

SIDEWALKS AND HIGHWAYS

CHAPTER 152

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152-1. Purpose.

The purpose of this Chapter is the regulation of the use and occupancy of RIGHT-OF-WAYS in the interest of public safety and convenience, and the operation and protection of public infrastructure and investment. Excavation and restoration standards are required to preserve the integrity, operational safety, and functionality of the RIGHT-OF-WAYS.

152-2. Definitions.

The following are definitions of terms as used in this Chapter.

CITY – Dover, New Hampshire.

CITY MANAGER – The Dover City Manager, or designee.

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DIG SAFE – The “Underground Facility Damage Prevention System,” also commonly known as the Dig Safe law, found at NH RSA 374:48.

DIRECTOR – The Director of the Community Services Department, or designee.

EMERGENCY – Any event which threatens public health, safety, or infrastructure.

EXCAVATE – To dig into or in any way physically disturb, penetrate, and/or remove any part of or within the RIGHT-OF-WAY.

OBSTRUCT – To place any tangible object in the RIGHT-OF-WAY so as to hinder free and open passage over any part of the RIGHT-OF-WAY for more than a momentary period of time.

OBSTRUCTION – Any tangible object in the RIGHT-OF-WAY that hinders free and open passage over any part of the RIGHT-OF-WAY for more than a momentary period of time.

PERSON – An individual or entity subject to the laws and rules of this State, however organized, whether public or private, whether domestic or foreign, whether for profit or nonprofit, and whether natural, corporate, or political.

PRIVATE ROAD – A road constructed and maintained by a private owner or owners, to be used for either public or private use which provides access to a PUBLIC ROAD and which may service three (3) or four (4) adjacent parcels of land constructed in accordance with the provisions of Chapter 155.

PUBLIC ROAD - Any public highway as defined in RSA 229:1.

RIGHT-OF-WAY – The area on, below, above, or adjacent to the PUBLIC ROAD, highway, street, cart way, bicycle lane, or public sidewalk in which the CITY has a property or viatic interest by which it permits, or may permit, the public to use, occupy, and/or pass and repass.

UTILITY – A public or private utility, as defined in RSA 362:2, as it may be hereinafter amended.

ARTICLE I

152-3. Requests for New Streets; City Acceptance of Streets.

- A. All requests for new streets within the CITY shall be referred to the Planning Board for a report and recommendation.

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- B. The City Council may, in its discretion, accept any street dedicated for CITY ownership that has been constructed to CITY standards consistent with Article VII and VIII of Chapter 155. The City Council may refuse to accept any dedicated street for any reason including, but not limited to, a street in which easements, UTILITY or otherwise, have been granted to third parties prior to CITY acceptance, a street which has not been constructed to CITY standards, or a street which has not been constructed consistent with Planning Board conditions of approval.
- C. The DIRECTOR is authorized to establish and publish rules, regulations, and procedures including general construction requirements related to the standards for construction of CITY streets and sidewalks, including, but not limited to the placement of utilities in the RIGHT-OF-WAY. These rules, regulations, and procedures shall be subject to review and approval by the CITY MANAGER and a copy shall be filed with the City Clerk.

152-4. Street Names.

- A. Any new PUBLIC ROAD or PRIVATE ROAD, with four (4) or more lots fronted on the PUBLIC ROAD or PRIVATE ROAD shall be assigned a street name pursuant to Subsection B.
- B. Any new street name, public or private, shall be approved and assigned in writing by the Building Official following consultation with the Police Chief and Fire Chief.
- C. Any new PUBLIC ROAD or PRIVATE ROAD assigned a street name pursuant to Subsections A and B shall have a street name sign at any entrance to the street, which conforms to the CITY street name sign guidelines as prepared by the Community Services Department. The owner(s) of any PRIVATE ROAD shall be responsible for maintaining all street name signs on such road.

152-5. Unauthorized Street Names and Signs.

