

## **Chapter 18 - STREETS, SIDEWALKS AND OTHER PUBLIC PROPERTY**

**\*Cross reference**— Ordinances naming, renaming, opening, accepting or vacating streets, alleys, easements or rights-of-way saved from repeal, § 1-10(a)(9); County property, § 2-106 et seq.; use of county property for private purposes, § 2-106; property numbering and street naming system, § 6-77 et seq.; erosion and sediment control, § 10-27 et seq.; parks and recreation, ch. 14; sanitary landfills, § 17-23 et seq.; utility easements, § 19-166; street name signs, § 19-167; traffic and vehicles, ch. 22; obstruction of streets by railroad, § 22-37; placing glass or other hazardous material on street, § 22-38; specific street regulations, § 22-73 et seq.; riding bicycles on sidewalks or crosswalks prohibited, § 22-350.

**\*State law reference**— Highways, bridges and ferries, Code of Virginia, § 33.1-1 et seq.; local streets and alleys, Code of Virginia, § 15.2-2000 et seq.; local authority over highways, bridges and ferries, Code of Virginia, § 33.1-224 et seq.

### **ARTICLE I. - IN GENERAL**

#### **Sec. 18-1. - Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*County standards and specifications* means the current design standards and specifications for roads, streets, drainage, water and sewer construction and improvements in the county, on file in the office of the director.

*Director* means the director of public works/county engineer or designee.

(*Code 1980, § 18-11; Code 1995, § 18-1*)

**Cross reference**— Definitions and rules of construction, § 1-2.

#### **Sec. 18-2. - Adoption of state road and bridge specifications.**

The current edition of the Road and Bridge Specifications of the Virginia Department of Transportation, and all amendments thereto, is hereby adopted by reference insofar as it is not inconsistent with this Code.

(*Code 1980, § 18-12; Code 1995, § 18-2*)

#### **Sec. 18-3. - Obstruction of roads, ditches or drains; gated subdivisions.**

It shall be a class 1 misdemeanor to erect, construct, place or maintain any bumps, fences, gates, chains, bars, pipes, wood or metal horses, basketball goals or other sporting equipment, or any other type obstruction, in a road, a ditch made to drain the road, or an off drain from ditches except in gated subdivisions permitted in chapter 24.

(*Code 1980, § 18-1; Code 1995, § 18-3; Ord. No. 1064, § 1, 3-9-2004*)

**Cross reference**— Water and sewer, ch. 23.

**State law reference**— Cutting trees, obstructing roads, etc., Code of Virginia, § 33.1-345.

**Sec. 18-4. - Installation of unapproved culvert pipe.**

It shall be unlawful to install culvert pipe in roads or ditches for walkways, driveways or other purposes unless the director has approved it as to size and type or as a substitute for standard pipe.

*(Code 1980, § 18-2; Code 1995, § 18-4)*

**Cross reference**— Buildings, ch. 6; stormwater management, § 10-196 et seq.; water and sewer, ch. 23.

**Sec. 18-5. - Burning leaves, trash or other materials on hard-surfaced roadway.**

It shall be unlawful to burn leaves, trash or other materials on the hard-surfaced roadway of any street maintained by the county.

*(Code 1980, § 18-3; Code 1995, § 18-5)*

**Cross reference**— Environment, ch. 10; burning of leaves, § 11-17.

**Sec. 18-6. - Parking vehicles dripping oil or fuel on asphalt roadway.**

It shall be unlawful to park a car, truck or other motorized vehicle on any asphalt surface if it leaks or drips oil or fuel.

*(Code 1980, § 18-4; Code 1995, § 18-6)*

**Cross reference**— Stopping, standing and parking, § 22-151 et seq.

**Sec. 18-7. - Obstruction of vision at intersections.**

It shall be unlawful to have a wall, fence, planting or structure obstruct vision within 20 feet of the intersection of two street right-of-way lines, as measured at elevations greater than 30 inches above the curb level or the centerline of the street grade. Where a desirable tree obstructs vision at the time of street dedication, the tree shall be trimmed or removed to provide the sight distance required by the director.

*(Code 1980, § 18-6; Code 1995, § 18-7)*

**Cross reference**— Street design standards, § 19-121 et seq.; traffic and vehicles, ch. 22.

**Sec. 18-8. - Hauling houses, oversize loads or heavy loads.**

It shall be unlawful to haul houses, oversized loads, or loads in excess of the weight permitted in chapter 22, article III, division 3 on any street, right-of-way, easement or area dedicated for public use unless the hauler has obtained a permit from the director or the Virginia Department of Motor Vehicles and provided a satisfactory certificate of liability insurance to cover any damage.

