TITLE 16

STREETS AND SIDEWALKS, ETC¹

CHAPTER
1. MISCELLANEOUS.
2. EXCAVATIONS AND CUTS.

CHAPTER 1

MISCELLANEOUS

SECTION
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16-101. Obstructing streets, alleys, or sidewalks prohibited. No person shall use or occupy any portion of any public street, alley, sidewalk, or right of way for the purpose of storing, selling, or exhibiting any goods, wares, merchandise, or materials.

No person shall park any motor vehicle licensed and/or primarily used for commercial purposes and having a gross vehicular weight in excess of 8,000 pounds on a public street within a residential or commercial zoning district, for any period longer than when actively engaged in the loading or unloading of goods, wares, or merchandise. Excluded from this provision are emergency service vehicles, vehicles used for the transportation of passengers, and construction vehicles when lawfully permitted by the City of White House Police Department.

¹Municipal code reference
Related motor vehicle and traffic regulations: title 15.
No person shall park any truck or motor vehicle of more than 18,000 pounds gross weight, or any trailer, semi-trailer, or motor coach, whether or whether not attached to a tractor, on any street from 6:00 P.M. to 6:00 A.M.; except this section shall not apply to trucks, trailers or semi trailers so parked while actually engaged in loading or unloading, or in performing a service, including moving vans and vehicles needed for construction purposes at the adjoining property. (1979 Code, § 12-101, as amended by Ord. #04-13, Sept. 2004)

16-102. Trees projecting over streets, etc., regulated. It shall be unlawful for any property owner or occupant to allow any limbs of trees on his property to project over any street or alley at a height of less than fourteen (14) feet or over any sidewalk at a height of less than eight (8) feet. (1979 Code, § 12-102)

16-103. Trees, etc., obstructing view at intersections prohibited. It shall be unlawful for any property owner or occupant to have or maintain on his property any tree, shrub, sign, or other obstruction which prevents persons driving vehicles on public streets or alleys from obtaining a clear view of traffic when approaching an intersection. (1979 Code, § 12-103)

16-104. Projecting signs and awnings, etc., restricted. Signs, awnings, or other structures which project over any street or other public way shall be erected subject to the requirements of the building code.¹ (1979 Code, § 12-104)

16-105. Banners and signs across streets and alleys restricted. It shall be unlawful for any person to place or have placed any banner or sign across any public street or alley except when expressly authorized by the board of mayor and aldermen after a finding that no hazard will be created by such banner or sign. (1979 Code, § 12-105)

16-106. Gates or doors opening over streets, alleys, or sidewalks prohibited. It shall be unlawful for any person owning or occupying property to allow any gate or door to swing open upon or over any street, alley, or sidewalk except when required by law. (1979 Code, § 12-106)

16-107. Littering streets, alleys, or sidewalks prohibited. It shall be unlawful for any person to litter, place, throw, track, or allow to fall on any street, alley, or sidewalk any refuse, glass, tacks, mud, or other objects or materials which are unsightly or which obstruct or tend to limit or interfere

¹Municipal code reference
Building code: title 12, chapter 1.
with the use of such public ways and places for their intended purposes. (1979 Code, § 12-107)

16-108. Obstruction of drainage ditches. It shall be unlawful for any person to permit or cause the obstruction of any drainage ditch in any public right of way. (1979 Code, § 12-108)

16-109. Abutting occupants to keep sidewalks clean, etc. The occupants of property abutting on a sidewalk are required to keep the sidewalk clean. Also, immediately after a snow or sleet, such occupants are required to remove all accumulated snow and ice from the abutting sidewalk. (1979 Code, § 12-109)

16-110. Parades, etc., regulated. It shall be unlawful for any person, club, organization, or other group to hold any meeting, parade, demonstration, or exhibition on the public streets without some responsible representative first securing a permit from the recorder. No permit shall be issued by the recorder unless such activity will not unreasonably interfere with traffic and unless such representative shall agree to see to the immediate cleaning up of all litter which shall be left on the streets as a result of the activity. Furthermore, it shall be unlawful for any person obtaining such a permit to fail to carry out his agreement to clean up the resulting litter immediately. (1979 Code, § 12-110)

16-111. Animals and vehicles on sidewalks. It shall be unlawful for any person to ride, lead, or tie any animal, or ride, push, pull, or place any vehicle across or upon any sidewalk in such manner as unreasonably interferes with or inconveniences pedestrians using the sidewalk. It shall also be unlawful for any person knowingly to allow any minor under his control to violate this section. (1979 Code, § 12-111)

16-112. Fires in streets, etc. It shall be unlawful for any person to set or contribute to any fire in any public street, alley, or sidewalk. (1979 Code, § 12-112)

