

CODIFIED ORDINANCE OS BOLIVAR

PART NINE - STREETS, UTILITIES AND PUBLIC SERVICES CODE

ARTICLE 905

Streets and Sidewalks Generally

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| <p>905.01 Acceptance of streets.</p> <p>905.02 Establishing street line for building purposes; encroaching on street.</p> <p>905.03 Numbering buildings.</p> <p>905.04 Displaying goods, wares or merchandise on sidewalks or pavements.</p> <p>905.05 Cellar doors.</p> <p>905.06 License required to sell goods from stands.</p> <p>905.07 Obstructing sidewalks.</p> <p>905.08 Removal of snow from sidewalks.</p> <p>905.09 Occupant to keep sidewalks clean and free from weeds.</p> | <p>905.10 Hanging banners across streets.</p> <p>905.11 Dumping stone on streets or alleys.</p> <p>905.12 Erecting platforms or bridges.</p> <p>905.13 Throwing or placing coal, wood, ashes, filth, incumbrances etc., on streets, etc.</p> <p>905.14 Laying gas, water or other pipes.</p> <p>905.99 Penalty.</p> |
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CROSS REFERENCES

- General power to regulate - see W. Va. Code 8-12-5(1)
 Special charges for street cleaning etc. - see W. Va. Code 8-13-13
 Connection to State road system - see W. Va. Code 17-4-26 et seq.
 Action for damages occasioned by defective streets, etc. - see
 W. Va. Code 17-10-17
 Street obstructions - see TRAF. 311.01
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905.01 ACCEPTANCE OF STREETS.

No street shall be accepted by the Town unless the same is graded, ditched and 3 inches of stone placed without expense to the Town under the direction of, and as prescribed and approved by the Town Engineer.
 (1969 Code 21-1.)

**905.02 ESTABLISHING STREET LINE FOR BUILDING PURPOSES;
ENCROACHING ON STREET.**

Any person desiring to build any house or fence, or renew any building or fence, along the line of any street shall first apply to the Committee on Streets, Alleys and Sidewalks to establish the line of such street; and the owner or occupier of any lot who builds any such house or fence without having made application to establish such line or having made such application shall encroach upon the limits of any street, shall, after due notice thereof to remove the same and failure to comply therewith be subject to the penalty provided in Section 101.99.
(1969 Code 21-2.)

905.03 NUMBERING BUILDINGS.

(a) All buildings fronting on the streets of the Town shall be plainly and distinctly numbered by the owner, or by the agent having the same in charge, by figures not less than two inches high, placed or painted on the door, transom or transom rail, on top of the door frame or interim ways thereof.
(1969 Code 21-3.)

(b) Numbers shall be obtained from the Municipal Building or Town Engineer.
(1969 Code 21-4.)

**905.04 DISPLAYING GOODS, WARES OR MERCHANDISE ON
SIDEWALKS OR PAVEMENTS.**

It shall be unlawful for any wholesale or retail merchant, their agents or employees, or any other person, to place, or cause to be placed, on any sidewalk or pavement, any boxes, barrels, tables, baskets, cans or other containers for the purpose of displaying goods, wares, vegetables, foodstuffs or other merchandise for sale. It shall likewise be unlawful for any such person to place or cause to be placed any such goods, wares, vegetables, foodstuffs or merchandise itself on any sidewalk or pavement for the purpose of storing same or displaying same to the buying public.
(1969 Code 21-5.)

905.05 CELLAR DOORS.

(a) No person using or occupying any cellar, the door to which opens on any street, alley, walk or public square, shall allow such door to remain open at any time unless the same is properly guarded by railing and lighted by night.
(1969 Code 21-6.)

(b) Every person owning, using or occupying any cellar having a stairway therefrom, or any area opening into a street, alley or public square, shall properly secure such stairway by a door or grating covering the whole opening into such street, alley or public square.
(1969 Code 21-7.)

