

CHAPTER 7

STREETS AND SIDEWALKS

Article I

OBSTRUCTIONS, LITTERING RIGHT-OF-WAY, DRAINAGE ONTO SIDEWALKS

Sec. 7-1. Obstructions Prohibited

- (a) Except as otherwise authorized by statute or ordinance and except to the extent required by the performance of some function authorized or mandated by a statute or ordinance, no person may obstruct or impede travel in the public streets or sidewalks within the city by placing or leaving any object within the traveled portion of the public right-of-way.
- (b) Subsection (a) shall not apply to temporary obstructions caused by persons engaged in construction work on abutting property when proper warning devices are maintained in accordance with Section 7-4.

Sec. 7-2. Warnings Required for Obstructions

- (a) All persons engaged in doing work that creates any dangerous condition or obstruction in the public right-of-way of any street or sidewalk shall take whatever action is necessary, including the placement of barricades and warning signs or devices, to warn the traveling public of the condition or obstruction.
- (b) No person may remove, destroy, injure, or tamper with any barricade, sign, lantern, torch, or other device placed in any street or sidewalk to warn or give notice to the traveling public of any dangerous condition or obstruction.

Sec. 7-3. Littering Right-of-Way

It shall be unlawful for any person, firm, organization or corporation to place or leave, or cause to be placed on left temporarily or permanently, any trash, refuse, garbage, parts of a motor vehicle or junk on the right-of-way of any street, road or highway within the city limits of the City of Archdale.

Sec. 7-4. Drainage Related Interference with Sidewalks

- (a) No person may cause or permit gutters, ditches, ducts, or drain pipes to be constructed or placed on property under his control in such a manner that the water from such gutters, ditches, ducts, or drain pipes empties onto or runs across a public sidewalk.
- (b) Subject to the next sentence, all owners of property abutting permanently improved public sidewalks shall grade such property or construct a retaining wall in such a manner as to prevent the washing of dirt, grass, gravel, or other material upon the city sidewalks,

If the city constructs a sidewalk, it shall be responsible initially for taking the necessary steps to prevent the washing of such materials upon the sidewalk.

Sec. 7-5. Hauling or Tracking of Mud and Refuse onto a Public Street

- (a) It shall be unlawful for any person to discharge or cause to be discharged any amount of dirt, concrete, shingles, trash or mud onto the paved surface and right-of-way of any city street within the City of Archdale.
- (b) It shall be unlawful for any person to permit a truck, trailer or any other vehicle under his control to track mud, in appreciable quantity, on the streets of the City of Archdale from private property.

Sec. 7-6. Solicitation or Distribution by Pedestrians within Right-of-Ways

- (a) No person shall stand in any right-of-way of a highway or street within the City of Archdale for the purpose of soliciting a ride, employment, contributions, money or business from the occupant of any vehicle.
- (b) No person shall stand in any right-of-way of a highway or street within the City of Archdale for the purpose of distributing any materials, printed or otherwise, to the occupant of any vehicle.

Secs. 7-7--7-10. Reserved.

Article II

DRIVEWAYS AND EXCAVATIONS

Sec. 7-11. Driveways

- (a) Except as otherwise provided in this section, no person may open, construct, alter, or relocate any driveway across any public sidewalk or into any street, or cut any curb for such purpose without having obtained a permit from the director of public works.
- (b) Any person who receives a permit under this section shall be responsible for repairing any damage to the sidewalk or street (including curb and gutter) caused by the driveway construction.
- (c) The director of public works shall review the driveway construction and design plans and shall issue the permit unless he finds the driveway, if construction as proposed, will substantially interfere with or pose a danger to;
 - (1) Persons using the street or sidewalk intersection by the driveway; or

- (2) Public facilities (including utility poles, traffic signals, etc.); or
- (3) Will fail to comply with any of the provisions of this section.
- (d) No driveway may be constructed closer than five (5) feet to a fire hydrant or catch basin or closer than thirty (30) feet to the right-of-way line of a street that intersects with the street the driveway opens onto.
- (e) If the driveway crosses a drainage ditch on a lot that abuts a street without curb or gutter, then piping of sufficient size and strength (as approved by the director of public works) shall be installed beneath the driveway surface so that the drainage capability of the drainage ditch is not materially impaired.
- (f) This section shall not apply to driveways that open into state maintained streets to the extent that the state has approved the driveway. Nor shall a person be required to obtain a permit under this section to the extent that the driveway is being constructed in accordance with plans approved pursuant to a review process authorized by a zoning or subdivision ordinance.

Sec. 7- 12. Excavations

- (a) Except as otherwise provided in this section, no person may dig in or excavate any street or sidewalk within the city without having obtained a permit from the director of public works.
- (b) All persons who receive a permit in accordance with this section shall be responsible for putting the street or sidewalk where any excavation is made in as good condition as it was prior to the excavation.
- (c) Before granting a permit pursuant to this section, the manager shall determine that the applicant has made arrangements to comply with subsection (b), and if the city is to do the necessary repair work, the permit shall not be issued until the applicant makes a deposit equal to the estimated costs of repair.
- (d) This section shall not apply to any utility to the extent that the same subject matter is covered in a franchise ordinance applicable to that utility. Nor shall this section apply to any excavation made in a state-maintained street to the extent that the state has given its permission for such an excavation to be made, except that the person making the excavation shall still be responsible for notifying the manager of the intended excavation forty-eight (48) hours before the work begins.

