

Chapter 53: STREETS AND SIDEWALKS

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GENERAL PROVISIONS

§ 53.01 CERTAIN ORDINANCES RELATING TO STREETS NOT AFFECTED BY CODE.

Nothing in this code or the ordinance adopting this code shall affect any ordinance accepting, dedicating, vacating or otherwise relating to any specific street or providing for any street construction or improvement projects and assessments thereof, and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this code. ('81 Code, §14-1)

Statutory reference: Authority to omit designated classes or ordinances from Code, see G.S. §160A-77

§ 53.02 DUTIES OF STREET DEPARTMENT SUPERVISOR.

It shall be the duty of the Street Department Supervisor to:

(A) Have full control of the work in and upon the streets, sidewalks and right-of-ways in the Town;

(B) Properly maintain and repair the streets, sidewalks and right-of-ways;

(C) Have full charge of all equipment of the Street Department;

(D) Oversee all repairs to the streets, sidewalks and right-of-ways by all contractors and other agencies in the Town;

(E) Perform other duties as may be assigned to him. ('81 Code, §14-2)

§ 53.03 REMOVING BARRICADE.

No persons, other than an employee of the Town, shall remove, tear down or destroy any barricade which has been erected by the Town. ('81 Code, §14-3) Penalty, see §10.99

Statutory reference: Authority of Town to close streets or alleys permanently or temporarily, see G.S. §160A-296

§ 53.04 PERMITS FOR POLES LIMITED TO SINGLE LINES.

No permit shall be issued for the erection of poles on any street where there exists a line of poles on the street for the purpose of supporting electric, telephone or telegraph wires. ('81 Code, §14-4)

§ 53.05 SEPARATE LINES OR WIRES ON SAME POLES.

Whenever any electric, telephone or telegraph company shall desire to place lines or wires along any particular street upon which it does not have a line of poles, but upon which said street there exists a line of poles owned by another company, then the companies may maintain their wires upon the same poles. If an agreement cannot be reached between the companies owning the poles and the companies desiring to place wires thereon, then the companies may submit the question of compensation to three disinterested persons for arbitration or they may submit the same to the Board for determination. This section shall apply only to poles owned by the Town as well as poles owned by the companies operating under franchises from the Town. ('81 Code, §14-5)

§ 53.06 CARE AND INSPECTION OF POLES.

It shall be the duty of the owners of all poles supporting electric, telephone or telegraph wires to keep the same in a safe condition, and, for that purpose, to inspect the same once every three months. ('81 Code, §14-6) Penalty, see §10.99

§ 53.07 USE OF POLES AND UNDERGROUND CONDUITS FOR TOWN PURPOSES.

One duct in all underground conduit systems shall be provided for the Town, free of charge, for the Town police or fire alarm telegraph system when required, and the Town shall have the use of any and all poles on streets for the same purpose. ('81 Code, §14-7)

§ 53.08 BUSINESS PROPERTY BLOCKING STREET OR SIDEWALK.

It shall be unlawful for any person to place any article of any description on the street in front of his store or place of business.

It shall be unlawful for any person to place any article of any description on the sidewalk in front of his store or place of business, unless six (6) feet of clearance on the sidewalk is maintained for the passage of pedestrians as measured from the curb.

('81 Code, §14-8) Penalty, see §10.99 (Ord. Am. 05-20-2008)

§ 53.09 GATES OR DOORS OVER STREET OR SIDEWALK.

No gate or door shall be allowed to hang so that it will open over any street or sidewalk. ('81 Code, §14-9) Penalty, see §10.99

§ 53.10 AWNINGS OVER SIDEWALKS.

All awnings erected in the Town in front of stores, residences or other buildings shall be, at their lowest point, at least seven feet above the sidewalk, and no pillars or posts supporting the awnings shall be placed in the streets or sidewalks except by permission of the Board.

('81 Code, §14-10) Penalty, see §10.99

§ 53.11 PLAYING GAMES, THROWING MISSILES.

All games of every description, shooting bean shooters and throwing stones, shots or missiles on the streets and sidewalks of the Town are forbidden.

('81 Code, §14-11) Penalty, see §10.99

§ 53.12 DEPOSITING TRASH.

It shall be unlawful for any person to sweep onto, throw or cause to be thrown any garbage, broken glass, tin cans or trash of any kind onto the sidewalks, back lots or streets of the Town or to burn any trash in the streets. ('81 Code, §14-12) Penalty, see §10.99

§ 53.13 REMOVAL OF SNOW FROM SIDEWALKS.

