Copyrighted. Municipal Code Corp., affiliated Municipality. 1998.

Chapter 50 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES*

***Cross reference(s)**--Any ordinance authorizing, providing for or otherwise relating to any public improvements saved from repeal, § 1-9(6); buildings and building regulations, ch. 10; environment, ch. 18; floods, ch. 26; site plan, ch. 46; subdivisions, ch. 54; traffic and vehicles, ch. 62; zoning, ch. 66.

State law reference(s)--State highway plat book, Code of Virginia, § 17-69.1; state highway system, Code of Virginia, § 33.1-25 et seq.; local authority over highways, Code of Virginia, § 33.1-224 et seq.; pipelines and other works in streets, roads, alleys, etc., Code of Virginia, § 56-257 et seq.

Sec. 50-1. Obstruction of street, sidewalk or alley.

Sec. 50-2. Approval of permits.

Sec. 50-3. Placing dirt, ashes, similar materials upon streets prohibited; exceptions.

Sec. 50-4. Riding of horses or ponies on sidewalks and sidewalk areas.

Sec. 50-5. Snow removal.

Sec. 50-6. Removal of sidewalks.

Sec. 50-7. Trees, shrubs, vines, hedges.

Sec. 50-8. Penalty for violation.

Sec. 50-1. Obstruction of street, sidewalk or alley.

No person shall place any obstruction on any street or sidewalk; provided that any person desiring to use any part of a street or sidewalk for building material may obtain a permit from the town hall, after approval by the mayor, which permit shall state the mode and character of the obstruction and length of time it shall continue; and further provided that no such permit shall be granted when such obstruction can be reasonably avoided. Any person building near the street line shall be required to erect such overhead scaffolding as may be necessary to protect the public from anything that may fall from the wall or scaffolding of such building. It shall be the duty of the mayor, when approving such permit, to require the party obtaining the permit give such assurance as may be necessary to protect the

town from liability from any damage that may result from such obstruction.

(Code 1981, § 5-48)

Sec. 50-2. Approval of permits.

The mayor shall approve or disapprove and establish the conditions for a permit under this chapter pursuant to uniform town standards.

Sec. 50-3. Placing dirt, ashes, similar materials upon streets prohibited; exceptions.

It shall be unlawful for any person to throw or place dirt, ashes, stone, wood or any other material upon any street within the town; provided, that the penalty for violation of this section shall not be imposed upon persons placing building materials upon a street, in connection with construction work, after having obtained a permit to place such materials upon the street for a limited period of time and having placed such materials in the space designated and manner directed and having not permitted the materials to remain there longer than the limited period stipulated in the permit.

(Code 1981, § 5-49)

Sec. 50-4. Riding of horses or ponies on sidewalks and sidewalk areas.

It shall be unlawful for any person to ride or lead any horse or pony on any sidewalk or in any area between any sidewalk and any curb or curblin in the town.

(Code 1981, § 5-50)

Cross reference(s)--Animals, ch. 6.

Sec. 50-5. Snow removal.

It shall be the duty of every person using or occupying, for any purpose whatever, any house, store, shop or tenement of any kind, and of persons having charge of churches and public buildings of all kinds, and the owners of any unoccupied house and unimproved lots abutting any street, lane, alley or avenue to clean all snow from the sidewalk upon which such premises abut within 12 hours after it has ceased snowing; provided that when the snow ceases after 3:00 p.m., it shall be removed before 11:00 a.m. of the following day.

(Code 1981, § 5-51)

Sec. 50-6. Removal of sidewalks.

No person shall remove any portion of the walkways or sidewalks in the town or in any way interfere with walkways or sidewalks without a permit authorized by the mayor.

(Code 1981, § 5-52)

Sec. 50-7. Trees, shrubs, vines, hedges.

(a) It shall be unlawful for the owners of property within the town to allow tree branches, shrubs, vines or hedges to overhang sidewalks or other public rights-of-way in such a manner as to obstruct the free movement of or endanger pedestrians using such sidewalks.

(b) Where tree branches, shrubs, vines or hedges on such property are found to so obstruct sidewalks or rights-of-way, the zoning administrator shall immediately notify the owner of such property to cut such tree branches, shrubs, vines or hedges so as to render any affected sidewalks or rights-of-way free of obstruction.

(c) Such notice shall be in writing and sent by certified mail to the occupant of such property or the owner of the property at the last known address as reflected on the real property tax records of the town. If after diligent inquiry no address can be found for such owner, the notice shall be posted in a conspicuous place on the property.

(d) If such tree branches, shrubs, vines or hedges have not been cut within ten days from the date of mailing or posting of the notice, the zoning administrator shall cause the cutting down by the town's agent of such tree branches, shrubs, vines or hedges.

(e) Where tree branches, shrubs, vines or hedges have been cut down on property by the zoning administrator, the cost of such cutting shall be billed to the owner of the property. If such bill is not paid, prior to issuance of the next real estate tax bill, it shall be added to the town real estate tax bill on such property and shall be a lien on such property to the same extent and effect as the real estate tax.

(Code 1981, § 5-53)

Sec. 50-8. Penalty for violation.

Any person who violates any provision of sections 50-1--50-7 shall be guilty of a class 1 misdemeanor.