

NO. 13 STREETS MAINTENANCE AND CARE

1. Whenever any sidewalk has been broken or otherwise injured in consequence of the erection of any building, or any repairs to a building, the superintendent of streets may serve notice in writing upon the owner of the building requiring him to repair such injury within forty eight hours from service of the notice and if the owner fails to make such repairs within such time, the superintendent may cause the same to be done at the expense of the owner, and the cost thereof may be recovered by the town by action.
2. No person shall dump, unload, deposit or move any coal or heavy article upon any concrete or asphalt sidewalk unless such sidewalk has been first protected by boards not less than one inch thick, and placed close together over the surface where such coal or heavy article is to be deposited.
3. Every occupier of any premises shall keep the sidewalk and gutter in front of the same free from dirt and nuisance of every description.
4. No person shall distribute any hand bills or other papers by scattering the same on the street.
5. No person shall cart or transport in any way, on any street, any sand, stone, earth, dirt, hay, straw or rubbish, or any loose fluid or semi fluid in such manner that any portion or the same may be spilled or scattered on the street.
6. No person shall draw on any street any timber or other heavy material in such a way that the same or any part thereof, drags on the street.
7. Every gate opening on any street shall be constructed as not to swing outwards across such street.
8. No person shall use any barbed wire for a fence along any street.
9. No owner of any building or premises shall permit water to be discharged or to escape or percolate therefrom, otherwise than by a properly constructed drain or conduct discharging into a public sewer or into the gutter of the street.
10. No person shall slake, riddle, mix with sand, or otherwise prepare lime on any street, except by permission in writing from the superintendent of streets.
11. No person shall, on any street, raise or hoist any goods into any door or window of any upper story, or lower or throw down any goods from such door or window.
12. No person shall throw any shingles, boards, slate, sand, gravel, tar, or other material whatsoever from any roof or scaffolding upon any street, but the same shall be lowered in chutes, or by tackle, in such a manner as not to affect the safety and convenience of the public.
13. No person shall wash any window or sprinkle any sidewalk with water after nine o'clock in the morning, and no occupier of any house or building on such street shall permit the same to be done.
14. No person shall construct across any drain, gutter or watercourse on any street, a bridge of any description without having first obtained a permit in writing therefor from the superintendent of streets specifying the nature of the bridge may be refused in any case in which a curb and gutter have been placed in front of the premises intended to be reached by the bridge, and any bridge at any time constructed may be directed by the superintendent to be removed when a curb and gutter have been so placed.
15. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to maintenance and care of streets, shall be liable to a penalty not exceeding twenty dollars, and in default of payment, to imprisonment for a period not exceeding thirty days.

OPENING OF STREETS

16. Every person to whom any permit is granted to make any opening or excavation in any street, shall first deposit with the clerk the sum of five dollars, the receipt for which shall be delivered to the Superintendent of Street before the permit is issued. Such deposit shall be retained as a guarantee that the applicant will properly perform and complete the work for which the permit is granted and keep the surface of the street where such work is done in good condition, to the satisfaction of the Superintendent of Streets, for six months from the date of the permit. If the Superintendent of Streets is of the opinion that the work is not being properly performed, or the surface of the street not kept in good condition, he may, without notice to the applicant, perform such work in respect to the street as he considers necessary and the cost of any work done by the Superintendent of Streets shall be deducted by him from the amount deposited, and the balance (if any) returned to the owner at the end of six months. If the cost of such work exceeds the amount deposited, the balance may be recovered from the applicant by the town by action.

17. The Superintendent of Streets may issue for a case of emergency, an emergency permit, which shall permit excavation to be made on such conditions as the Superintendent of Streets specified in the permit.

18. Every excavation under a sidewalk shall, after one week's notice to that effect, given by the Superintendent of Streets, be closed and filled up by the owner or occupier of the premises abutting on such sidewalk and if not so closed and gilled up within ten days after such notice, may be closed and gilled up by the superintendent at the expense of the owner or occupier.

19. Every person obtaining a permit to make any excavation or opening in or near any street, shall at night sufficiently and continuously light the same, and shall, in addition, enclose or secure the same by a fence or barrier at least three feet in height, and sufficient to protect the public from injury.

20. No person shall make any permanent excavation under the surface of any street, the movable covering of which extends further into the street than to a line three feet from the street line, and then only by permission in writing from the committee on streets, and on such conditions as are specified in the permit; provided, however, that the coal hole tops may be located near the curb and that transparent covering used for the purpose of lighting only, permanently secured may extend five feet from the street line.