- A. No PERSON shall erect, post, or display any sign within twenty (20) feet of a public RIGHT-OF-WAY which purports to be, or may be mistaken to be, a street name sign unless the street name has been reviewed and approved pursuant to Section 152-4. The cost and responsibility of erecting such a sign shall be that of the party applying to the Building Official for approval. The approved sign shall conform to the CITY street name sign guidelines as prepared by the Community Services Department. Any PRIVATE ROAD sign shall clearly denote its status as a PRIVATE ROAD.
- B. No PUBLIC ROAD or PRIVATE ROAD shall be named with a name that is the same as or similar to that of an existing PUBLIC ROAD or PRIVATE ROAD within Dover. If a PUBLIC ROAD or PRIVATE ROAD is so named, the CITY MANAGER may petition the City Council to order the name to be changed. Upon receipt of the CITY MANAGER's petition, the City Council shall hold a public hearing to determine if there are public safety reasons to order the name of the PUBLIC ROAD

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or PRIVATE ROAD to be changed. The City Clerk shall give notice of the public hearing to the owners of all property abutting the PUBLIC ROAD or PRIVATE ROAD that is the subject of the hearing. Notice shall be given by certified mail, mailed to the owners at least ten (10) days prior to the hearing. If after the hearing the City Council determines that it is in the interest of public safety that the name be changed, it shall declare the name to be a public nuisance and order it changed. The City Attorney is authorized to initiate any court proceedings necessary to enforce the order.

152-6. Street Numbers.

The Building Official may order the buildings on any PUBLIC STREET or PRIVATE STREET to be numbered or may order any such buildings to be renumbered and shall then require the number designated for each building to be affixed thereto or inscribed thereon. The Building Official shall, upon application in writing, designate the number or numbers required for any building that may hereafter be erected or any building to which numbers have not previously been assigned if, in his/her judgment, such action is necessary. Prior to finalizing the Building Official's designation, the Planning Board shall hold a public hearing with at least ten (10) days notice, posted in at least two (2) public places within the CITY, by publication in a newspaper in circulation in the CITY, and by first class mail to all owners of property being numbered or renumbered, as indicated by CITY records. No public hearing shall be required where said property owner(s) voluntarily consent to the numbering or renumbering by the Building Official.

- A. The numbers shall be designated in such a manner so that a number will be assigned or reassigned to every fifty (50) feet of street frontage.
- B. The street numbers, assigned or reassigned, shall be attached to the building in such a manner and in such a place as to be easily seen from the PUBLIC ROAD OR PRIVATE ROAD. Furthermore, such numbers shall be placed in a location so that they can be seen from the PUBLIC ROAD OR PRIVATE ROAD, if necessary, to ensure rapid location by police, fire or other EMERGENCY personnel during hours of darkness. Buildings located in rural-type locations, or located in such a manner that the above requirement is inappropriate, shall be identified at the intersection of the entryway to the property the building is on and the PUBLIC ROAD or PRIVATE ROAD, and the number shall be of sufficient size to be easily seen by the operator of a vehicle approaching said entryway.

ARTICLE II

152-7. Construction of Sidewalks.

- A. All sidewalks in the CITY shall be of the width and slope, and laid upon the grade, established by the City Engineer, shall be true to the required cross sections, even, free from hollows, tears, gouges, corrugations, or other irregularities, and constructed under the supervision of the City Engineer.

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- B. The DIRECTOR is authorized to establish and publish rules, regulations, and procedures including general construction requirements related to the standards for construction of CITY sidewalks. These rules, regulations, and procedures shall be subject to review and approval by the CITY MANAGER and a copy shall be filed with the City Clerk.

152-8. Permit Required to Work In the Right-of-Way.

- A. No PERSON shall grade, fill, disturb, EXCAVATE, or open the ground or pavement in any PUBLIC ROAD, or sidewalk within a CITY RIGHT-OF-WAY, or on CITY property, without first obtaining a written permit of authorization. Such permit shall be issued by the Community Services Department on an application form provided by the Department.
- B. All applications for a permit pursuant to Subsection A shall include for each permit applied for, the application fee(s) and street/sidewalk damage fee(s) listed in the CITY's annual Schedule of Fees adopted by the City Council. The DIRECTOR, in his/her discretion, may waive the street/sidewalk damage fee(s) if the CITY has scheduled the PUBLIC ROAD or sidewalk to be reconstructed within one (1) year of the permit application date. The Dover Utilities Commission shall establish a process for waiver of the street/sidewalk damage fee(s) in the case of a demonstrated financial hardship.
- C. Protection of streets.
 - (1) In an effort to protect the CITY's investment in its infrastructure, excavations in newly constructed, reconstructed, rehabilitated, or overlaid pavements within PUBLIC ROADS, the public RIGHT-OF-WAY, or on CITY property, are prohibited for five (5) years after the effective date of notice of completion or acceptance of the new, reconstructed, rehabilitated, or overlaid improvements except as follows:
 - (a) Excavations to remedy a public EMERGENCY or a situation that creates an imminent threat to the public safety, health, or welfare.
 - (b) Repair or modification to prevent interruption of essential UTILITY services where no reasonable alternatives are available to avoid excavation in new pavements.
 - (c) Relocation work that is mandated by State or Federal legislation.
 - (d) UTILITY services for new buildings or parcels without existing UTILITY services where no other reasonable means of providing service exists, as determined by the City Engineer.