*(Code 1980, § 18-7; Code 1995, § 18-8)*

**Sec. 18-9. - Construction of street entrances.**

It shall be unlawful to construct a commercial or private entrance to county streets without the director's approval or in violation of county standards and specifications.

*(Code 1980, § 18-8; Code 1995, § 18-9)*

**Sec. 18-10. - Damaging right-of-way, pavement or curb and gutter.**

(a) The holder of any building permit shall be liable for all damage to the county right-of-way, pavement and curb and gutter within 50 feet of the property line due to construction on the property. The permit holder shall be liable from issuance of the building permit until issuance of the certificate of occupancy, even if the county is unable to identify the person causing the damage.

(b) If two or more permit holders are liable for damage under subsection (a) of this section, they shall have equal liability unless they agree which permit holder is responsible.

(c) The responsible permit holder shall timely correct all damage to the director's satisfaction. Any permit holder who fails to do so shall be subject to the penalties prescribed in section 1-13.

*(Code 1980, § 18-10; Code 1995, § 18-10)*

**Secs. 18-11 – 18-38. - Reserved.**

**ARTICLE II. - WORK IN PUBLIC STREETS AND RIGHTS-OF-WAY**

**DIVISION 1. - GENERALLY**

**Sec. 18-39. - Permit required.**

It shall be unlawful to do any work in a public street, right-of-way, easement or other area dedicated to public use before submitting a plan and specifications and receiving a permit from the director.

*(Code 1980, § 18-21; Code 1995, § 18-61)*

**State law reference** – Authority to require permit, Code of Virginia, § 56-15.

**Sec. 18-40. - Permit application form; inspection fees.**

Applications for all public utility work shall be made in triplicate upon a form provided by the director. The application shall be accompanied by a check or bond guarantee for payment of inspection fees as follows:

Poles, each		\$0.25
Guys, each		0.25
Wire crossings, each		2.50
Pipelines:		
	Crossings (excavated), each	2.50
	Crossings (driven), each	2.50
	Parallel to highway, up to 100 feet	2.50
	101 feet to 500 feet	5.00
	501 feet to 1,000 feet	7.50

	Over 1,000 feet	As determined by the director.
--	-----------------	--------------------------------

*(Code 1980, § 18-23; Code 1995, § 18-62)*

**Sec. 18-41. - Application for permit by letter.**

When the work to be done under this article is routine and limited in scope, the permit application may consist of a letter describing the work to be done and a sketch showing the location and extent of the work.

*(Code 1980, § 18-25; Code 1995, § 18-63)*

**Sec. 18-42. - Bond.**

Any person performing work under section 18-39 who has not filed a performance bond in the amount of at least \$1,000.00 shall furnish bond in an amount determined by the director.

*(Code 1980, § 18-24; Code 1995, § 18-64)*

**Sec. 18-43. - Conformance with plans and director's instructions; notification of director on completion of work.**

All construction or repair work in a public street, right-of-way, easement or other area dedicated to public use shall conform to the approved plans and specifications and to the director's written instructions. The director may waive the requirement of formal plans and specifications if the work is so routine and limited that detailed plans and specifications are not necessary for its proper execution. The director shall be notified immediately when the work is ready for inspection.

*(Code 1980, § 18-22; Code 1995, § 18-65)*

**Secs. 18-44 – 18-74. - Reserved.**

**DIVISION 2. - USE FOR WATER AND SEWAGE SYSTEMS**

\*Cross reference – Water and sewer, ch. 23.

**Sec. 18-75. - Application for approval.**

Any person who wishes to occupy or use any street, bridge, park or other public place, or any public easement in order to construct or establish a water or sewage system or to extend an existing water or sewage system shall apply to the board of supervisors with the following information:

- (1) The location of the proposed system.
- (2) A description of the system, including the source of the water supply or the means of sewage disposal.
- (3) The ownership of the property to be served and, if owned by other than the applicant, a statement as to the terms, conditions and costs under which the service is to be provided.
- (4) A statement of the efforts made to acquire service through a county water or sewer system.
- (5) The provisions under which the system can be acquired by the county, either by gift or otherwise.
- (6) The need for the system, the public interest to be served, and the explanation as to why the county

cannot provide the system.

(7) Any other pertinent information that the board of supervisors may require.

*(Code 1980, § 18-26; Code 1995, § 18-81)*

**Sec. 18-76. - Criteria for approval; road permit.**

The board of supervisors may grant or deny the request for permission to construct, establish or extend a water or sewage system based on the facts submitted in the application and the county's comprehensive plan for providing water or sewage facilities for the area. Approval of the application by the board of supervisors shall not eliminate the requirement to obtain a road permit from the director for any work otherwise requiring a permit.

*(Code 1980, § 18-27; Code 1995, § 18-82)*