

## Chapter 14

### STREETS AND SIDEWALKS\*

- Art. I. In General, §§ 14-1—14-30  
Art. II. Excavations, §§ 14-31—14-36

#### ARTICLE I. IN GENERAL

##### Sec. 14-1. Property owners to pay cost of street construction, extensions and blacktopping.

All extensions of existing streets or construction of any new streets, to any subdivision, or elsewhere, when requested, will be paid for by the owner of the subdivision or the property owner. The cost shall be for the actual labor and materials used. A charge per foot on each side of the street will be made by the town for the blacktopping of existing streets which charge shall be set from time to time by the mayor and selectmen and is on file in the town clerk's office. This sum shall be paid for by property owners on each side of the street.

(Code 1964, § 17-1)

##### Sec. 14-2. Permission required to lay sidewalks; specifications; removal of violations.

It shall be unlawful for any person to construct or lay any sidewalk in the town without first obtaining the permission of the mayor and selectmen, and such sidewalks shall conform to all standards and specifications prescribed by the mayor and selectmen. Any sidewalk laid or constructed in violation of this section may be removed by the town at the expense of the person who laid or constructed it.

(Code 1964, § 17-2)

##### Sec. 14-3. Vehicles damaging streets.

It shall be unlawful for any person to operate any vehicle which is so constructed, loaded or used that it damages the surface of any street.

(Code 1964, § 17-3)

**Cross reference**—Traffic and motor vehicles, Ch. 16.

**\*Charter references**—Authority of mayor and selectmen to pass ordinances in regards to streets and sidewalks, § 5; to regulate railroads through the streets, § 16(4); to grant franchises to construct telephone poles, etc., in the streets, § 16(5); to construct sidewalks, § 16(11); to exercise full jurisdiction in the matter of streets and sidewalks, § 16(12); to keep highways in repair, § 16(20).

**Cross references**—Livestock at large prohibited, § 4-1; dogs running at large prohibited, § 4-31; buildings and building regulations, Ch. 5; littering, § 11-11; parades and demonstrations, § 11-15; discharging weapons across streets and sidewalks, § 11-16; spitting on streets and sidewalks, § 11-19; peddlers, solicitors and transient merchants, Ch. 12; planning, Ch. 13; traffic and motor vehicles, Ch. 16; zoning, App. A; airport zoning, App. B; subdivision regulations, App. C.

**Sec. 14-32. Same--Application; fee.**

The application for an excavation permit required by this article shall contain such information as the clerk deems necessary, and shall be accompanied by a fee which shall be set from time to time by the mayor and selectmen and which fee is on file in the town clerk's office. (Code 1964, § 17-20)

**Sec. 14-33. Regulations authorized.**

In granting an excavation permit, the mayor and selectmen may impose reasonable regulations, including but not limited to:

- (1) The manner of making the excavation;
- (2) The location of the excavation;
- (3) Protection of underground utility installations;
- (4) The duration of the excavation;
- (5) Required safety precautions, such as barricades, lighting, warning devices, etc.;
- (6) The extent and size of the excavation;
- (7) Steps to be taken to protect nearby property owners.

(Code 1964, § 17-21)

**Sec. 14-34. Assets or insurance required.**

The applicant for an excavation permit required by this article shall submit satisfactory evidence that he has sufficient assets or insurance to indemnify the town for any costs, losses or liabilities that it may incur by reason of such excavation, and to satisfy any judgments or liabilities arising out of the excavation.

(Code 1964, § 17-22)

**Sec. 14-35. Backfilling and resurfacing.**

It shall be the duty of the person making any excavation under the provisions of this article to fill the excavation and restore the surface to a condition at least equal to the surface prior to the excavation. If so required by the mayor and selectmen the person making an excavation shall furnish a deposit, bond or other security sufficient to assure compliance with this section. Provided, however, that the town may elect to fill and resurface the excavation and charge the cost thereof against the person making the excavation.

(Code 1964, § 17-23)