

## CHAPTER 11

### Streets, Sidewalks and Public Property

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## **ARTICLE I**

### **Standard Specifications and Construction**

#### **Sec. 11-1. Adoption of standards.**

Pursuant to Article 16 of Title 31, C.R.S., there is hereby adopted by reference the Standard Specifications and Construction Manual. The Town Clerk shall certify to the passage of this Article, cause notice of its contents and passage to be published, and make not less than one (1) copy of the adopted Manual available for inspection by the public during regular business hours.

#### **Sec. 11-2. Applicability.**

Appendix 1 of Fremont County Subdivision Regulations are adopted as standards for streets and curbs for the Town of Williamsburg, except any references to Canon City standards. The Standard Specifications and Construction Manual adapted herein shall apply to construction, repair or replacement of gutters, sidewalks, water mains, sewer mains and storm sewers in the Town.

#### **Secs. 11-3--11-10. Reserved.**

## **ARTICLE II**

### **Excavations**

#### **Sec. 11-11. Permit required; exception in the case of emergency.**

It shall be unlawful for any person, firm or corporation, other than a duly authorized Town official or employee, to make or cause or permit to be made any excavation or opening in or under the surface or pavement of any street, alley, sidewalk or other public place within the Town, without first having obtained and having in force a permit therefore; provided, however, that, in case of actual emergency, it shall be lawful to make such excavation without a permit in order to repair utilities if a present danger to life or property exists.

#### **Sec. 11-12. Types of permits.**

Permits under this Article shall be of two (2) types: permits for a single excavation (hereinafter referred to as Type I permit); and blanket permits to cover all excavations during a calendar year made by a public utility company (hereinafter referred to as Type II permits). A public utility company is defined as a company providing public utility services to the Town, including but not limited to the Gas & Electric Company, Telephone and any cable television company licensed, franchised or permitted within the Town.

**Sec. 11-13. Application for permit; contents and conditions.**

(a) Any person desiring to obtain a permit for such excavations shall make written application therefore to the Town Board or Designee on the form prepared and provided by the Town.

(1) For a Type I permit, the application shall give the following information:

- a. The permit number.
- b. The applicant's name, address and telephone number.
- c. The date of the application.
- d. The location, size, width, length and depth of the proposed excavation.
- e. The type of pavement to be cut.
- f. The purpose of the excavation.
- g. The estimated time schedule, including the date the pavement will be broken, the date the excavation will be backfilled and the date of final repair.
- h. All streets and abutting property addresses which will be affected by the excavation.

(2) For a Type II permit, the application shall give the following information:

- a. The applicant's name, address and telephone number.
- b. The date of the application.
- c. Such other information as is required by the Town Board or designee.

(b) Every applicant shall agree in making application for a permit to be bound by all of the provisions of this Article. Application for a Type I permit shall be accompanied by a set of plans drawn to a minimum scale of one (1) inch to fifty (50) feet, showing in detail the location, size and kind of installation for the excavation.

**Sec. 11-14. Fees for permits.**

A fee shall be charged and paid for each application for each Type I or Type II permit to cover the cost of administration and inspection. Such fee schedule shall be separately established by resolution of the Board of Trustees. Scheduled excavations shall be those which the Town Board or Designee is notified of, on a form to be supplied by the Town, at least three (3) days in advance of the work. Such notice shall give the location, size and time schedule for the work. Holders of Type II permits shall report all excavations not previously reported to the Town Board or designee, on a form to be supplied by the Town, within five (5) days after the work has begun. Other than as set forth herein, there shall be no additional fee for the permit. If the permit is denied, the fee shall not be refunded.