21. The owner of the property in front of which any permanent excavation is made, shall pay to the town therefor on the first day of May in each and every year, an annual rental of four cents per square foot of such excavation.

22. No person shall build or place any movable trap or door in any street for the purpose of entrance to a cellar, or other premises, without first obtaining the permission of the committee on streets.

23. No person shall make any opening in any street for the purpose of a coal hole or other receptacle, or for light or for air, or for entrance to any building, or other purposes whatever, without a permit from the committee on streets upon the terms set out therein, and such permit shall be authorized by the Superintendent of Streets, in writing, to demand inspection of the permit.

24. The committee on streets may, upon the application of any person, construct any coal hole, grating or other aperture in any sidewalk in such manner and of such material as it deems suitable, and the cost thereof shall be paid by the applicant.

25. No person shall place or maintain a grating in any street unless the location, plan and material thereof have been approved by the committee on streets.

26. No person shall maintain any entrance to any property by steps descending immediately from or near to a street, unless the same is securely guarded.

27. a. Every owner or occupier of any building having connected therewith any aperture in any street shall keep such aperture securely covered or guarded in such manner and with such material as the Superintendent of Street directs, and every such cover or guard shall be constantly kept on a level with the sidewalk and in good repair, and every such aperture shall be kept closed except when in immediate use, and such use shall be only in day time; and such aperture when open shall be in the charge of some competent person to warn passerby.

b. If any such owner or occupier fails to keep any such aperture securely guarded and in good repair, and level with the sidewalk, the committee on streets may, at its opinion, close the said aperture, or may put the same in good condition and repair and the cost of so doing may be recovered from him by the town by action and in addition thereto, he shall be liable to a penalty as hereinafter provided.

28. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to openings in streets, shall be liable to a penalty not exceeding twenty dollars, and in default of payment, to imprisonment for a period not exceeding thirty days.

OBSTRUCTION ON STREETS

29. Except as by "The Town' Incorporated Act", or by this bylaw otherwise provided, no person shall place or cause to be placed, and encumbrance upon any street whereby the public are prevented from the free and uninterrupted use of the same.

30. The committee may temporarily close any streets, or part thereof, while any work is being done thereon, or when it is advisable for other reasons to close the same, and may, for that purpose, erect bars or other impediments to traffic.

31. Whenever the committee on streets put up any bars or fences to close any street for any purpose, no person shall interfere with the same, or travel or attempt to travel, or drive any vehicle along the street so closed, without permission of the Superintendent of Streets, and every person who so travels or attempts to travel, or drives any vehicle, shall be liable to a penalty as hereinafter provided.

32. Except as in hereinafter otherwise provided, no person shall place on any street, any step, porch, by window, balcony, fence, railing, or other structure which in anyway encroaches on such street, and any such structure so placed shall be removed by the owner of the property to which the same is attached within ten days after notice to that effect from the superintendent of streets, and on failure to make such removal, the superintendent of streets shall remove the same, and the cost of removal by be recovered form such owner by the town by action, and in addition, the owner shall be liable to a penalty as hereinafter provided.

33. Any person may, by permission of the committee on streets, place on any street, materials for buildings, and erect and enclosure to protect the same, and may continue such enclosure for such period as the committee directs. Every person placing such materials, or erecting such enclosure, without permission or otherwise than as herein directed , or continuing the same for a longer period than herein prescribed, or after being directed to remove the same, shall be liable to a penalty as hereinafter provided.

34. Every person receiving a permit to occupy a part of a street for building purposes, or for repairing any building, or making an excavation, or for any other purpose shall provide a safe and convenient passage around, under or over the obstruction so placed, and shall be responsible for any injury sustained by any person in consequence of his neglect to do so, and shall at any time, when requested by the superintendent of streets, exhibit his permit to make such obstruction or excavation.

35. Any person may be permission of the committee on streets, erect a scaffolding for repairing and building or other purpose connected with any building. Such permission shall be in writing and shall specify the terms and conditions on which it may be continued. Every person who erects any scaffolding without having first obtained such permission or otherwise than as is therein prescribed, or after being directed to remove the same, shall be liable to a penalty as hereinafter provided.

36. No person shall place or maintain any sign post, or sign which extends over any street without having first obtained permission of the committee on streets and such permission may be given on such terms and conditions as the committee on streets determines.

