



## **Chapter 22 - Streets and Sidewalks**

### **ARTICLE I - PURPOSE**

The purpose of this Chapter is to protect, preserve and promote the health, safety and welfare of the citizens of Winooski by promoting safe and effective pedestrian and vehicular travel throughout the City.

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### **ARTICLE III - GENERAL**

#### **SECTION 22.01 - SURVEY BOOKS**

The books in which are recorded the surveys of the streets, and the books containing the maps or profiles of street grades, are hereby adopted and accepted as the public books of record for the purpose of establishing the street grades.



## **SECTION 22.02 - BARBED WIRE FENCES**

No person shall erect or maintain a barbed wire fence or railing upon the line of a sidewalk or street, or so near thereto, or so located, as to be within reach of and dangerous to a passerby upon such street or sidewalk.

## **SECTION 22.03 - SNOW AND ICE REMOVAL**

- A. It shall be unlawful for any person, by his/her own act, or through his/her agents, contractors or employees, to plow, throw, place, push or otherwise deposit snow or ice within the public right of way to include all city streets, sidewalks, driveway aprons or within 8-feet of any fire hydrant. This shall also include the intentional or unintentional depositing of snow from roofs, awnings or similar structures within the public right of way. The city shall be exempt from this ordinance as it applies to snow removal operations from city roads and sidewalks. The city shall not hold individual property owners responsible for remedying snow or ice issues within the public rights of way that are created by the city.
  
- B. The owner, agent or person having the care of land or buildings bordering on a street, square or other public place in the downtown area (the area contained within the perimeter of the railroad tracks (north boundary), Abenaki Way (east boundary), the Winooski River (south boundary) and Mayo Street (west boundary)), where there is a sidewalk, footway, awning or shade, shall, after the ceasing to fall of snow, if in the daytime within four (4) hours, and if in the nighttime before 12:00 noon the next succeeding day, cause the snow to be removed from such sidewalk, footway, awning or shade. If such person shall fail to remove the snow from such sidewalk, footway, awning or shade, the Director of Public Works, or designee, shall do so at the expense and charge of such owner or occupant, which expense and charge may be recovered with full costs in an action in the name and behalf of the city, and such owner or occupant shall also, upon conviction, be fined for the violation of this section. This provision shall



not apply to lands or buildings outside of the downtown area, as defined above.

Statutory Cross-Reference - 24 V.S.A. § 2391(2).

#### **SECTION 22.04 - PAVING PRIVATE DRIVEWAYS AND ROADS**

Any person, firm or contractor that installs paving beyond the curb cut causing a diversion of the natural water flow from the gutter and which causes damage, creates an unsafe condition, or poses a problem to the city in the operation and maintenance of its city streets shall be required to fix, remove, or abate said obstruction or shall be liable for the costs of said abatement in the event that the city undertakes it.

#### **SECTION 22.05 - STREET NAMES AND BUILDING NUMBERING**

Statutory Cross-Reference - 24 V.S.A. § 2391(16); 24 V.S.A. § 4463.

- A. The city council may, after a public hearing, change the names of streets, roads, both public and private, and building numbers, within the city when necessary to promote the welfare and safety of the community. This provision shall be applicable to all existing streets and roads as well as new streets and roads developed after the effective date of this ordinance.
- B. All street naming and building numbering will be in accordance with the rules governing same promulgated by the State of Vermont related to its program for Enhanced 911.

### **ARTICLE IV - PERMITS REQUIRED**

#### **SECTION 22.06 - PERMIT REQUIRED TO DIG OR OBSTRUCT PUBLIC WAY**

No person shall break or dig up the ground or pavement in any street, lane or alley, or on any sidewalk or common in the city, or erect thereon or in dangerous or inconvenient proximity thereto a staging for building, or place or deposit thereon stone, earth, brick, lumber or other building materials, without



first obtaining a written permit from the city and complying in all respects with the conditions of such permit. Such permit shall state the nature of the obstruction and the time allowed for it to remain, and shall be revocable by the city.

**SECTION 22.07 - PERMIT REQUIRED FOR MAKING CURB CUTS**

No person shall break or dig up any curbing, sidewalk or gutter in any street, lane, alley or common in the city without first obtaining a written permit from the city and complying in all respects with the conditions of such permit.

**SECTION 22.08 - CUTS AND EXCAVATIONS TO HAVE PROTECTIVE BARRIERS; REPAIRS AND RESTORATION OF STREETS**

Whenever any street, lane, alley, sidewalk, or other public place in the city shall under any license or permit be dug up, obstructed, encumbered or rendered unsafe or inconvenient for travel, the person so licensed or permitted shall erect and maintain a suitable guard or fence around the place or places so obstructed so long as the same shall be necessary, and he shall keep two (2) or more lighted lanterns or lights in close proximity to such fence or obstruction from twilight in the evening until daylight in the morning. No person shall, without authority, remove any such fence, guard or railing or disturb or extinguish such lighted lanterns or lights. Whenever any such work is ready for the refilling of the excavated place or upon the expiration of the time specified in said permit, whichever comes first, the permittee shall notify the Director of Public Works or designee in writing and the refilling of all excavations within the street limits shall be done under his supervision. The resurfacing of any such portion disturbed in the street limits shall be done by the street department and the cost thereof shall be charged to the person to whom the permit is granted. An itemized statement of the cost shall be sent to the permittee, who within ten (10) days shall pay the amount thereof to the city. Upon failure of such person to pay the amount of such costs within the said ten (10) days, the city shall have the right to bring proper action to recover same.



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**ARTICLE V - PENALTIES**

Unless otherwise stated, any violation of this chapter shall be a civil violation and subject to civil penalties and enforcement as provided for in Chapter 1, Section 1.11 of Winooski City Code.

Statutory Cross-Reference – 24 V.S.A. § 1974a.