**Sec. 11-15. Bond and insurance requirements.**

In addition to the above, every applicant for an excavation permit shall meet the following requirements:



(1) File with the Town an acceptable corporate surety bond or other security approved by the Town, conditioned for the faithful performance of the work covered by the permit within the time allowed by the permit in accordance with the rules, regulations and ordinances of the Town; for the cost of restoration of any street, alley, sidewalk or other public place in which an excavation may be made under the permit to its original condition and to the satisfaction of the Town Board or Designee, for the cost of maintenance of such condition for a reasonable length of time as shall be required by the Town Board or Designee; and for the payment of all fees, costs and charges of the Town in connection with the excavation. Or, in lieu of a bond or other approved security, the applicant may make a cash deposit in the appropriate amount, which deposit shall be held subject to the same conditions as a bond. Such bond or other approved security shall be in full force and effect for a period of one (1) year after the permit expires. For a Type I permit, such bond or other approved security shall be in the amount of one hundred percent (100%) of the amount that the Town Board or Designee estimates will be the cost of restoring the street opening or two hundred dollars (\$200.00), whichever is greater. For a Type II permit, such bond or other approved security shall be in the amount determined by the applicant, but the permit shall only authorize the holder thereof to have open at any one (1) time only such excavations as can be repaired at the cost of the amount of the bond as determined by the Town Board or Designee.

(2) File with the Town an acceptable certificate of insurance, insuring against all claims for damages which may arise from or out of the performance of work under the permit.

#### **Sec. 11-16. Requirements for performance of work.**

Anyone making excavation by virtue of a permit issued under this Article shall do work in such manner as to avoid unnecessary inconvenience and annoyance to the general public and to occupants of neighboring properties. In particular, the following requirements shall be followed:

(1) Occupants of neighboring properties shall be notified at least twenty-four (24) hours in advance of the work to be done. Such notice shall include the estimated time schedule and the extent of the work. Written notice shall also be given to all utility companies that may be affected, including but not limited to telephone, electrical, water and gas companies.

(2) Noise, dust and debris shall be kept to as low a level as practicable.

(3) Excavated material shall be stored in neat, compact piles and not allowed to be scattered by wind, rain, traffic or other means.

(4) Private driveways shall be kept open whenever possible. If driveways must be closed, they shall be closed at the time most convenient to the users thereof and for as short a time as possible.

(5) Not more than two hundred (200) linear feet of trench shall be open at one (1) time without written permission from the Town Board or Designee.

(6) When traffic or other conditions warrant, the Town Board or Designee may require that the work be accomplished during slack hours or at particular times or that the work proceed on a twenty-four (24) hour per day basis, or the Town Board or Designee may require other appropriate measures. All such requirements shall be complied with.

(7) No excavations shall be made, without written permission from the Town Board or Designee, entirely across a street or across so much of a street that traffic cannot move on said street. Such permission may impose additional requirements, and in such case, such requirements shall be followed.

**Sec. 11-17. Safety and protective requirements.**

Whenever any person, under authority of this Article or otherwise, shall place any obstruction in any street, alley, sidewalk or other place, or make any excavation therein or alteration thereto, such person shall keep such obstruction, excavation or alteration properly safeguarded by substantial barricades, and between dusk and daylight adequate warning lights or flares shall be placed around the obstruction, excavation or alteration. In all instances, fire hydrants shall be kept clear of all building material, dirt and rubbish, with clear and adequate access to such hydrant from the roadway. Existing gutters and other drainage courses shall be kept open so as to allow adequate drainage. All excavations shall be made in such a way as to protect any existing surveying monuments and existing utilities. The Town Board or Designee shall have authority to specify protective measures and minimum clearances regarding existing utilities, and any such specifications shall be followed. Sufficient shoring of excavations shall be provided whenever needed or whenever deemed necessary by the Town Board or Designee

**Sec. 11-18. Backfilling of excavations.**

All permit holders shall adequately backfill any excavations made under the authority of this Article. Backfilling shall be done in accordance with the Standard Specifications and Construction Manual for the Town. At the request of the Town Board or Designee, the density of the compacted backfill shall be tested by a soils engineer and a copy of the test results shall be given to the Town Board or Designee. The number and location of soil tests shall meet the approval of the Town Board or Designee. All costs for testing shall be paid by the permit holder. The permit holder must notify the Town Board or Designee before backfilling

**Sec. 11-19. Inspection of backfilling.**

Within forty-eight (48) hours after completion of backfilling, the permit holder shall notify the Town Board or designee and request an inspection. The surface of the excavation shall not be replaced until the backfill has been approved on inspection. Any defects in the backfill shall be corrected by the permit holder within the time required by the Town Board or Designee. Upon correction of defects noted, the permit holder shall again request an inspection from the Town Board or Designee.

