

STREETS AND SIDEWALKS

Chapter 176

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- § 176-1. Building materials.**
- § 176-2. Stalls, booths and stands.**
- § 176-3. Litter and obstructions.**
- § 176-4. Suspension or projection of signs and other items; obstruction of sidewalks.**
- § 176-5. Electric signs.**
- § 176-6. Awnings.**
- § 176-7. Playing games.**
- § 176-8. Vehicles or animals on sidewalks.**
- § 176-9. Laying and paving of sidewalks.**
- § 176-10. Removal of sidewalk and gutter encumbrances.**
- § 176-11. Sidewalk maintenance and repair.**
- § 176-12. (Reserved)**
- § 176-13. Erection of barriers around excavations or dangerous places.**
- § 176-14. Placement of posts and trees.**
- § 176-15. Placement of trees and shrubs; permit required.**
- § 176-16. Maintenance of trees.**
- § 176-17. Permit to move buildings.**
- § 176-18. Certain vehicles prohibited on paved streets.**

[HISTORY: Adopted by the Board of Trustees of the Village of Barker 10-22-1947 by ordinance. Amendments noted where applicable.]

GENERAL REFERENCES

Unsafe buildings — See Ch. 91.

Health and sanitation — See Ch. 128.

Peddling and soliciting — See Ch. 155.

Property maintenance — See Ch. 157.

Vehicles and traffic — See Ch. 192.

§ 176-1. Building materials.

- A. No person shall place, or cause to be placed, any building material in or upon any portion of any street, sidewalk, bridge, alley, or public place, unless he shall first have obtained a permit therefor from the Mayor for such use of a portion of the public street. Such permit shall state the portion of the street that may be used, and the period of time such material may remain therein, together with such other conditions and provisions as the Mayor may deem advisable. Any person so occupying a portion of any public street, avenue, or highway with building material shall, at all times, erect a good and sufficient barrier around such materials and, during the night, place a sufficient number of warning lights or lanterns to be kept burning during the night to advise of the location of such material. Any person to whom any such permit is granted shall immediately construct a sufficient walk for street passengers of boards or planks or other material around such obstacle so as to allow a safe and convenient passage for pedestrians.
- B. Every person so occupying a portion of such street with building material shall at the termination of such permit, unless the same is renewed, immediately remove all material from such street and restore the street and

sidewalk where such material was stored to a reasonably safe condition for public travel.

§ 176-2. Stalls, booths and stands.

No person shall at any time erect or place any stall, booth, stand, or other obstruction, or cause the same to be erected or placed, in any street or public place for the purpose of selling or disposing of any goods, wares, or merchandise, except that on holidays and certain special occasions the Mayor may by permit sanction the erection and use of such booths or stalls for a limited period of time.

§ 176-3. Litter and obstructions.

No person shall deposit, place, or throw, or permit the same to be done, any ashes, leaves, papers, letters, cards, dodgers, glass, nails, or other matter into or upon any street, sidewalk, highway, traveled road or lane, or place in such street any boxes, barrels, or other receptacles containing such things. No person shall throw or deposit the peelings of any bananas, oranges, lemons, or other fruits upon any sidewalk or crosswalks, except that ashes or sand may be used on slippery walks in winter.

§ 176-4. Suspension or projection of signs and other items; obstruction of sidewalks.

No person shall place, hang out or suspend, or suffer to be placed, hung out or suspended, any goods, wares, or merchandise of any sort in any street in front of his building or place of business. No person shall suspend, hang, adjust, fix or place over or above any street in front of his building any shed, board, roof, sign or cross sign or other fixtures which shall extend or project from the wall or front of such building more than six inches into the street (except, however, that ordinary business signs may project from the wall of a building into or over a street). No person shall deposit, place, or put, or suffer to be

deposited, placed or put, any goods, wares, or merchandise, or any chattel, on any sidewalk in front of his building or lot, except while actually removing the same into or out of such building.

§ 176-5. Electric signs.

[Amended 8-7-2000 by L.L. No. 2-2000]

Electric signs may be hung or attached at right angles to buildings, or extended not to exceed six feet therefrom, and be twelve feet clear above the level of the sidewalk in front of such building. All such electric signs shall be constructed entirely of noncombustible materials and shall be properly and suitably affixed by supports and braces so as not to be dangerous. No such electric sign at any time shall be constructed, unless by and with the approval and sanction of the Superintendent of Public Works. No sign or other device or structures intended to advertise any business, sale or meeting, shall be erected in front of any building which shall project from such building more than one foot into the street, unless by and with consent and approval of the Superintendent of Public Works.

