

Town of Windsor

Memorandum

November 8, 2016

TO: The Honorable Mayor and Town Council

FROM: Michael Stallings, Town Manager *MS*

SUBJECT: Town Code Update

In accordance with the Town Code update schedule, I have completed my review of section 126. Due to the complexity of section 130, Taxation, it has been held back for further review to ensure its compliance with current State Code and current tax rates.

Staff is recommending no changes to section 126.

Chapter 126. STREETS AND SIDEWALKS

§ 126-1. Street repair.

When any part of any street, sidewalk, alley or other public place of the Town shall be torn or dug up for any purpose, the person, firm or corporation making such excavation or opening shall have the duty of refilling the excavation or opening so as to restore it to essentially the same condition that existed prior to the excavation or opening.

§ 126-2. Protection of excavations.

It shall be unlawful for any person, firm or corporation to do any excavation of any kind which may create or cause a dangerous condition in or near any street, alley, sidewalk or public place of the Town without placing and maintaining proper guard rails and signal lights or other warnings at, in or around the same, sufficient to warn the public of such excavation or work, and to protect all persons using reasonable care from injuries on account of same.

§ 126-3. Streets and sidewalks not to be damaged.

It shall be unlawful for any person, firm or corporation to drag, or run, or cause to be dragged or run any harrow or other implement, engine, machine, tool or vehicle upon any asphalt, bitulitic, warrenite or other type of permanently paved street or sidewalk of the Town which shall be liable in any way to injure or cut the surface thereof. It shall also be unlawful to injure any dirt street in the same manner.

§ 126-4. Sidewalks not to be obstructed or damaged by trees and shrubbery; pruning of trees.

It shall be unlawful for any person, firm or corporation to obstruct or damage in any manner any sidewalk in the Town by allowing trees, shrubbery, hedges, branches, roots or other debris to interfere therewith. Trees shall be pruned to a minimum height of eight feet above the sidewalk.

§ 126-5. Use and operation of motor vehicles, motor-power-assisted skateboards, electric power-assisted bicycles and mopeds on sidewalks and crosswalks; violations and penalties.

A. No person shall use or operate any motor vehicle, motor-power-assisted skateboards, or ride an electric power-assisted bicycle or a moped, as such devices are defined by the Code of Virginia, upon any sidewalk or crosswalk, including those of any church, school, recreational facility or any business property open to the public, within the Town, provided that motor vehicles may be operated upon the entranceways leading to parking areas and/or driveways and which traverse across sidewalks or crosswalks.

B. Notwithstanding § 126-6 of this chapter, a violation of this section shall be punishable by a civil penalty of \$50.

§ 126-6. Violations and penalties.

All persons found guilty of a violation of this chapter shall be guilty of a Class 2 misdemeanor as provided in § 1-3 of this Code.