**Sec. 11-20. Restoration of surface.**

(a) Upon receiving approval of the backfill from the Town Board or Designee, the permit holder shall restore the surface of the excavation in the manner required by this Section, or, at the option of the permit holder, such work may be done by the Town and charged to the permit holder, in which case the permit holder shall reimburse the Town for such work within thirty (30) days after it is billed.

(b) All patches shall have straight and vertical edges and shall cover the total width of the excavation. Patches in concrete pavements shall be six (6) inches thick, shall be made from concrete conforming to specifications of the Town and shall be finished to the same surface texture as the adjacent existing concrete. The existing concrete shall be saw-cut to a depth of one and one-half (1½) inches to assure a straight edge and uniform patch. Patches in asphalt pavements shall consist of four (4) inches of base course material and asphalt surfacing equal to the total thickness of adjacent existing pavement. The concrete and asphalt shall conform to the specifications of the Town. Asphalt surfacing shall be compacted to conform to the specifications of the Town. Permanent asphalt patches shall not be put in during freezing weather. Upon completion of work, all surplus earth, rubbish and other materials shall be immediately removed, and the Town Board or Designee shall be notified that the job is completed

**Sec. 11-21. Conformance to permit required; supplemental applications.**

In no case shall any permit holder open or remove a greater area of surface or make such removal at a location other than that specified in the permit. In the event it shall be necessary to open or remove a greater area than originally applied for, the applicant shall first notify and obtain the consent of the Town Board or Designee and, if required by said Director, file a supplemental application and make an additional deposit. No person shall exceed the time limit specified on the permit without the express consent of the Town Board or Designee.

**Sec. 11-22. Permittee liable in case of nonconformance.**

In the event any permit holder fails to do anything required of him or her hereunder, the Town Board or Designee may cause the same to be done, the cost of the same shall be charged to the holder of the permit, and he or she shall be liable therefore.

**Sec. 11-23. Permittee liable for injuries to person or property.**

Every permit holder acting under a permit issued pursuant to this Article shall be responsible to anyone for injury to person or property by reason of the work done under the permit and shall indemnify and hold the Town harmless from any expenses, costs, claims or other charges or fees arising out of such work. The permit holder shall be responsible for adequately protecting the work, the surrounding property and the public and shall adequately safeguard the work regardless of whether any specific requirements in connection with the work are made by the Town Board or Designee.

**Sec. 11-24. Excavations under sidewalks.**

It shall be unlawful for any person, persons or corporation to make any excavation or opening at a depth greater than one (1) foot and/or two (2) inches in diameter under any sidewalk or upon any street, alley or public ground of the Town, for the purpose of installing permanent areaways thereunder, without first obtaining a right so to do from the Town Board or Designee; and no such right or privilege shall be granted by the Town Board or Designee, except upon written application therefor and upon conditions to be prescribed by the Town Board or Designee respecting the continued occupancy and use of such areaways after the same have been constructed.

**Secs. 11-25--11-40. Reserved.**



## ARTICLE III

### Encroachments and Obstructions

#### **Sec. 11-41. Encroachments and obstructions prohibited.**

No encroachment or obstruction whatever, other than that provided by law or by this Article or some other Town ordinance, shall be made or placed upon any street, alley or other public place within the Town.

#### **Sec. 11-42. Application for occupation of street.**

(a) Any person desiring to occupy any portion of a street, alley or other public place in connection with the erection, construction, remodeling or demolishing of any building or improvement on property abutting or adjacent thereto shall make written application to the Town Board or Designee on a form prepared and provided by the Town. The application shall give the following information:

1. The applicant's name, address and telephone number.
2. The street, alley or other public place affected and the amount thereof.
3. The address of the property on which the work is to be done.
4. The reason for blocking the street.
5. The amount of time the permit is needed.

