

CHAPTER 6

STREETS AND SIDEWALKS

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Article 1. In General¹

Sec. 6-1. Acceptance of streets for care and maintenance.

No street shall be accepted for care and maintenance by the Town unless such new street has been graded and surfaced as provided in this section and dedicated by the recording of a plat drawn to scale showing such street, in the Office of the Clerk of the Circuit Court of the county, at the expense of the owner of the property, and no such acceptance shall take place until the plat of the street has been accepted and approved by the Town Council.

Before new streets can be accepted by the Town for care and maintenance, such streets must meet the requirements of the State Department of Highways.

Sec. 6-2. Specifications for work on streets by town forces.

The Mayor shall have authority to prescribe regulations for work done on Town streets by Town forces.

Sec. 6-3. Where property owner to bear construction costs of new private entrance.

The property owner shall bear the construction costs for a new private entrance, where curbs or walks are cut or installed, culverts installed or bridging necessitated.

Sec. 6-4. Porticoes, porches, etc., projecting into or upon sidewalk.

It shall be unlawful for any person to construct or place, or cause to be constructed or placed, any portico, porch, door or step, which shall project into or upon any sidewalk or paved walkway along any street in the Town.

1. For State Law: as to power of town to lay off streets, walks or alleys, alter, improve and light the same and have them kept in good order, see Code of Va. Sec. 15.1-14; as to alteration and vacation of streets generally, Code of Va. Sec. 15.1-364; as to grading streets, Code of Va. Secs. 15.1-367 to 15.1-371; as to acquisition of land in connection with street changes, Code of Va. Sec. 15.1-372; as to use of streets by public utilities without previous consent of corporate authorities, Code of Va. Sec. 15.1-375; authorizing Town to permit awnings, fire escapes, etc., to overhang streets, Code of Va. Sec. 15.1-376; as to laying pipes in streets, Code of Va. Secs. 56-257 to 56-260.1.

Sec. 6-5. Removal of encroaching buildings, etc.

In every case of encroachment upon a street by a building, fence or other structure, the owner or maintainer thereof may be required to remove the same. For failure to make the removal within the time ordered by the Town Council, the owner or maintainer of such building, fence or other structure shall be guilty of a misdemeanor and, upon such failure, the Town Council may require such encroachment to be removed at the risk and cost of the person owning or maintaining the same.

Sec. 6-6. Boxes, crates, etc., obstructing sidewalks.

It shall be unlawful for any person to place or permit to remain upon the streets, alleys or sidewalks adjoining their premises any boxes, crates or other things that will cause the streets, alleys or sidewalks to be obstructed.

Sec. 6-7. Operation of loud-speakers, etc.

It shall be unlawful for any person to operate any loud-speaker or similar device on any street, sidewalk or alley of the Town, whether such loud-speaker or similar device is attached to an automobile or other vehicle or not without a special permit from the Town Mayor or unless provided otherwise within the Town Code.

Sec. 6-8. Throwing or depositing lumber, etc., in the street, alley or sidewalk.

It shall be unlawful for any person to throw, place, drop or cause to be put, any lumber, wood, stone or other obstruction into or upon any street or public place in the Town. This section shall not be construed to apply to building material placed on the street, sidewalk or alley pursuant to Section 6-9.

Sec. 6-9. Placing building materials upon street, alley or sidewalk.

No person shall place building materials upon the street, sidewalk or alley for use in connection with construction work, unless he shall have first obtained a permit from the Mayor to do so and unless he shall place such materials in the space assigned and in the manner directed by the Mayor.

Sec. 6-10. Use of sidewalks during erection, etc., of building or wall.

When any building or wall is being erected, repaired or demolished, the sidewalks in front thereof may be occupied and used by the contractor or builder in connection with such work for such period of time as may be reasonable; provided, that reasonable means are taken for the protection and safe passage of pedestrians and vehicular traffic.

Sec. 6-11. Trees, etc., projecting over streets or sidewalks.

It shall be unlawful for any person owning or occupying property abutting a street or sidewalk to allow any trees, plants or shrubs growing on such property to project over the street or sidewalk in such manner as to obstruct or interfere with the safe passage of vehicles or pedestrians.

Sec. 6-12. Height of signs, awnings, goods, etc., above street or sidewalk.

It shall be unlawful for any person to place or allow to remain any sign, awning, goods or any other thing over any street or sidewalk unless the same shall be at least eight feet above such street or sidewalk.

For the purpose of this section, the word "sidewalk" means not only any sidewalk on ground belonging to the Town but also any ground belonging to private parties which is alongside the sidewalk belonging to the Town, is not more than three feet therefrom and is not enclosed.