Each occupant of a business or house in front of which the sidewalk is paved must clear off the snow from same within 24 hours after it has fallen.

('81 Code, §14-13) Penalty, see §10.99

§ 53.14 DAMAGING PAVEMENT AND SIDEWALKS.

No person shall willfully or wantonly injure any of the public bridges, pavements or sidewalks, and parks belonging to the Town. Parking on Town sidewalks is prohibited. ('81 Code, §14-19) Penalty, see §10.99

EXCAVATIONS

§ 53.30 PERMITS.

No person shall make any excavation, cut or other opening in any of the streets or sidewalks of the Town without first having obtained a permit from the Street Department Supervisor.

('81 Code §14-14) Penalty, see §10.99

§ 53.31 DETERMINATION OF FEES.

The fees for cutting streets or sidewalks shall be the actual cost of labor and material in replacement, to the satisfaction of the Street Department Supervisor.

('81 Code, §14-15)

§ 53.32 DISPOSITION OF FEES.

All fees collected for the purpose of opening or cutting of any street or sidewalk in the Town shall be paid into the general fund. ('81 code, §14-16)

§ 53.33 PROTECTION OF OPENINGS.

Any person excavating or opening any street or sidewalk within the Town shall protect the opening with a sufficient number of red flags during the daytime and red lights at night. ('81 Code, §14-17) Penalty, see §10.99

§ 53.34 FILLING.

All openings made in any street or sidewalk under the provisions contained in this subchapter shall, immediately upon the completion of the work, be filled in and the surface thereof made flush with the adjacent surfaces. Any hard surface, macadam or asphalt removed shall be replaced by the Town at the expense of the applicant granted permission to open the street or sidewalk. Each day the opening is left unfilled in violation of this section shall constitute a separate offense. ('81 code, §14-18) Penalty, see §10.99

HOUSE NUMBERS

§ 53.50 DUTY OF OWNER OR OCCUPANT.

The owner, or if he fails to do so, then the occupant of each house, place of business or part of the same in the Town, where the part is separately occupied, shall erect or post thereon, or upon the lot or premises on which the house, place of business or part is situated, in a conspicuous place near the entrance, not more than 40 feet from the street line, the official number of the house, place of business or part. ('81 Code, §14-20) Penalty, see §10.99

§ 53.51 SYSTEM OF NUMBERING.

For the purpose of house numbering, the numbering system established by the Board of Commissioners is hereby adopted and made the system of numbering in the Town. All members shall be assigned in accordance with the procedure of the system. ('81 Code, §14-21)

§ 53.52 ASSIGNMENT OF NUMBERS.

The Town Clerk shall assign all existing and new numbers under this subchapter. ('81 Code, §14-22)

§ 53.53 PERMANENT OR STANDARD NUMBERS.

The permanent number or standard number to be placed as required by this subchapter shall be not less than 2 ½ inches in height. ('81 Code, §14-23) Penalty, see §10.99

SPECIAL EVENTS

§ 53.70 AUTHORITY AND DUTIES OF THE TOWN MANAGER AND CHIEF OF POLICE.

When a special event such as carnivals, parades, festivals, fairs and other events is scheduled to be held in the corporate limits of the Town; prior approval must be expressly authorized and directed by the Town Manager. All applicants shall obtain a special events application from the Town Manager and submit for review no later than one week prior to the event.

The Chief of Police shall have the authority and duty to prohibit or restrict parking of vehicles along a highway or Town street or part thereof constituting a part of the route of the place or special event, at the point of assembly, or dispersal of a special event for a period of three hours before its commencement to one hour after its dispersal. The Chief of Police shall post signs to that effect and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. (Ord. passed 5-11-87) Penalty, see §10.99 (Ord. Am. 03-15-05)

§ 53.71 AUTOMOBILES IN VIOLATION MAY BE IMPOUNDED.

Any automobile left parked on either side of the street in the special event area unlawfully may be impounded and the owner may redeem and recover the same upon payment of the wrecker service for the impounding of the automobile. (Ord. passed 5-11-87) Penalty, see §10.99 (Ord. Am. 03-15-05)

§ 53.72 COSTS; DEPOSIT OR BOND.

The Town may charge the costs incurred by the Town, to any group or organization seeking more than one special event permit within a calendar year; the Town may require a deposit or bond for the costs before the issuance of a second or successive special event permit. (Ord. passed 5-11-87) (Ord. Am. 03-15-05)