

TITLE 12

STREETS AND OTHER PUBLIC WAYS AND PLACES¹

CHAPTER

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CHAPTER 1

MISCELLANEOUS

SECTION

- 12-101. Obstructing streets, alleys, or sidewalks prohibited.
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- 12-109. Abutting occupants to keep sidewalks clean, etc.
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- 12-114. Dumping water on streets.
- 12-115. Houses, lots, etc., to be numbered.

12-101. 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. (ord. 25, sec. 1, and ord. 56, sec. 1, modified)

12-102. Trees projecting over streets, etc., regulated. It shall be unlawful for any property owner or occupant to allow any limbs of trees on his property to project over any street or alley at a height of less than fourteen (14) feet or over any sidewalk at a height of less than eight (8) feet.

¹See title 9 in this code for related motor vehicle and traffic regulations.

12-103. 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.

12-104. 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.

12-105. 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 commissioners after a finding that no hazard will be created by such banner or sign.

12-106. 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.

12-107. 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. (ords. 15 and 56, modified)

12-108. 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.

12-109. 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.

12-110. Parades, etc., regulated. It shall be unlawful for any person, club, organization, or other group to hold any meeting, parade, demonstration, or exhibition on the public streets without some responsible representative first securing a permit from the city manager. No permit shall be issued by the manager unless such activity will not unreasonably interfere with traffic and unless such 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 clean up the resulting litter immediately.

12-111. 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; nor shall he make such crossing at a speed in excess of twenty-five (25) miles per hour. 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.

12-112. 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.

12-113. 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. (ord. 41-A, modified)

12-114. Dumping water on streets. (1) It shall be unlawful for any person to throw, empty, dump, or permit the accumulation of water on the streets, lanes, or alleys of the city.

(2) Any person who willfully or deliberately places, dumps, or throws water from any source whatsoever on the streets, lanes, or alleys of the city and, after five (5) days written notice, does not cease and desist such practice shall be subject to having the water service to his premises terminated by the city. (ord. 52)

12-115. Houses, lots, etc., to be numbered. (1) The city manager is hereby authorized, empowered, and directed to allot house numbers for all houses, lots, and properties abutting on streets in the city and the owners of such houses, lots, and properties shall provide themselves with numbers allotted to them by the city manager and with number plates of the general design and pattern approved by the city manager and shall cause the same to be placed upon their houses whenever such houses are unnumbered or numbered incorrectly.

(2) If any owner of any unnumbered or incorrectly numbered house, lot, or property abutting on any street in the city shall fail to apply to the city manager for an allotment of a number or the failure of any such owner to have an approved number plate bearing the number allotted by the city engineer placed upon his house shall be unlawful and a misdemeanor.

(3) The city manager is hereby authorized and directed to complete an accurate map of all the houses, lots, and properties in the city, which said map shall designate houses, lots, or property numbers for each house, lot, or property in the city and this map shall be placed in the city hall and be opened for inspection by any person.

(4) It is hereby declared to be unlawful and a misdemeanor to take down, deface, destroy, injure, or change any of the numbers placed on a building under the provision of this section or to use or to permit to be kept upon any building any different number than is authorized by the city.

(5) Before any person can be convicted of a violation of this section he shall be given five (5) days notice in writing by the city manager advising the said person that he is in violation of this section and give him a chance to remedy same. (ord. 46)

CHAPTER 2

EXCAVATIONS AND CUTS

SECTION

- 12-201. Permit required for excavations in streets, etc.
- 12-202. Manner of restoring excavated streets, etc.
- 12-203. Bond required.
- 12-204. Restoration by city.
- 12-205. Excavation permit fees.
- 12-206. Driveway curb cuts.

12-201. Permit required for excavations in streets, etc. It shall be unlawful for any person to make any excavation of any kind in any street, road, or public way of the city without having applied for and obtained from the city manager permission so to do.

No person shall make, dig, or throw up any ditch, drain, trench, gutter, or canal in, through, or across any of the streets, roads, or lanes of the city, without a special license for that purpose first had and obtained from the city manager, specifying the time when and the place where the same is to be done, and the areas of the proposed excavation.

Further, no permit shall be issued for the purpose of traversing any road or street by a pipe or conduit where it is practicable to project said pipe or conduit under and without disturbing said road surface. (Ord. 6, secs. I and II, and ord. 57)

12-202. Manner of restoring excavated streets, etc. Every person excavating in the streets or roads of the city as aforesaid shall carefully refill the excavation and, in doing so, shall strictly pursue the following method: The dirt shall be put back and thoroughly compacted by mechanical means, such as air tamping, until the excavation is filled to within 10 inches from the top of the excavation; the remainder of the excavation shall be filled with compacted crushed stone in a layer not exceeding 8 inches in thickness, and to within 2 inches of the street surface in accordance with State or Tennessee Highway Department specification 33C, said compacted base to be coated and a layer of plant or cold mix applied to correspond with the original wearing surface. (Ord. 6, sec. III)

12-203. Bond required. Prior to obtaining a permit as aforesaid, any party desiring to make an excavation shall make a good and sufficient bond to cover the cost of repairing said street surface in a like manner with said surface as it existed prior to said excavation, and no permit shall be issued until said repair cost shall have been secured. (Ord. 6, sec. IV)

12-204. Restoration by city. If any excavation is not restored to a condition similar to that of the surrounding surface, and said defect appears within one year from date of said repair work, and if satisfactory repairs are not made within a period of thirty days subsequent to written notice and order to repair by the city manager, the city may cause the necessary repairs to be made, and shall proceed against said party for the recovery of said costs. Each day's failure to comply with said order shall be a separate offense as hereinafter provided. (Ord. 6, sec. V)

12-205. Excavation permit fees. For excavating in highways, streets, or alleys the following fees shall be charged:

| <u>Wearing Surface</u> | <u>Minimum charge for first sq. yard or less</u> | <u>Rate per sq. yard for all over first sq. yard</u> |
|--|--|--|
| Unimproved | \$3.00 | \$1.00 |
| Macadam | \$5.00 | \$1.50 |
| Penetration or inverted penetration | \$5.00 | \$2.00 |
| All others | \$20.00 | \$12.00 |

(Ord. 6, sec. VI)

12-206. Driveway curb cuts. No one shall cut, build, or maintain a driveway across a curb or sidewalk without first obtaining a permit from the city manager. Such a 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. No driveway shall exceed thirty-five (35) feet in width at its outer or street edge, and when two (2) or more adjoining driveways are provided for the same property, a safety island of not less than ten (10) feet in width at its outer or street edge shall be provided to separate said driveways. Driveway aprons shall not extend into the street.