Sec. 6-13. Permission, etc., for signs, awnings, goods, etc., above street or sidewalk.

No sign, awning, goods, wares or merchandise or any other thing shall be placed or allowed to remain above any street or sidewalk, unless pursuant to permission of, and according to directions, of the mayor.

For the purpose of this section, the word "sidewalk" means not only any sidewalk on ground belonging to the Town but also any ground belonging to private parties which is alongside the sidewalk belonging to the Town, is not more than three feet therefrom and is not enclosed.

Sec. 6-14. Projecting signs, etc., to be secured and in safe condition.

Any sign or awning projecting over the sidewalk or street shall be adequately secured and shall not be in an unsafe condition.

Sec. 6-15. Unauthorized occupation or use, skateboarding, etc.

Except for bicycles, it shall be unlawful to use the streets and sidewalks in the Town for playground purposes and games, or for skateboarding, roller skating and roller blading; or to throw, cast or cause to be projected in flight any ball, missile or object of any kind across any public sidewalk, street or alley when any oncoming traffic, vehicular or pedestrian, is within one hundred feet of the line of flight of such ball, missile or object. No person shall ride a moped, scooter, electric personal assistive mobility device or electric power-assisted bicycle on the sidewalks in the Town.

A violation of this ordinance shall be punishable by a civil penalty of not more than \$50.00.

Article II. Excavations, etc.

Division 1. Generally

Sec. 6-16. Unauthorized tearing up or digging in streets and sidewalks.

No person, unless specifically authorized by the Town Council or the Mayor, shall tear up, dig in or in any way deface or injure any street or sidewalk.

Sec. 6-17. Disturbing street or sidewalk in connection with water supply or sewer system.

Whenever it may be necessary to disturb any street or sidewalk in connection with the water supply or sewer system of the Town, the work shall be done under the direction and control of the Mayor.

Division 2. Permit for Taking up or Removing Portion of Surface of Street or Sidewalk

Sec. 6-18. Required.

No person, unless specially authorized by the Town Council, shall take up or remove any portion of the surface of the sidewalk or street, or excavate in any public street of the town without a written permit from the Mayor, who shall not refuse such permit to any applicant except for cause, but in case of refusal the applicant may appeal to the Town Council.

Sec. 6-19. Deposits; acquiescence in provisions of division.

Before a permit as required in Section 6-18 is granted, the Mayor may require a deposit sufficient to pay for resurfacing the street to be disturbed, the amount of such deposit to be determined by the Mayor.

Every person who shall make application for such a permit shall be deemed to have assented thereby to all the provisions and terms of this division, including the right of the town to collect the actual cost of replacing the pavement, sidewalk or street surface in the manner above directed.

Sec. 6-20. Duty to prosecute work without delay.

It shall be the duty of every person to whom a permit, as required in Section 6-18, shall have been granted, to institute at once and prosecute without delay the work for which such permit was obtained, and promptly, on its completion, give written notice thereof to the Mayor.

Sec. 6-21. Replacing surface.

No pavement, sidewalk or street surface shall be replaced, after being taken up, pursuant to a permit as required in Section 6-18, by any person except under the direction of the Mayor. If the applicant fails to resurface the street disturbed promptly and in a manner approved by the Mayor, the Mayor is authorized to cause such work to be done at the expense of the applicant.

Sec. 6-22. Guarding by lights and barriers; responsible for damages caused by excavation.

Any person to whom a permit, as required in Section 6-18, is granted shall place guards or barriers around the excavation in question and shall protect it by warning lights at night, and shall be responsible for damages to persons or property caused by such excavations until taken in charge by the Mayor.

Sec. 6-23. Division not applicable to work done by Town.

The provisions of this division shall not apply to work done by Town forces under the supervision of the Mayor.

Article III. Street Names and House Numbers

Sec. 6-24. Uniform system adopted for the Town of Hurt; compliance with chapter.

There is hereby established a uniform system for naming streets and numbering buildings fronting on all streets, roads, and public ways in the Town of Hurt. All streets shall be named and all buildings shall be numbered in accordance with the provisions of this chapter.

Sec. 6-25. Base lines established.

The base lines are Prospect Road and Staunton River. Staunton River being the northern boundary of the Town of Hurt there will be no "North" or "South" streets.

All streets east of Prospect Road running in a generally easterly - westerly direction shall be considered "East" streets. All streets west of Prospect Road running in a generally easterly - westerly direction shall be considered "West" streets.

Sec. 6-26. Preparation and filing of official plat book.

In order to facilitate the numbering of houses and the naming of streets, an official plat book shall be prepared showing the number of each building and the name of each street. The official plat book shall be kept on file in the office of the Town Clerk.