(b) The applicant shall agree in making the application to be bound by all of the provisions of this Article and the rules and regulations of the Town Board or Designee.

#### **Sec. 11-43. Term of permit; renewal and revocation.**

No permit required under Sections 11-41 through 11-47 shall be issued for a period of more than ninety (90) days, provided that the Town Board or Designee may renew any such permit for additional ninety (90) day periods upon written application. Any permit issued under this Article may be revoked by the Town Board or Designee if the holder thereof violates any of the provisions of this Article or the rules and regulations of the Town Board or Designee or if the work allowed by the permit unduly interferes with pedestrian or vehicular traffic.

#### **Sec. 11-44. Surety bond required.**

Any person applying for a permit under Sections 11-41 through 11-47 shall file with the Town an acceptable corporate surety bond conditioned for the faithful performance of the work in accordance with the rules, regulations and ordinances of the Town and the terms of the permit, and indemnifying and saving harmless the Town against and from any and all damages or claims for damages, loss, costs and charges or expenses that may be brought against it by any person for or on account of

injury to persons or property resulting from or occasioned by reason of the occupation of the street, alley or public place.

**Sec. 11-45. Protection of pedestrian and vehicular traffic.**

The holder of any permit issued under Sections 11-41 through 11-47 shall provide whatever fencing the Town Board or Designee requires to protect pedestrian and vehicular traffic on the abutting public property. If required, the permit holder shall build and maintain a good and substantial protected walkway around the obstruction. The permit holder shall adequately light and mark the obstruction so as to protect pedestrian and vehicular traffic.

**Sec. 11-46. Adequate drainage and access to fire hydrants required.**

Any person holding a permit issued under Sections 11-41 through 11-47 shall take such measures as may be required to ensure that adequate drainage is maintained around the obstruction. All fire hydrants shall be kept clear of all building materials, rubbish and other obstructions, and easy access to such hydrants shall be provided and kept clear at all times. Upon completion of the work, the permit holder shall remove all obstructions, materials, debris and rubbish within ten (10) days.

**Sec. 11-47. Permittee liable in case of nonconformance.**

In the event any permit holder fails to do anything required of him or her hereunder, the Town Board or Designee may cause the same to be done, and the cost of the same shall be charged to the holder of the permit, and such holder shall be liable therefore.

**Sec. 11-48. Permit application for encroachment.**

Any person desiring to erect a building, fence, barrier, post or other obstructions or encroachments upon any street, avenue, alley, sidewalk, highway, public right-of-way or other public ground within the Town shall file a written application for a permit therefore upon a form prepared and provided by the Town. Said application shall state therein the following:

6. The applicant's name, address and telephone number.
7. The location of the proposed encroachment, obstruction or structure.
8. The type of encroachment, obstruction or other structure.
9. The purpose of the proposed encroachment, obstruction or other structure.
10. That the applicant agrees to abide by the provisions of Sections 11-48 through 11-51 of this Article.

**Sec. 11-49. Investigation; fee; revocation of permit.**

The application provided for in Section 11-48 shall be made to the Town Board or Designee. Such Department shall make an investigation of the information contained in the application and, prior to the issuance of a permit, shall determine that the proposed encroachment, obstruction or other structure does not constitute a nuisance, destroy or impair the use of the right-of-way by the public or constitute a traffic hazard. No permit shall be issued where the above conditions are found to exist. At the time of issuance of a permit hereunder, the applicant shall pay a fee equal to the cost of recording the permit with the County Clerk and Recorder. The Town Board or Designee shall so record a copy of the permit. Any such permit so issued may be revoked by the Town Board or Designee at any time the conditions above referred to are found to exist, or when it is determined that the property upon which the encroachment, obstruction or structure exists is required for use by the public.

**Sec. 11-50. Notice to remove encroachment.**

(a) Whenever any encroachment, obstruction or structure is made or located contrary to the terms of the permit therefore or without a permit or at such time as the permit is revoked as above provided for, the Town Board or his or her authorized agent shall give notice to the person who made or located such encroachment, obstruction or structure or caused or permitted the same to be done, or who owns or controls the premises with which such encroachment, obstruction or structure is connected, to remove such encroachment, obstruction or other structure. The same shall be removed within ten (10) days after notice.

