

ARTICLE 5

STREETS, CURBS, AND SIDEWALKS

5-101 General regulations

- (1) Maintenance and repair of public streets. All maintenance and repair of public streets, alleys and curbs shall be under the supervision of the superintendent of utilities, which officer shall have the responsibility of enforcing all provisions of this Code and all ordinances of the city relating to such public ways.
- (2) Maintenance of sidewalks. It shall be the duty of all owners of property in the city upon which sidewalks have been laid to keep such walkways in good repair at all times and to remove from them all snow or ice within twelve hours from the time such snow or ice ceases to fall, or within less time if so ordered by the chief of police or the superintendent of utilities.
- (3) Maintenance of property between sidewalks and streets. All persons who own real estate in the city which abuts upon any sidewalk which is paved shall be required to keep that portion of such sidewalk which lies between the property line and the curb line of the adjoining street, and upon which his real estate abuts, in good and smooth condition and free from growing weeds and other obnoxious and unsightly vegetation or other things which would mar or detract from the beauty and cleanliness of the street upon which their property abuts. Any property owner who shall place or allow grass to grow upon the portion of the sidewalk lying between the property line and the curb line of the street as aforesaid, and upon which his real estate abuts, shall keep such grass properly mowed and free from rubbish of all kinds. If such owners are not in the possession of their property, then this section shall apply to their tenants or those who have possession or control of the same.
- (4) Defacing sidewalks, streets, and curbs. It shall be unlawful for any person to deface any public sidewalk, street, or curb in the city by painting any signs thereon, whether for commercial advertising purposes or not, or to walk or drive any vehicle upon or injure in any way any newly laid street, sidewalk, or curbing pavement while the same is guarded by a warning sign or barricade or is soft or newly laid.
- (5) Obstructions. It shall be unlawful for any person to cause, create, or maintain any obstruction on any street, alley, sidewalk, or other public way, except as may be provided in this chapter or in the ordinances and laws of the city.

- (6) Deposits and discharges onto street and sidewalks.
- (a) It shall be unlawful for any person to deposit on any street or sidewalk any material which may be harmful to the pavement thereof, or any waste material, or any glass or other article which may do injury to any person, animal, or property.
 - (b) It shall be unlawful for any person to discharge or allow to be discharged onto any public street or sidewalk any water or other fluid material containing objectionable material such as sewage, waste milk, or other organic material.
- (7) Report of defects, obstructions, deposits, and discharges. It shall be the duty of every city officer and employee who becomes aware of any defect or obstruction, or of any unlawful deposit or discharge, in or on any public street, alley, curb, sidewalk, or other public way of the city to report the same to the superintendent of utilities as soon as possible.
- (8) Private use. It shall be unlawful for any person, firm, or corporation to use any street, sidewalk, or other public place as space for the display of goods or merchandise for sale; or to write or make any sign or advertisement on any such pavement.
- (9) Encroachments. It shall be unlawful for any person to erect or maintain any building or structure which encroaches upon any public street or property, or to erect any poles or wires or maintain any poles or wires over any public place, street, alley, or other public way, without having first secured a permit from the city clerk in the manner specified in this chapter.
- (10) Openings. It shall be unlawful for any person to construct or maintain any opening or stairway in any public street, sidewalk, or alley without first obtaining a permit from the city clerk in the manner specified in this chapter.
- All such lawfully maintained openings shall be guarded by a suitable strong cover or railing approved by the superintendent of utilities.
- (11) Trees and shrubs.
- (a) Planting and removal. It shall be unlawful for any person to plant, remove, injure, or cut any tree, bush, or shrub in or from any public street, parkway, or other public place without first obtaining a permit therefore from the city clerk in the manner specified in this chapter.
 - (b) Advertisements. It shall be unlawful for any person to attach any sign, advertisement, or notice to any tree or shrub in any public place.

- (c) Dangerous trees. Any tree or shrub which overhangs any sidewalk, street, or other public place in the city in such a way as to impede or interfere with traffic or travel shall be trimmed by the owner of the premises on which such tree or shrub grows so that the obstruction shall cease.

Any tree or limb of a tree which is likely to fall on or across any public way or place shall be removed by the owner of the premises on which such tree grown or stands.

The director or public works may cause to be trimmed or removed any and all such trees or shrubs so that the obstruction or danger to traffic or passage shall be removed.

- (d) Poles and wires. Any person or company which maintains poles and wires in the street, alleys, or other public places of the city shall keep such wires and poles free and away from any nearby trees or shrubs in such places, and keep all such trees and shrubs properly trimmed, subject to the supervision of the superintendent of utilities, so that no injury shall befall either the poles and wires or the shrubs and trees by their contact.

- (12) Burning of leaves and rubbish. It shall be unlawful for any person, firm, or corporation to burn any leaves, paper, rubbish, or other substances upon any of the public streets, sidewalks, or alleys of the city.

5-102 Street construction and improvements.

- (1) Council resolution. Whenever the improvement of any street or part thereof shall be deemed necessary by the mayor and council, a resolution stating the nature and location of the proposed improvement shall be declared and published once a week for three (3) consecutive weeks in the newspaper in which the county sheriff's advertisements are published. If the owners of a majority of the lineal feet of frontage of the lands abutting on the proposed improvement do not within fifteen (15) days after the last day of publication of said resolution file with the city clerk a written protest against such improvement, contracts for the work to be done shall be entered into and assessments and liens shall be fixed in accordance with the provisions of O.C.G.A. § 7-39-1.
- (2) Permit required. It shall be unlawful for any person to construct or lay any pavement for or on any public street, sidewalk, curb, alley, or other public way, or to repair the same, without having first obtained a permit from the Department of Planning, Zoning & Inspections.

- (3) Bond. Each applicant for a permit to construct or improve any pavement on any public street, sidewalk, curb, alley, or other public way shall be required to file a bond in an amount equal to the cost of the improvements with surety to be approved by the city council, conditioned to indemnify the city for any loss or damage caused by, or resulting from, the work undertaken.
- (4) Specifications.
- (a) In general. All street and sidewalk pavements and all curbing shall be laid in conformity with the same specifications established or approved from time to time by the mayor and council. (See Subdivision Regulations)
- (b) Curb ramping. The standard for construction of curbs on each side of any city street, or any connecting street or road for which curbs have been prescribed, shall be not less than one ramp per lineal block giving on the crosswalks at intersections. Such ramps shall be at least forty (40) inches wide and so constructed as to allow reasonable access to the crosswalk for physically handicapped persons.
- (5) Barricades. Any person, firm, or corporation laying or repairing any pavement on a street, sidewalk, or other public place shall maintain suitable barricades to prevent injury to any person or vehicle by reason of the work, which barricades shall be protected by a light at nighttime.
- (6) Street Cuts for Utility Installation/Construction. Any person, firm or corporation, who in the course of utility installation or building construction, finds it necessary to close all or a portion of a public street shall, prior to said closing, take the following measures:
- (a) Notify the following agencies of the expected closing and subsequent re-opening:
- (i) City of Lawrenceville Police Department;
 - (ii) Gwinnett County Fire Department;
 - (iii) Gwinnett County Ambulance Service;
 - (iv) Gwinnett County Schools Department of Transportation if during school sessions; and,
 - (v) Superintendent of Utilities.
- (b) Erect appropriate barricades to ensure protection of the public and utilize flagmen as required to insure public safety.
- (c) To promptly backfill the excavation upon completion of the work below grade so as to ensure minimal interruption of traffic flow.