

**Chapter 16**

**STREETS AND SIDEWALKS\***

**Sections:**

<b>16-0A</b>	<b>ARTICLE I. IN GENERAL</b>
<b>16-1</b>	<b>Minimum width of sidewalk pavement.</b>
<b>16-2</b>	<b>Encroachments declared nuisance; abatement.</b>
<b>16-3</b>	<b>Removal of earth.</b>
<b>16-4</b>	<b>16-4--16-9. Reserved.</b>
<b>16-9A</b>	<b>ARTICLE II. WIRES, CABLES AND CONDUITS*</b>
<b>16-10</b>	<b>Unlawful to string wire without permit; permit specifications.</b>
<b>16-11</b>	<b>Permit duration; renewal.</b>
<b>16-12</b>	<b>Permit fee.</b>
<b>16-13</b>	<b>Installation specifications.</b>
<b>16-14</b>	<b>Minimum overhead clearance.</b>
<b>16-15</b>	<b>Compliance with excavation provisions.</b>
<b>16-16</b>	<b>Liability of permittee.</b>
<b>16-17</b>	<b>Authority to require relocation.</b>

\***Cross references**--Public drunkenness, § 11-14; public utilities systems, Ch. 13; sewage, Ch. 14; subdivisions, Ch. 17; traffic, Ch. 19; trees and landscaping, Ch. 20.

**State law references**--Authority to construct and maintain streets and roads, Ga. Const., art. 9, sec. 2, par. 3; powers with respect to municipal street system, O.C.G.A. § 32-4-92; power of city to open, close or extend public streets, alleys and sidewalks, O.C.G.A. § 36-34-3; street improvements, O.C.G.A. § 36-39-1 et seq.; executions for collection of assessments for paving streets and laying sewers, O.C.G.A. § 48-5-358.

Section 16-0A **ARTICLE I. IN GENERAL**

Section 16-1 **Minimum width of sidewalk pavement.**

It shall be unlawful for any person to lay any sidewalk pavement of a width less than four (4) feet. (Code 1958, § 20-2)

Section 16-2 **Encroachments declared nuisance; abatement.**

It shall be unlawful for any person, firm or entity to place or cause to be placed any encroachment or obstacle on, over, above, or beneath any street, alley or sidewalk of the city. Any person, firm or entity violating this section may be cited, and, if convicted, shall be punished as provided in Section 1-6. In addition, if any police officer of this city determines that any such encroachment or obstacle exists, and that such obstacle or encroachment hinders safe passage and free use of the street, alley or sidewalk involved, the police officer shall have the authority to cause such encroachment or obstacle be removed as soon as practicable thereafter. At the discretion of the City Manager, a charge in the amount of the expense to the City for the removal of the encroachment or obstacle shall be made to the person, firm or entity who or which caused the encroachment or obstacle to exist. If such charge is not paid within thirty days of the delivery of the charge to such person, firm or entity, the City Manager shall direct the City Clerk to issue execution for the amount of such charge, and the City Marshal shall proceed to collect the execution in the

## Chapter 16 Streets and Sidewalks

As of 6-22-11

same manner as is provided for the collection of tax executions. In addition, the City Manager may use any other lawful method for the collection of the charge for expenses contemplated herein.

(Ord. of 6-22-11)

### Section 16-3 Removal of earth.

It shall be unlawful to dig or remove earth from any street, sidewalk, alley, common or reserved lot belonging to the city, without permission from the city council.

(Code 1958, § 20-7)

### Section 16-4 16-4--16-9. Reserved.

### Section 16-9A ARTICLE II. WIRES, CABLES AND CONDUITS\*

**\*Cross references**--Consent required for utility to cross street, § 11-1; excavations, openings or obstructions to be barricaded and lighted at night, § 11-2; underground gas utility damage prevention, § 13-146 et seq.

### Section 16-10 Unlawful to string wire without permit; permit specifications.

(a) It shall be unlawful for any person, except a franchisee, to place a telephone or telegraph wire, cable or conduit upon, under or above the right-of-way of a city street without first having obtained from the city engineer a permit to do so. This permit, if granted by the city engineer, shall be in duplicate, specifying the name of the street involved; the purpose for which the wire, cable or conduit is run; the type and length of wire cable or conduit to be run the extent of the construction to be performed; and the time allowed for performance of the work.

(b) Prior to construction of underground facilities, proposed locations shall be marked with white flags and white paint before all other underground utilities have been marked in the work area covered by the proposed construction.

(Ord. of 12-23-91, § IOrd. of 9-9-02)

(2002 (16-10), Amended, 09/09/2002)

### Section 16-11 Permit duration; renewal.

All permits issued pursuant to the article shall be valid for one (1) year from the date of issuance. The permit shall be renewable annually, as long as the person desires to maintain the wire cable or conduit upon, under or above the right-of-way of the street involved.

(Ord. of 12-23-91, § I)

### Section 16-12 Permit fee.

The fee for such permit shall be three dollars (\$3.00) per foot of wire, cable or conduit occupying such street per year.

(Ord. of 12-23-91, § I)

Chapter 16 Streets and Sidewalks  
As of 6-22-11

Section 16-13 Installation specifications.

The installation of such telephone or telegraph wires, cables or conduits shall be done by a licensed contractor and such work shall be done in a workmanlike manner in accordance with any specifications provided in regulations adopted by the city engineer.  
(Ord. of 12-23-91, § I)

Section 16-14 Minimum overhead clearance.

Any person who is installing an overhead wire or cable across a city street shall at all times maintain a minimum eighteen-foot clearance above the surface of such street.  
(Ord. of 12-23-91, § I)

Section 16-15 Compliance with excavation provisions.

Any person who is installing an underground wire, cable or conduit requiring such permit shall also comply with the provisions of Article IV, Division 2 of Chapter 13 of this Code which deals with excavations into a public street.  
(Ord. of 12-23-91, § I)

Section 16-16 Liability of permittee.

The permit issued above shall also specify that the permittee shall at all times be responsible to the public and hold the city harmless for any property damage or personal injury caused or occasioned by the installation, maintenance or occupancy of any wire, cable or conduit under, upon or above a street right-of-way as permitted in this article.  
(Ord. of 12-23-91, § I)

Section 16-17 Authority to require relocation.

The city engineer shall be authorized to require a permittee to relocate the wire, cable or conduit if such relocation is a public necessity. The city engineer may also require an overhead wire or cable to be relocated underground if the street involved should convert from an overhead telephone system to an underground telephone system.  
(Ord. of 12-23-91, § I)