(b) It shall be unlawful for any person to continue any encroachment, obstruction or other structure for a period of ten (10) days after receipt of the notice provided for above

**Sec. 11-51. Noncompliance with notice.**

(a) In case any notice given under Section 11-50 shall not be complied with, the Town Board or his or her authorized agent is hereby authorized and empowered to cause the removal of the encroachment, obstruction or structure.

(b) Upon completion of such removal, the Town Board or his or her authorized agent shall certify to the Town Clerk the cost of said removal, and the Town Clerk shall thereupon, by certified mail addressed to the owner of the premises with which the obstruction is connected, give notice of such removal and the cost incurred for such work, together with a statement that the cost of the work will be assessed against the owner's lot, tract or parcel of land if such cost is not paid to the Town within thirty (30) days after mailing of such notice.

(c) If such person fails to make payment within the aforesaid thirty (30) days, the Town shall make assessment by ordinance against the lot, tract or parcel of land in connection with which the encroachment, obstruction or structure was made, and such assessment shall be certified to the County Treasurer for the purpose of having the same placed upon the tax rolls and collected in the same manner as general taxes are collected.

**Secs. 11-52--11-70. Reserved.**

**ARTICLE IV**

**Moving of Buildings**

**Sec. 11-71. Permit required; fee; liability; revocation; term.**

(a) It shall be unlawful for any person, persons or corporation to use or occupy any street, alley or other public ground in the Town for the purpose of moving a building or other structure greater than fourteen (14) feet in width across or thereon without first having obtained a permit therefor from the Town Clerk and according to Fremont County Code.

(b) Application for a permit hereunder shall be made upon forms to be furnished by the Town Clerk and shall set forth such information as may be required thereon. At the time of making application, the applicant shall pay a permit fee as established by resolution by the Board of Trustees and shall file the bond required herein.

(c) Application for a permit hereunder shall be accompanied by a corporate surety bond in an amount established by the Board of Trustees, conditioned upon compliance with all requirements of the ordinances of the Town relating to activities under the permit.

(d) Any person using the streets, alleys or other public ground for the purpose of moving buildings and other structures across or thereon shall be responsible for any damage done to such street, alley or public ground or any improvements situated thereon, including, without limitation, trees and other plantings, signs, utility poles, utility lines, traffic signals and the like. Any such persons shall also be responsible for any

damage caused to any private property by virtue of use of the streets, alleys and other public grounds of the Town for the purpose of moving such buildings or other structures.

(e) The code of Fremont County shall determine whether the applicant possesses the technical qualifications and the necessary equipment for the moving of buildings and structures and shall issue or deny the permit based upon such determination.

(f) Any permit granted hereunder may be revoked by the Director of Public Works upon written notice to the holder of the permit, if the permit holder fails to comply with the requirements of the ordinances of the Town relating to the permit or for other good cause relating thereto. In the event of such revocation, no fee paid hereunder shall be refunded. If any permit holder objects to the revocation of a permit by the Town Board, he or she may request a hearing on the question of revocation before the Board of Trustees, which shall make the final determination on the question.

(g) Any permit granted hereunder shall be valid for ten (10) days unless sooner revoked.

**Secs. 11-72--11-80. Reserved.**

## **ARTICLE V**

### **Sidewalks, Curbs and Gutters**

**Sec. 11-81. Construction authorized.**

Sidewalks, curbs and gutters may be constructed by the owners of property abutting upon the same and at their expense within the corporate limits of the Town, when streets are laid out, open, improved and in common use by pedestrians, and shall be constructed of the character, location, grade, material and in the same manner provided for in this Article.

**Sec. 11-82. Construction permit required.**

Before constructing any sidewalks, curbs or gutters, the owner of the property adjacent thereto shall make application to the Town Board or Designee for a permit upon forms furnished by said Director, and the sidewalks, curbs or gutters shall be constructed in conformity with County and State codes.