§ 176-6. Awnings.

No awning shall be placed or constructed over any sidewalk unless the same is constructed of cloth or canvas and properly supported by iron rods. Every part of such awning and the supports thereof shall be at least seven feet above the sidewalk.

§ 176-7. Playing games.

No person shall fly a kite, play ball, throw any stone or missile, or use or discharge any air gun, sling shot, or use any device for throwing stones or shot upon any sidewalk or street.

§ 176-8. Vehicles or animals on sidewalks.

No person shall drive or push any vehicle, truck, animal, or wagon upon any sidewalk or leave the same upon any sidewalk so as to prevent the full use thereof, except as may be necessary in crossing from a lot or yard to the traveled portion of the street.

§ 176-9. Laying and paving of sidewalks.

[Amended 8-7-2000 by L.L. No. 2-2000]

No person shall lay, pave, or relay any sidewalk without first having obtained the grade and line thereof from the Board of Trustees or its designee, and the same shall be laid or relaid upon such grade and line.

§ 176-10. Removal of sidewalk and gutter encumbrances.

The owner or occupant of any lot or parcel of land, fronting or abutting on any street, public highway, lane, or alley shall keep the sidewalk and the gutter along the same in front of such lot or parcel of land free from ice, dirt, filth, weeds, papers, leaves, obstructions or encumbrances of every kind, and so as to permit easy, safe and commodious use of such sidewalk and to allow the free passage of water in the gutter. Every such owner or occupant shall after every fall of snow cause the same to be removed from such sidewalk so as to provide for a reasonable safe and convenient passage for pedestrians.

§ 176-11. Sidewalk maintenance and repair.

[Amended 8-7-2000 by L.L. No. 2-2000]

The owner or occupant of every lot or parcel fronting upon any public street or traveled highway, in front of which parcel a sidewalk has been or shall be laid, shall at all times maintain or keep such sidewalk in good repair and so as to be safe, easy and

commodious for persons using the sidewalk. In case of repairs, all such repairs shall be made of the same material used in the original construction so far as practicable.

§ 176-12. (Reserved)¹

§ 176-13. Erection of barriers around excavations or dangerous places.

The owner or occupant of any lot fronting on any street, traveled road or public place, upon which there is an abrupt descent from such sidewalk, street, or traveled road or an excavation or a dangerous place, shall make, maintain, and continue upon such lot in front of the same upon the line of the sidewalk, street or highway, a strong and sufficient barrier, wall or fence, so as to prevent persons or animals from falling through or over the same into such dangerous place or excavation.

§ 176-14. Placement of posts and trees.

No person shall hereafter set any post or tree outside the curbline. All ornamental or shade trees hereafter planted shall be placed inside the inner lines of the curb, on a line established by the Board of Trustees or its designee, and on the same line throughout the entire length of the street.

¹ Former § 175-12, Cutting of grass and weeds, was repealed 2-4-2002 by L.L. No. 1-2002.

§ 176-15. Placement of trees and shrubs; permit required.

No person shall hereafter plant or set between the sidewalk and the curblin any tree or shrub without first having applied to the Board of Trustees and obtained permission therefor.

§ 176-16. Maintenance of trees.

All ornamental or shade trees, planted or growing in any street, or overhanging any street or sidewalk from private lands, shall be kept by the owner or occupant of such private lands, or the lands adjoining such street or highway, suitably trimmed and cut, so that the lower limbs and branches thereof shall not be less than twelve feet above the street or sidewalk. The Board of Trustees shall have the right at all times to trim any such trees to such additional height or in such a manner as it may deem advisable. No person shall cut down or severely trim any tree growing in the highway without first having obtained a permit therefor from the Board of Trustees.

§ 176-17. Permit to move buildings.

No person shall move, or cause or suffer to be moved, any building into, along, upon, or through any street or highway without first having obtained a permit therefor from the Board of Trustees of the village; and no such building shall be allowed to remain in any highway for a longer period than that limited or specified in such permit.

§ 176-18. Certain vehicles prohibited on paved streets.

No person shall drive, draw, or in any manner propel by power or otherwise any traction engine, motor or other similar engine having wheels with projecting spikes, cross bars, lugs, bolts, or plates, in any manner whatever, upon or over any paved street in the Village of Barker.

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