Sec. 7-13. City Indemnified

Any person obtaining a permit authorized by Sections 7-11 (Driveways) and 7-12 (Excavations) agrees as a condition of the permit to indemnify the city for and hold the city harmless from any expense (including but not limited to attorney's fees, litigation costs and judgments) incurred as a

result of claims made for damages arising out of the operations conducted by the permit recipient pursuant to the permit.

Article III

PENALTIES

Sec. 7-16. Penalties and Remedies

- (a) A violation of any of the sections in this chapter shall constitute a misdemeanor, punishable as provided in NCGS 14-4.
- (b) The city may seek to enforce this chapter through any appropriate equitable action.
- (c) Each day that a violation continues after the offender has been notified of the violation shall constitute a separate offense unless stated otherwise in the applicable ordinance.
- (d) The city may seek to enforce this chapter by using any one or any combination of the foregoing remedies.

Article IV

HOUSE AND BUILDING NUMBERING

Sec. 7-17. Required; Duty of Owner

Each and every owner of a house or building within the Corporate Limits shall at all times post the current official assigned street number conforming to the requirements of this Article.

Sec. 7-18. Assigned Street Numbers; Responsibility.

The zoning administrator or designated agent shall be responsible for assigning each house or building an official street number. As conditions merit such official street number may be changed upon proper official notice to the property owner and public agencies.

Sec. 7-19. Compliance with Requirements

- (a) Existing House or Building: All existing houses or buildings shall comply with the requirements of this Article.
- (b) New House or Building: All new houses or buildings shall be brought into compliance with the requirements of this Article immediately upon completion.

Sec. 7-20. Standards; House and Building Numbers

- (a) **Material and Color:** All house numbers shall be constructed of a durable material. The color of the number shall contrast with the color scheme of the house or building. If mounted on glass, the number shall contrast with the background and be clearly visible.
- (b) **Size:** The standard minimum size of a street number for a typical residential or nonresidential house or building shall be three (3) inches in height. The standard minimum size of a street number for a larger residential or non-residential house or building such as an apartment, townhouse or condominium complex, or large commercial or industrial building or complex shall be six (6) inches in height. Minimum sizes larger than standard shall be required in any situation where the standard size would not provide necessary identification deemed appropriate by the Planning Department.
- (c) **Location:** In typical situations where three (3) inch standard size house or building numbers are required, such street number shall be included within a two (2) square foot surface area located on the face of the house or building within a four (4) foot perimeter of the front entrance. In typical situations where six (6) inch standard size house or building numbers are required, such number shall be located in the approximate center of the face of the building which fronts on the public or private street providing primary vehicular access to the structure. In every situation the house or building number shall be located so that it is clearly visible from the public or private street or parking lot, which provides vehicular access to the structure.
- (d) **Number:** Every house or building shall be posted with the official assigned street number in at least one location in conformance with this Article. Additional posting of street numbers shall be required in the following situations:
 - (1) All commercial or industrial buildings which have a rear or side door that is used for deliveries, public entry purposes, or as a required exit shall be posted with the official assigned street number at such door.
 - (2) Any building or house which is located more than one hundred (100) feet from the public or private street which provides primary vehicular access to the structure, or in any situation where the topography or landscaping of the lot is such that the street number posted on the structure cannot be seen from the public or private street providing primary vehicular access, shall also be posted with the official assigned street number located on a name plate sign at or near the property line at a driveway or walkway to said structure.
 - (3) In any situation where, in the opinion of the Planning Department, additional posting of street numbers is required to clearly identify the location of a house or building.

Sec. 7-21. Posting on street curbing not acceptable

In no situation does the posting on an official assigned street number on street curbing satisfy any of the requirements of this Article. Such posting of street numbers on street curbing is permitted as optional to the property owner. Where such street numbers are posted they shall at all times be consistent with the current official assigned street number for the property.

Sec. 7-22. Temporary Posting During Construction

Immediately following the issuance of a building permit (building, electrical, mechanical or plumbing), and before the related work is begun, the owner, contractor, or agent of the owner shall post the official assigned street number at or adjacent to the entrance of the property or job site at the public or private street providing primary vehicular access to the structure. The temporary number shall be of sufficient size and posted in such a manner so as to be clearly visible from the street. Additional posting shall be required to suit the job site conditions. Temporary posting of street numbers shall be maintained until the permanent official assigned street number conforming with the requirements of this Article are in place and are approved.

Sec. 7-23. Violation; Failure to Post Street Number

Failure to post official assigned street numbers on any house or building in full compliance with the requirements of this Article shall be deemed a violation of the Code of City Ordinances.