**Secs. 11-83--11-110. Reserved.**

## **ARTICLE VI**

### **Curb Cuts and Driveways**

**Sec. 11-111. Definitions.**

For the purpose of this Article, the following terms are defined as follows:

(1) *Change of use* means any change of purpose for which any land, building or structure is occupied, maintained, arranged, designed or intended.

(2) *Driveway* means any area, construction or facility between the roadway or the street and private property.

(3) *Roadway* means the paved, improved or proper driving portion of a street, designed or ordinarily used for vehicular traffic.

(4) *Street* means any street, alley or other public place within the Town.

**Sec. 11-112. Driveways required for access to private property.**

Any access from any public roadway to private property hereafter provided, constructed, altered or repaired shall be through driveways constructed according to the provisions of this Article

**Sec. 11-113. Permit required; application contents and conditions.**

(a) Except when included in a building permit, it shall be unlawful for any person, firm, corporation or organization to construct, reconstruct, alter or repair any driveway in the Town without first obtaining a permit therefore and paying the permit fee as required by Section 11-114 hereof; provided, however, that no permit fee shall be required of a sub divider constructing driveways as a part of street and sidewalk installation within the subdivision. No permit fee will be required when driveway construction occurs as part of an existing driveway.

(b) Any party requesting such permit shall file a written application with the Town Board or Designee. Such application shall be made on a standard Town form provided for that purpose and shall include:

(1) The applicant's name, address and telephone number.

(2) The name and address of the owner of the property abutting and the street where the work is to be performed.

(3) The exact location of the proposed work, giving the street address or legal description of the property involved.

(4) A detailed plan showing the exact dimensions of the abutting property and the exact dimensions and location of all existing or proposed driveways and other pertinent features with the limits of the frontage of said property.

(5) The location of buildings, loading platforms or off-street parking facilities being serviced or to be served by such driveways.

(6) The Town Board or Designee may require, at his or her discretion, the filing of any other information when, in his or her opinion, such information is necessary to properly enforce the provisions of this Article.

(7) No plan shall be approved nor a permit issued where it appears that the proposed work, or any part thereof, conflicts with the provisions of this Article or any ordinance of the Town; nor shall issuance of a permit be construed as a waiver of the Zoning Ordinance or other ordinance requirements concerning the plan.

**Sec. 11-114. Permit fees.**

The permit fees for driveways approved by the Town Board or Designee shall be established by a fee schedule separately established by resolution of the Board of Trustees.

All construction outlined in this Article shall be located and constructed in accordance with the Town's Standard Specifications and Construction Manual,

**Sec. 11-115. Driveway construction regulations.**

Every driveway hereafter constructed, reconstructed or altered, in the street right-of-way, shall conform to the following regulations:

(1) Location:

- a. No driveway shall be so located as to create a hazard to pedestrians or motorists, or to invite or compel illegal or unsafe traffic movements.
- b. Unless otherwise approved by the Town Board or Designee, all driveways shall be constructed within lines at right angles to the curb line.
- c. No driveway shall be constructed in such a manner as to create a hazard to any existing street lighting standard, utility pole, traffic regulating device or fire hydrant. The cost of relocating any such street structure, when necessary to do so, shall be borne by the abutting property owner. Relocation of any street structure shall be performed only by or through the person holding authority for the particular structure involved.
- d. No construction, alteration or repair shall be permitted for any driveway which can be used only as a parking space or which provides access only to the area between the street roadway and private property.
- e. All driveways shall be so constructed that they shall not interfere with the drainage system of the street.

**Secs. 11-116--11-130. Reserved.**

**ARTICLE VII**

**Snow and Ice Removal**

**Secs. 11-131--11-140. Reserved.**

**ARTICLE VIII**

**Public Parks, Recreational Facilities and Trails**

**Sec. 11-141. Hours of closure.**

The Board will establish by resolution the hours of operation of the Towns parks.

**Sec. 11-142. Possession of glass containers prohibited.**

It shall be unlawful for any person to bring, or to have in his or her possession, any glass beverage container in any park, recreational facility or on any trail within the Town.

