

## CHAPTER 13.

## STREETS, SIDEWALKS AND PUBLIC PLACES.

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Article I. In General.

*For charter provisions as to street and sidewalk improvements and assessment of costs therefor, see Char., art. 9. (§ 9.1 et seq.)*  
*For state law as to authority of town to adopt ordinances for the regulation and use of streets, see G.S., § 160A-296, and see, also, G.S., §§ 160A-297 to 160A-307. As to local improvements, see G.S., §§ 160A-216 to 160A-236.*

Sec. 13-1. Use of streets and sidewalks while under construction or repair.

It shall be unlawful for any person to walk on, ride or lead a horse or any other animal, or drive a wagon or any other vehicle, over, across or along any sidewalk or street while such street or sidewalk is under construction or is being repaired and barricades or signs have been posted to give notice of such prohibition; and it shall be unlawful for any person knowingly to tamper with or molest any such construction or repair work.

Sec. 13-2. Removal or disturbance of components of streets, sidewalks and public places.

No person shall, without proper authority, disturb or remove any sand, dirt or other component of any street, sidewalk or public place within the town.

Sec. 13-3. Structures not to encroach upon or obstruct streets, etc.; nuisances.

It shall be unlawful for any person to erect or maintain any building, fence or other structure so as to encroach upon or obstruct any street, sidewalk or public place within the town; and any building, fence or other structure erected or maintained in violation of this section shall constitute a nuisance which shall be subject to abatement by the town at the expense of the violator.

Sec. 13-4. Riding, skating, etc., on sidewalks.

No person shall ride or drive any horse or beast of burden, or any bicycle or motor vehicle, or propel any wheelbarrow or hand cart, nor shall any person roller skate, upon any sidewalk within the town.

Article II. Excavations.

Sec. 13-5. Permit required.

It shall be unlawful for any person to dig any hole, ditch or excavation in or under any street, sidewalk or public place maintained by the town without first having procured a permit so to do from the superintendent of streets.

Sec. 13-6. Bond or cash deposit.

Each applicant for a permit required by this article shall, as a prerequisite to the issuance thereof, file with the superintendent of streets a bond, payable to the town and in such amount as the superintendent of streets shall consider adequate, conditioned upon restoration of the surface of the place to be excavated in compliance with the requirements of this article; provided, that in lieu of such bond a cash deposit may be made with the town finance officer.

Sec. 13-7. Restoration of surface.

It shall be the duty of every holder of a permit issued pursuant to this article to put such street, sidewalk or public place in as good condition in all respects as it was prior to the beginning of work under such permit, and every day of failure so to do shall constitute a separate offense.

Sec. 13-8. Safety precautions.

Every holder of a permit issued pursuant to this article shall take such precautions as may be necessary for the protection of persons, animals and property from injury. Such precautions shall include the erection and maintenance of barriers and lights, and the superintendent of streets may prescribe in the permit such other precautions as he may deem necessary or prudent.

Sec. 13-9. Work to be prosecuted diligently.

Permit holders under this article shall prosecute their work with due diligence, to the end that the work may be completed and the surface restored without undue delay.

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