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- (e) Excavations within protected streets where the CITY has scheduled the reconstruction within one (1) year due to the failure of the original pavement.
 - (f) Other situations deemed by the CITY MANAGER to be in the best interest of the general public.
- (2) In all of the above exceptions, although a permit will not be denied, the applicant will be responsible for paying a pavement life reduction factor. The pavement life reduction factor may be waived by the DIRECTOR, in his/her discretion, if the applicant agrees to perform a full roadway width re-pavement (edge of pavement to edge of pavement) of the impacted area, consistent with the rules, regulations, and procedures established by the DIRECTOR. The pavement life reduction factor will be assessed to the street damage fee(s) as follows:
 - (a) Street pavement less than two (2) years old: Three (3) times the street damage fee.
 - (b) Street pavement from two (2) years to five (5) years old: Two (2) times the street damage fee.
- D. Within six (6) months of the completion of the excavation in the RIGHT-OF-WAY the permittee shall provide the DIRECTOR with electronic copies of the as-built plans for the work performed, in a form compatible with the CITY's GIS system. The DIRECTOR may waive this requirement in writing in his/her discretion.
- E. Whenever a PERSON is granted a permit to EXCAVATE in any street, sidewalk, or CITY-owned property or RIGHT-OF-WAY, the DIRECTOR shall require the requesting party to furnish a two (2) year surety to the CITY, or a bond in favor of the CITY, in an amount sufficient to complete the project and ensure its viability for the surety period, prior to any work commencing.
- F. The DIRECTOR is authorized to establish and publish rules, regulations, and procedures, including general permit instructions and construction requirements, related to street excavation permits, including, but not limited to, a review by DIG SAFE of the proposed work, and to prescribe the forms necessary for the management and operation of the excavation permit program under this Section. These rules, regulations, and procedures shall be subject to review and approval by the CITY MANAGER and a copy shall be filed with the City Clerk.

152-9. Permit Required to Obstruct or Encumber Public Road.

No PERSON shall OBSTRUCT a PUBLIC ROAD or sidewalk without a permit from the Community Services Department. All applications for a permit to OBSTRUCT a PUBLIC ROAD or sidewalk shall include for each application the fee listed in the annual schedule of fees adopted by the City Council. Notwithstanding the foregoing, Block Parties, Parades, and Road

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Toll permits may be issued by the City Council, upon the recommendation of the Police Department, subject to Chapter 35 of the Dover Code.

152-10. Railings, Fences, and Traffic/Pedestrian Controls.

Wherever any PUBLIC ROAD, sidewalk, or other CITY property shall under any permit granted as provided in Section 152-8 or 152-9 be disturbed, dug up, obstructed, or encumbered, and thereby rendered unsafe or inconvenient for travelers, the PERSON performing such work shall put, and at all times maintain, a suitable railing, fence, or traffic/pedestrian controls around the section or parts of any PUBLIC ROAD, sidewalk, or other CITY property so disturbed, dug up, obstructed, or encumbered, so long as the same shall be or remain unsafe or inconvenient. Said PERSON shall also, within such reasonable time as the DIRECTOR shall direct, repair such PUBLIC ROAD, sidewalk, or CITY property to the acceptance of the City Engineer.

152-11. Permit for Driveways.

All applications for a permit to repair, widen, reconstruct, or construct a driveway from a residential property onto a PUBLIC ROAD shall comply with the provisions of Chapter 92 of the Dover Code. All applications for a permit to repair, widen, reconstruct, or construct a driveway from a commercial property onto a PUBLIC ROAD shall comply with the provisions of Chapter 149 of the Dover Code.

152-12. Permission to Erect Entrances to Structures.

No PERSON shall construct, erect, or maintain any stepping stone, doorstep, portico, porch, entrance, or passageway to any cellar or basement or any other structure in or upon any PUBLIC ROAD or sidewalk in the CITY, without a written license approved by the City Council. No PERSON shall suffer the platform or grate of the entrance passageway to his/her cellar or basement in any PUBLIC ROAD or sidewalk to rise above the even surface of such street or sidewalk, and every such entrance or passageway shall be kept at all times covered by suitable and substantial platform or grate, or in case it shall be kept open, it shall be guarded and protected by a sufficient railing on both sides thereof, at least three and one-half (3½) feet high, or higher if required by applicable building or safety code, and be well lighted at night.

