

Chapter 15

**STREETS, SIDEWALKS AND OTHER  
PUBLIC PLACES\***

- Art. I. In General, §§ 15-1—15-15  
Art. II. Excavations, § 15-16

**ARTICLE I. IN GENERAL**

**Sec. 15-1. Owners to keep sidewalks in good repair.**

The owner of any premises in the town in front of whose premises any sidewalk is in need of repair shall forthwith repair all defects therein in any way endangering or incommoding public travel upon the same and shall maintain such sidewalk in a safe condition and convenient for the use of the public and shall remove therefrom without delay any and all obstructions that may be placed or found thereon.

(Ord. of 2-18-58, § 1)

**Sec. 15-2. Removal of snow or ice from sidewalks.**

(a) *Generally.* The owner, tenant or occupant of any premises, in the town adjoining and fronting on any such sidewalk shall, within six (6) hours of daylight immediately following the cessa-

\*Cross references—Buildings and building regulations, Ch. 5; cemeteries, Ch. 6; obstruction of streets and sidewalks, § 12-2; parks and recreation, Ch. 13; planning, Ch. 14; utilities, Ch. 18; zoning, App. A; subdivisions, App. B.

State law references—Power of town to control the excavation of the highways and streets, G.S. § 7-148(c)(6)(C)(iii); to lay out, construct, etc., streets, sidewalks, etc., G.S. § 7-148(c)(6)(C)(i); to provide for lighting the streets, etc., G.S. § 7-148(c)(4)(F); to provide for the planting, etc., of shade and ornamental trees on the streets and public grounds, G.S. § 7-148(c)(6)(A)(v); to keep open, etc., the streets, sidewalks, etc., G.S. § 7-148(c)(6)(C)(ii); to require owners or occupants of land adjacent to any sidewalk to remove snow, etc., G.S. § 7-148(c)(6)(C)(v); to regulate and prohibit the excavation, etc., of sidewalks, etc., G.S. § 7-148(c)(6)(C)(iv); to prohibit and regulate the discharge of drains from roofs of buildings over or upon the sidewalks, streets, etc., G.S. § 7-148(c)(6)(B)(iv); to keep the streets, sidewalks and public places free from undue noises and nuisances, etc., G.S. § 7-148(c)(7)(F)(i); highways and bridges, G.S. § 13a-1 et seq.

tion of any storm of snow, ice or sleet or the accumulation of ice or snow thereon, cause the same to be removed from such sidewalk and if the same cannot be wholly removed, shall sprinkle thereon sufficient sand or other proper substance so that such sidewalk shall be made safe for travel.

(b) *Repair by town; lien authorized.* Upon the default or neglect of the owner, tenant or occupant of such adjoining premises to comply with the provisions of this section the selectmen may repair such walk or remove any snow or ice therefrom and the expense of such repair or removal shall be a lien upon the premises adjoining such walk, provided the selectmen shall cause a certificate of lien to be recorded in the town clerk's office within sixty (60) days of the completion of such construction, repair or removal.

(c) *Penalty.* Any person who shall violate any provision of this section shall be fined in accordance with section 1-11.  
(Ord. of 2-18-58, §§ 2-4)

Cross reference—Snowstorms, § 17-51 et seq.

Secs. 15-3—15-15. Reserved.

## ARTICLE II. EXCAVATIONS\*

Sec. 15-16. Permit required; bond; penalty.

(a) No person shall excavate within or under, or place any obstruction or substruction within, under, upon or over, or interfere with construction, reconstruction or maintenance of or drainage from, any street or highway previously accepted by the town without the written permission of the board of selectmen, and the board may fill in or close any such excavation or remove or alter any such obstruction or substruction, and the expense incurred by the board in such filling or removing or altering shall be paid by the person making such excavation or placing such obstruction or substruction, provided any excavation, obstruction or substruction existing within, under or over any such accepted street

\*Cross references—Planning, Ch. 14; utilities, Ch. 18; zoning, App. A; subdivisions, App. B.