905.06 LICENSE REQUIRED TO SELL GOODS FROM STANDS.

No person shall sell or offer for sale any goods, wares or merchandise from any stand, pavilion or platform, or from a vehicle placed, erected or stationed on any street or sidewalk, without first obtaining a license to do so from the Mayor or Council; provided that this section shall not apply to merchants operating stands adjoining and in connection with their stores.
(1969 Code 21-8.)

905.07 OBSTRUCTING SIDEWALKS.

It shall be unlawful for merchants and other persons to leave upon the sidewalk adjoining their premises any store boxes, crates, or other things obstructing such sidewalk more than two feet.

(1969 Code 21-10.)

905.08 REMOVAL OF SNOW FROM SIDEWALKS.

All owners or occupants of property shall be required to remove, or to cause to be removed, the snow from their sidewalks within four hours after the snow has ceased to fall; provided, however, that should the snow fall during the night or on Sunday, it shall be removed within four hours after sunrise on the following day. A penalty as prescribed in Section 101.99 shall be imposed for each and every time the snow is allowed to remain beyond the time prescribed by this section, and the Committee on Streets, Alleys and Sidewalks shall cause such snow to be removed at the expense of the Town, which expense shall be charged against the owner or occupant of the property in addition to the fine hereby imposed.

(1969 Code 21-11.)

905.09 OCCUPANT TO KEEP SIDEWALKS CLEAN AND FREE FROM WEEDS.

Every person shall keep clean and free from weeds, dirt and rubbish the sidewalk or walks immediately adjacent to the premises occupied by the person from the property line to the curb line. Every day of failure to remove weeds, dirt or rubbish after notice to the head of the family to do so by an officer of the town shall constitute a separate offense by such head of the family.

(1969 Code 21-12.)

905.10 HANGING BANNERS ACROSS STREETS.

It shall be unlawful for any banner or other display to be hung across any street without first obtaining a permit from the Mayor or a majority of Council.

(1969 Code 21-13.)

905.11 DUMPING STONE ON STREETS OR ALLEYS.

No road supervisor, contractor or other person shall dump broken or unbroken stone upon any of the streets or alleys and permit any such stone to remain there for the space of twenty-four hours; provided, that, any person engaged in building or construction work may use the side of any street or alley for dumping building material as long as such construction work continues if the person places and maintains a sufficient number of torches or bright lights on such obstruction at night and gives sufficient warning to traffic during the day.

(1969 Code 21-16.)

905.12 ERECTING PLATFORMS OR BRIDGES.

It shall be unlawful for any person to erect any platform or bridge in front of or along any sidewalk or pavement unless a permit for same be first obtained from Council. No such platform shall exceed five feet square. Such platforms or bridges shall be kept free from obstructions both on top and underneath, and always in good sanitary condition.

(1969 Code 21-17.)

905.13 THROWING OR PLACING COAL, WOOD, ASHES, FILTH, INCUMBRANCES, ETC. ON STREETS, ETC.

It shall be unlawful for any person to throw or place, or cause to be thrown or placed, any water, coal, wood, ashes, dirt, or filth of any kind, or any incumbrance of any kind, into or upon any street, alley or public square, and allow the same to remain there for the space of twelve hours thereafter; provided, that this section shall not include timber, stone, brick or other materials used for building purposes, unless the same shall remain an unreasonable time in the street, alley or public square.

(1969 Code 21-19.)

905.14 LAYING GAS, WATER OR OTHER PIPES.

No gas, water or other pipe shall be laid along, across or in any street, or alley by any person unless it be a public service corporation having a franchise from Council and a permit from the Mayor. Such corporation desiring to lay such pipe shall fill in the excavation made therefor in a careful and substantial manner, ramming the earth and stone and making it as solid and firm as before the excavation was made, and shall make such excavation after being filled even and level with the rest of the street or alley, replacing the macadam or pavement as it was before, within twenty-four hours of the completion of such work.

(1969 Code 21-20.)

905.99 PENALTY.

(EDITOR'S NOTE: See Section 101.99 for general Codified Ordinances penalty.)