16-113. Roadblocks for solicitations. It shall be unlawful for any person and/or organization, to use, occupy, or obstruct any portion of any public street, street-right-of-way, alley, or sidewalk in order to slow or stop vehicular traffic for the purpose of soliciting donations or contributions, or selling merchandise, or any other similar purpose. The police department is hereby empowered to enforce this provision. (1979 Code, § 12-113, as amended by Ord. #97-13, Oct. 1997)

16-114. Uniform system for numbering properties and principal buildings. (1) Uniform numbering system. A uniform system of numbering properties and principal buildings as shown on the maps identified by the title
WHITE HOUSE STREET NUMBERING SYSTEM which is filed in the office of the city recorder, is hereby adopted for use in the City of White House, Tennessee. This map and all explanatory matter thereon, is hereby adopted and made a part of this section.

(2) **Assignment of numbers.** (a) All properties or parcels of land within the corporate limits of White House, Tennessee shall hereafter be identified by reference to the uniform numbering system adopted herein. Provided, all existing numbers of property and buildings not now in conformity with provisions of this section shall be changed to conform to the system herein adopted within six months from the date of passage of this ordinance.\(^1\)

(b) A separate number shall be assigned for approximately each 30 feet of frontage in business areas and each 50 feet in residential areas except where lots are part of recorded plats and such lots may not be reduced in size. In these cases each platted lot shall be assigned a separate number.

(c) Each principal building shall bear the number assigned to the frontage on which the front entrance is located. In case a principal building is occupied by more than one business or family dwelling unit, each separate front entrance of such principal building shall bear a separate number.

(d) Numerals indicating the official number for each principal building or each front entrance to such building shall be posted in a manner as to be visible from the street on which the property is located. Such numerals may be obtained from the city recorder, as provided in subsection (3).

In order for numerals to be seen plainly, they should be posted on both sides of a mail box or on a yard plaque inserted in the ground in close proximity to the road right-of-way.

(3) **Administration.** (a) The building inspector shall be responsible for maintaining the numbering system. In the performance of this responsibility the building inspector shall be guided by the provisions of subsection (2) of this section.

(b) The city recorder shall keep a record of all numbers assigned under this section.

(c) The city recorder shall issue to any property owner in White House upon request a set of numerals for each principal building or separate front entrance to such building. In doing so, he shall issue only numerals for the number assigned to each building under the provisions of this section. Provided, however, that the recorder may issue additional numerals in accord with the official numbering system whenever a

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\(^1\)This ordinance (#80-3) was adopted on March 20, 1980.
property has been subdivided, a new front entrance opened, or undue hardship has been worked on any property owner.

(4) **Penalties.** Violation of this section shall be a misdemeanor and may be punished by a fine of $1.00 to $5.00. Each separate day such violation is continued shall constitute a separate offence. (1979 Code, § 12-114)
CHAPTER 2

EXCAVATIONS AND CUTS¹

SECTION
16-201. Permit required.
16-203. Fee.
16-204. Deposit or bond.
16-205. Manner of excavating--barricades and lights--temporary sidewalks.
16-206. Restoration of streets, etc.
16-207. Insurance.
16-208. Time limits.
16-209. Supervision.

16-201. Permit required. It shall be unlawful for any person, firm, corporation, association, or others, to make any excavation in any street, alley, or public place, or to tunnel under any street, alley, or public place without having first obtained a permit as herein required, and without complying with the provisions of this chapter; and it shall also be unlawful to violate, or vary from, the terms of any such permit; provided, however, any person maintaining pipes, lines, or other underground facilities in or under the surface of any street may proceed with an opening without a permit when emergency circumstances demand the work to be done immediately and a permit cannot reasonably and practicably be obtained beforehand. The person shall thereafter apply for a permit on the first regular business day on which the public works office is open for business, and said permit shall be retroactive to the date when the work was begun. (1979 Code, § 12-201, as amended by Ord. #07-01, Feb. 2007)

16-202. Applications. Applications for such permits shall be made to the public works office, or such person as may be designated to receive such applications, and shall state thereon the location of the intended excavation or tunnel, the size thereof, the purpose thereof, the person, firm, corporation, association, or others doing the actual excavating, the name of the person, firm, corporation, association, or others for whom the work is being done, and shall contain an agreement that the applicant will comply with all ordinances and

¹State law reference
This chapter was patterned substantially after the ordinance upheld by the Tennessee Supreme Court in the case of City of Paris, Tennessee v. Paris-Henry County Public Utility District, 207 Tenn. 388, 340 S.W.2d 885 (1960).
laws relating to the work to be done. Such application shall be rejected or approved by the public works office within twenty-four (24) hours of its filing. (1979 Code, § 12-202, as amended by Ord. #07-01, Feb. 2007)