37. No person shall place or maintain any awning which extends over any street, unless a plan of the same is first submitted to and approved by the committee on streets; and the committee may at any time revoke such permission. No such awning shall be less than seven feet from its lower edge above the street. If the owner or occupier of any premises upon which any such awning has been placed without permission and approval, fails to remove the same after fourteen days' notice from the committee on streets, the committee may cause the same to be removed. Any person placing any such awning without permission, or failing to remove the same when so directed, or obstructing any civic official removing the same or any projecting sign post or sign, shall be liable to a penalty as hereinafter provided.

38. No person shall place upon any street for sale or show any goods, wares or merchandise, or any sign board or advertising board.

39. No person shall place or suspend, or expose from any building, any goods, wares or merchandise so that the same extends from the wall of such building more than six inches toward or into any street.

40. No person shall place on any street any article, or permit the same to remain thereon, so as to obstruct the free passage of such street for a longer period than is necessary to remove the same to or from any building or premises fronting on such street.

41. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to obstructions on streets shall be liable to a penalty not exceeding twenty dollars, and in default of payment, to imprisonment for a period not exceeding thirty days.

MOVING BUILDING

42. Any person wishing to remove a building through, over or upon any street shall make application therefor in writing to the clerk, who shall refer the same to the committee on streets, such application shall state the character of the building, the place from, and the place to which it is proposed to remove such building, and the streets through which it is proposed to remove the same, and the estimated number of days that the same shall be upon the streets.

43. The application shall be accompanied by a deposit of the sum of Two Dollars for each of the days so estimated, and by a bond of the applicant with one or more sureties, to the satisfaction of the committee on streets in the sum of One Hundred Dollars, conditioned that the applicant will comply with the requirements and conditions specified in the permit granted for the removal of such building, and upon the payment of such deposit and the filling of such bond, the committee on streets may issue a permit shall state the number of days during which the same is to be in force.

44. Such permit may be extended by the committee for a further period upon application in the behalf, and on a deposit with the clerk of a further sum of Two Dollars for each day for which such permit is to be extended.

45. If such removal is completed within the number of days estimated, the clerk shall return the applicant the fees deposited with him for each day less than the number originally estimated.

46. If any building, for the removal of which a permit has been granted, remains upon any street for any day beyond the period mentioned in the permit, or any extension thereof, the owner or other person engaged in removing the same shall be deemed to have removed the same without a permit and be guilty of an offense against this bylaw.

47. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to moving buildings, shall be liable to a penalty not exceeding Twenty Dollars, and in default of payment to imprisonment for a period not exceeding thirty days.

REMOVAL OF SNOW AND ICE

48. In that part of the town bounded and described as follows, that is to say: Bounded on the north by a line drawn at right angles to Main Street and running immediately north of the shore and building now owned or occupied by Alexander Chisholm, bounded on the west by a line running parallel with the several courses of Main Street and sixty feet westerly from the center line thereof; to Main Street and immediately south of the house owned or occupied by James MacDonald; on the east by a line parallel with the several courses of Main Street and sixty feet easterly from the center line thereof, the occupier or person in charge and if there is no occupier or person in charge, then the owner of any premises shall remove the snow from the sidewalks, pathway and gutter in front of the same. (See Sect. 196, Towns' Incorporated Act).

49. No person shall throw into any street the snow from the roof of any building, without proper precautions to prevent injury to persons on the street, and any snow so thrown shall be properly leveled on the street so as not to interfere with traffic.

50. Every person who removes any snow from any yard or other premises on any street, shall properly level the same so as not to interfere with traffic and at a direction of the street superintendent.

51. No person shall permit icicles or snow to accumulate on the roof, eaves or gutters of any building owned or occupied by him so as to become dangerous to persons passing on the street.

52. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to removal of snow and ice, shall be liable to a penalty of not less than one nor more than five dollars, and in default of payment, to imprisonment for a period not exceeding ten days. Every day that snow is allowed to remain after the first twenty four hours, shall constitute a fresh offense.

53. If any such occupier or owner, for twenty four hours after the expiration of the time within which such snow should be removed, neglects to remove the same, the Superintendent of Streets shall remove the same at the expense of the such occupier or owner, and shall forthwith report such expense to the clerk, and thereupon, in the case of non payment thereof by the occupier or owner, such expense shall become and be a charge upon the premises in respect to which it was increased and shall become and be a special rate upon such premises, and may be recovered in like manner as other town rates.