Sec. 6-27. Furnishing street names and signs.

Every subdivision plat submitted to the Planning Commission for its approval shall show the proposed names of the streets, and the names shall be approved by the Planning Commission before such new names are official. After the adoption of this chapter, every subdivider shall furnish a street sign, of a design approved by the Town, for every street intersection within the subdivision. The Town shall replace, as funds become available, street signs needed because of street name changes.

Sec. 6-28. Authority of town council to change street names.

The Town Council may change, rename or name an existing or newly established street at any time after the adoption of this chapter.

Sec. 6-29. When street names and house numbers become official; procedure.

In order to implement the house numbering and street naming program for the town, the new numbers and street names shall become official as each portion of the town is incorporated in the uniform system. The procedure shall be as follows: (1) Plats showing the proposed house numbers and street names shall be prepared. (2) The plats shall be reviewed and approved by the Town Council. (3) A notice shall be delivered, by the clerk's office, to each building stating the new address and when it becomes effective.

Sec. 6-30. Notification of Post Office Department, etc., of change of address.

It shall be the responsibility of the owner or occupant to notify the post office department, correspondents, publishers, utilities and all other interested parties of the change of address.

Sec. 6-31. Duties of the mayor.

It shall be the duty of the mayor or his authorized agent to assign house numbers and to keep the plat book up to date.

Sec. 6-32. Duty of owner of new or altered building.

After a uniform house numbering system has been established, it shall be the duty of the owner of every new or altered building to obtain the proper house number and attach the number to the premises. When required, no building permit shall be issued until the proper house number has been issued. In order to facilitate the keeping of the official plat book, a duplicate copy of each building permit shall be forwarded to the clerk's office.

Sec. 6-33. Numbering generally - from base lines.

Numbers ascend from zero to the south from the Staunton River base line. Numbers ascend from 100 east and 100 west of the Prospect Road base line.

Sec. 6-34. Buildings south of Staunton River fronting on streets running in a southerly direction.

Each building south of Staunton River and facing a street running in a southerly direction shall carry a number and address indicating its relation to the base line. No prefix is required.

Sec. 6-35. Buildings west of Prospect Road and fronting on streets running in a westerly direction.

Each building west of Prospect Road and facing a street running in a westerly direction shall carry a number and address indicating its location west of the base line. The prefix "West" is required if the street crosses the base line.

Sec. 6-36. Buildings east of Prospect Road and fronting on streets running in an easterly direction.

Each building east of Prospect Road and facing a street running in an easterly direction shall carry a number and address indicating its location east of the base line. The prefix "East" is required if the street crosses the base line.

Sec. 6-37. Diagonal and curving streets.

Each building on a diagonal or curving street shall be assigned a north-south or east-west number as conditions warrant.

Sec. 6-38. Assignment of numbers on streets not extending to base line.

Buildings on streets not extending through to the base line shall be assigned numbers in the same manner as if such street extended through to the base line.

Sec. 6-39. Time of placing numbers on buildings; payment of cost.

Numbers shall be placed on existing buildings within thirty days after being assigned. The cost of the numbers shall be paid for by the property owner.

Sec. 6-40. Size, type of material and location of numbers.

House numbers shall not be less than three inches in height and shall be made of a durable and clearly visible material. The numbers shall be conspicuously placed on, above, or at the side of the main entrance door so that the number is plainly visible from the street. Whenever a building is more than fifty feet from the street, or when

the entrance is not visible from the street, the number shall be placed at the walk, driveway or other suitable location that is easily discernible from the street.

Sec. 6-41. House numbers and mail delivery.

For mail delivery to mail boxes, the house number must be clearly painted on the mail box. The number must be no less than one inch in size.

Sec. 6-42. Grid system.

A grid system, as shown on the property numbering maps, is hereby established. The grid lines shall curve to meet the existing town system and to pass through street intersections and other key points. The grid line, as shown on the property numbering maps, indicate the point at which block numbers will change in increments of one hundred.

Sec. 6-43. Maximum block length; increments for numbering.

The maximum length of a block shall be 2200 feet. Where required a block number may be omitted or block number may change at any location on a street. There shall be a separate number assigned to each 100 ft. of frontage along the center line of the street. This increment shall be 25 feet along commercial property. This increment may increase along industrial property.

Sec. 6-44. Assignment of even and odd numbers.

Even numbers shall be assigned to the north and east sides of all streets and odd numbers shall be assigned to the west and south sides of all streets.

Sec. 6-45. Assignment of letter suffixes on multiple-family dwellings.

A multiple-family dwelling shall be assigned only one number, and separate apartments shall have a letter suffix.