16-203. Fee. The fee for such permits shall be two dollars ($2.00) for excavations which do not exceed twenty-five (25) square feet in area or tunnels not exceeding twenty-five (25) feet in length; and twenty-five cents ($.25) for each additional square foot in the case of excavations, or lineal foot in the case of tunnels; but not to exceed one hundred dollars ($100.00) for any permit. (1979 Code, § 12-203)

16-204. Deposit or bond. No such permit shall be issued unless and until the applicant therefor has deposited with the public works office a cash deposit. The deposit or bond shall be in the sum of twenty-five dollars ($25.00) if no hard surface (i.e. pavement, curbs, sidewalks) are involved. If the excavation is under a hard surface, a five hundred dollar ($500.00) minimum deposit, plus as additional five dollars ($50.00) for every ten (10) feet of length over the first ten (10) feet, shall be required. The balance shall be returned to the applicant without interest ninety (90) days after the tunnel or excavation is completely refilled and the surface or pavement is restored.

In lieu of a deposit the applicant may deposit with the public works office a surety bond in such form and amount as the recorder shall deem adequate to cover the costs to the city if the applicant fails to make proper restoration. (1979 Code, § 12-204, as amended by Ord. #07-01, Feb. 2007)

16-205. Manner of excavating—barricades and lights—temporary sidewalks. Any person, firm, corporation, association, or others making any excavation or tunnel shall do so according to the terms and conditions of the application and permit authorizing the work to be done. Sufficient and proper barricades and lights shall be maintained to protect persons and property from injury by or because of the excavation being made. If any sidewalk is blocked by any such work, a temporary sidewalk shall be constructed and provided which shall be safe for travel and convenient for users. (1979 Code, § 12-205)

16-206. Restoration of streets, etc. Any person, firm, corporation, association, or others making any excavation or tunnel in or under any street, alley, or public place in this city shall restore said street, alley, or public place to its original condition. In case of unreasonable delay in restoring the street, alley, or public place, the public works office shall give notice to the person, firm, corporation, association, or others that unless the excavation or tunnel is refilled properly within a specified reasonable period of time, the city will do the work and charge the expense of doing the same to such person, firm, corporation, association, or others. If within the specified time the conditions of the above notice have not been complied with, the work shall be done by the city, an
accurate account of the expense involved shall be kept and the total plus twenty percent (20%) cost shall be deducted from the deposit or bond amount submitted by the entity that was granted the permit. (1979 Code, § 12-206, as amended by Ord. #07-01, Feb. 2007)

16-207. **Insurance.** In addition to making the deposit or giving the bond hereinbefore required to insure that proper restoration is made, each person applying for an excavation permit shall file a certificate of insurance indicating that he is insured against claims for damages for personal injury as well as against claims for property damage which may arise from or out of the performance of the work, whether such performance be by himself, his subcontractor, or anyone directly or indirectly employed by him. Such insurance shall cover collapse, explosive hazards, and underground work by equipment on the street, and shall include protection against liability arising from completed operations. The amount of the insurance shall be prescribed by the public works office in accordance with the nature of the risk involved; provided, however, that the liability insurance for bodily injury shall not be less than $100,000 for each person and $300,000 for each accident, and for property damages not less than $25,000 for any one (1) accident, and a $75,000 aggregate. (1979 Code, § 12-207, as amended by Ord. #07-01, Feb. 2007)

16-208. **Time limits.** Each application for a permit shall state the length of time it is estimated will elapse from the commencement of the work until the restoration of the surface of the ground or pavement. It shall be unlawful to fail to comply with this time limitation unless permission for an extension of time is granted by the public works office. (1979 Code, § 12-208, as amended by Ord. #07-01, Feb. 2007)

16-209. **Supervision.** The public works office shall from time to time inspect all excavations and tunnels being made in or under any public street, alley, or other public place in the city and see to the enforcement of the provisions of this chapter. Notice shall be given to him at least ten (10) hours before the work of refilling any such excavation or tunnel commences. (1979 Code, § 12-209, as amended by Ord. #07-01, Feb. 2007)

16-210. **Driveway curb cuts.** No one shall cut, build, or maintain a driveway across a curb or sidewalk without first obtaining a permit from the public works office. Such a permit will not be issued when the contemplated driveway is to be so located or constructed as to create an unreasonable hazard to pedestrian and/or vehicular traffic. No driveway shall exceed thirty-five (35) feet in width at its outer or street edge and when two (2) or more adjoining driveways are provided for the same property a safety island of not less than ten (10) feet in width at its outer or street edge shall be provided. Driveway aprons
shall not extend out into the street. (1979 Code, § 12-210, as amended by Ord. #07-01, Feb. 2007)