**Sec. 11-143. Dumping prohibited.**

It shall be unlawful for any person to bring in and dump, deposit or leave any bottles or other containers made of glass, any broken glass, ashes, papers, boxes, cans, dirt, rubbish, waste, tree leaves and limbs, garbage, refuse or other trash in or upon any park, recreational facility or trail within the Town.

**Sec. 11-144. Trash disposal required.**

It shall be unlawful for any person utilizing any park, recreational facility or trail within the Town to leave such park, recreational facility or trail without first placing in provided trash disposal receptacles all trash, of whatever kind or nature, generated by his or her usage of the park, recreational facility or trail. In the event no trash disposal receptacle is available, then such person shall carry away said trash and dispose thereof in a proper and legal manner.

**Sec. 11-145. Dogs.**

Dogs shall be allowed in public parks and on trails within the Town under appropriate supervision and specifically in accordance with the provisions appearing elsewhere in this Code concerning dogs.

**Sec. 11-146. Removal of animal waste required.**

The owner or keeper of any animal shall be responsible for the removal of any feces deposited by such animal in any public park or on or adjacent to any trail within the Town.

**Sec. 11-147. Horses.**

Except in areas specifically designated for equestrian activities, it shall be unlawful for any person to allow any horse or pony in any public park or recreational facility within the Town.

**Sec. 11-148. Golfing.**

Unless specifically allowed in designated areas, it shall be unlawful for any person to drive or hit golf balls in any public park, recreational facility or on any trail within the Town.

**Sec. 11-149. Operation of motor vehicles prohibited.**

It shall be unlawful for any person to operate any motor vehicle including, but not limited to, automobiles, trucks, motorcycles, motorbikes, motor scooters, go-carts or mobile homes in any public park, recreational facility, and public open space or on any trail within the Town. This provision shall not apply to duly authorized employees of the Town in the performance of work activities in the scope of their employment.

**Sec. 11-150. Posting of signs and notices.**

The Town Board shall cause to be erected in public parks, recreational facilities, and upon trails, such signs or notices as may be necessary to adequately inform the citizens of the Town of the restrictions set forth in this Article.

**Secs. 11-151--11-160. Reserved.**

**ARTICLE IX**

**Cemetery**

**Sec. 11-161--180. Reserved**



## ARTICLE X

### Town Facilities Rental

#### Sec. 11-171. Town Park

The Town Park, including any portion thereof, shall be open to the public from 8:00 a.m. to 10:00 p.m. daily, free of charge. Neither the park nor any portion thereof shall be rented, reserved or used in entirety for any public or private function. Prior notification is encouraged for large parties to facilitate cleaning of outhouses and grounds maintenance. The gate shall be unlocked and electricity will be made available for use in the park by request. Extension cords are the responsibility of park users.

Prior to leaving the Park, the grounds shall be cleared of all debris and rubbish and left in good condition by users.

#### Sec. 11-172. Town Hall Public Meeting Areas:

(a) Definition. The Town Hall public meeting areas shall include the main meeting room, the kitchen, and the Americans with Disabilities Act-accessible restroom.

(b) Reservation and Fees.

A cleaning deposit of \$100.00 shall be paid in advance for the reservation of any portion of the facilities described above. Said fee is refundable, in part or in whole, following inspection of the facilities by Town personnel. The Town shall have up to two weeks following the reserved event to return any portion of said deposit.

(c) Facilities Use.

The building shall be opened no earlier than 9:00 a.m. and vacated no later than 3:00 p.m. Monday through Thursday. Arrangement for additional times and days must be made with Town personnel. No holes shall be made in and no tape shall be applied to any walls. Town Hall is a smoke free environment.

(d) The party responsible for making reservations shall be responsible for set-up and clean-up of the facilities, and shall be responsible for all damage to the facilities.

(e) Should the deposit or any portion thereof be retained by the Town, notice of same shall be served by letter to the person responsible for renting the facilities. Mailing of said notice shall serve as full required notice to be given.