HORSES, CATTLE, SHEEP AND VEHICLES

54. No person shall place any vehicle unattached to a horse or other animal upon any street, and no owner of a vehicle shall permit the same to be so placed.

55. No person shall fasten any team across any sidewalk nor allow the same to stand upon and street crossing.

56. No person shall permit his team to remain on any street without a driver or other person in charge unless the same is securely fastened.

57. Every team left unattended upon any street shall be in line with, and close to the edge of the sidewalk, obstructing the street as little as possible, and the horse so fastened as to prevent him placing his feet on the sidewalk.
58. No person shall feed any horse on any street except by a nose bag.
59. No person shall drive cattle or sheep in any street unless the same are yoked or led by halter or rope by some person having control over the same, or unless a sufficient number of person are in charge of such cattle or sheep to prevent their straying upon the street.
60. No person shall fasten any horse or other beast to any tree on any street.
61. No vehicle on runners shall be driven within any part of the town unless there are attached to the harness of each horse, or other animal drawing the same, one large open bell or four good round bells.
62. No vehicle shall stop or stand nearer than eighteen inches to the center of the street, or attempt, or pass any Tram Car when stopped to take on or let off passengers.
63. Every carriage driven at night on any street shall have a lighted lantern.
64. No vehicle shall be cleaned or washed on any street.
65. No vehicle shall stop or stand in any street directly opposite to or in front of any building or place opening on such street in which person are about to congregate, or have congregated, for any purpose of devotion, public or private business, information, amusement, recreation or other lawful object. Every vehicle requiring to stand near such place, or to approach thereto, shall stand in such place or approach thereto in such manner as is prescribed by the person for the time being, having the control of such building or place, or by any police officer on duty there.
66. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to horses, cattle, sheep and vehicles shall be liable to a penalty not exceeding ten dollars, and in default of payment, to imprisonment for a period not exceeding twenty days.

BICYCLES

67. In this part of the bylaw the expression "bicycle" includes tricycle and motor cycle.
68. No person shall ride any bicycle on any street without having attached thereto a bell or gong of sufficient power and so attached as to be readily available for giving effective warning of the approach of the bicycle.
69. upon approaching any crossing or overtaking any vehicles, horse, foot passenger or bicycle, the rider of a bicycle shall sound the bell or gong, so as to give reasonable warning of his approach, nor shall attempt to pass any Tram Car when stopped to take on or let off passengers.
70. The rider of every bicycle shall observe the usual rules of the road by keeping to the left of meeting any vehicle or bicycle, and by keeping to the right when passing any vehicle or bicycle going in the same direction.
71. The rider of every vehicle and the rider of every horse, shall in like manner strictly observe the rule of the road when meeting or overtaking any bicycle.
72. Between one hour after sunset and one hour before sunrise, every rider of a bicycle shall have attached thereto a lighted lamp of sufficient power, and so constructed and attached as to exhibit a light in the direction in which the bicycle is going sufficient to signal its approach and position.

73. No person shall throw, put in place on any street anything that will injure any bicycle.
74. No bicycle shall be ridden at an immoderate speed, or in a reckless and dangerous manner.
75. Bicycles shall not be ridden two abreast.
76. No bicycle shall be ridden on any sidewalk.
77. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to bicycles, shall be liable to a penalty not exceeding five dollars, and in default of payment to imprisonment for a period not exceeding ten days.

MOTOR VEHICLES

78. The expression "Motor Vehicle" means a motor vehicle as defined by "The Motor Vehicle Act, 1914."
79. No motor vehicle shall pass or attempt to pass on any street within the Town, a tram car, when such tram car is stopped for the purpose of taking on or letting down passengers.
80. No motor vehicle shall stop or remain standing on any public street in such manner as to obstruct passengers or other vehicles, or on or in front of any crossing.
81. Any police officer of the town may verbally order the owner or person operating any motor vehicle which is stopped on any of the streets of the town, to immediately remove such motor vehicle or any place which said officer considers more suitable for such motor vehicle to stand, and such owner or person operating such motor vehicle shall without delay obey any verbal order.
82. Every person who contravenes or fails to comply with any of the foregoing provisions in respect to motor vehicles, shall be liable to a penalty not exceeding twenty dollars for each such offense and in default of payment, to imprisonment for a period not exceeding thirty days.