152-13. Uncovered Cellars, Drains, and Other Cavities.

If any PERSON shall dig or sink, or cause to be dug or sunk, or have uncovered, or cause to be left uncovered, any cellar, drain, or other cavity in the ground near to or adjoining any street or sidewalk in the CITY, he/she shall at all times erect and maintain, so long as it may be necessary for the purpose, a railing or fence on or near the line of such street or sidewalk, sufficient to guard and protect travelers and passengers from falling into such cellar, drain, or other cavity in the ground or being injured thereby. No PERSON shall permit or suffer his/her drain in any street or sidewalk in the CITY to be or remain open or uncovered unless it shall be enclosed by a strong and safe curb, guard or fence.

152-14. Marquees, Signs, Awnings, and Other Intrusions into the Right-of-Way.

No PERSON shall establish or maintain any marquee, sign, awning, or other structure on, or attached to, his/her place of business, house, or structure over any part of any sidewalk, unless the same is safely fixed and supported so as in no way to impede, hinder or endanger pedestrians, or impact the free passage over or across the sidewalk. The lowest part of such sign, awning, marquee, or other structure shall be at least ten (10) feet above the sidewalk; nor shall any PERSON hang, affix or fasten or place or allow to remain upon the outer edge of any sidewalk any sign or showcase whatever or display any goods, merchandise or samples of any business calling, trade, art or craft, so as to OBSTRUCT the free passage and view from the street to sidewalk or from the sidewalk to street. Any and all signs shall otherwise comply with the provisions of Chapter 170 of the Dover Code.

152-15. Permit Required to Move Buildings Through Streets.

No PERSON shall move, or assist in moving, any building, not including garden sheds or manufactured housing, through or over any street or over any bridge in the CITY without first having obtained a permit issued by the DIRECTOR, following consultation with the Building Official and Police Chief. Said PERSON shall comply in all respects with the conditions of the permit. Such permit shall be issued by the Community Services Department on an application provided by the Department. All applications for a permit to move a building through streets shall include for each application the fee listed in the annual schedule of fees adopted by the City Council.

152-16. Snow, Ice, and Liquids on Streets and Sidewalks.

- A. No PERSON shall put or place, or cause to be put or placed, any snow or ice upon the surface of the traveled portion of any street or sidewalk, nor shall such snow or ice be put or placed on a street so as to block sidewalks or hydrants.
- B. No PERSON shall push snow or ice across the traveled surface of a street or sidewalk for the purpose of snow removal from land adjoining said street or sidewalk.
- C. No PERSON shall deposit, or cause to be deposited, including, but not limited to deposits from roof and/or foundation drains, any liquid from private property in or upon any street, sidewalk, or CITY-owned property, in such a manner so as to cause a condition hazardous to pedestrian movements and/or to the normal and reasonable flow of vehicle traffic.

152-17. Right-of-Way Protection.

- A. The roofs of all buildings located on or near the edge line of any street or sidewalk shall be protected by railing or guards of sufficient height and strength to prevent the

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falling of ice and snow from such roofs onto the street or sidewalk. The owner of such a building shall be responsible for the adequacy of such railings or guards.

- B. All trees or shrubs planted on private property that stand along any RIGHT-OF-WAY, the branches of which extend over any part of a street or sidewalk, shall be maintained by the owner of such private property so that such branches do not impede the safe and orderly passage of persons and vehicles over the street or sidewalk, failing which the CITY may perform such maintenance consistent with the provisions of RSA chapter 231.
- C. No fences, walls, or other structures shall be placed or constructed within the CITY RIGHT-OF-WAY, without a license for such structure provided by the City Council.
- D. No PERSON shall put, or place, or cause to be put or placed, any trash in or on any street, sidewalk, or CITY property, except as is permitted pursuant to the provisions of Chapter 97 of the Dover Code.
- E. No PERSON shall put, or place, or cause to be put or placed, in or on any street, sidewalk, or CITY property, any article or material which would be liable to cause damage to the tires or wheels of automobiles, bicycles, or any other vehicles traveling lawfully thereon.

152-18. Selling Merchandise on Streets or Sidewalks.

No PERSON shall use the street, sidewalk, or CITY property for the sale of merchandise, without first obtaining a written license for each day of such use pursuant to Chapter 133 of the Dover Code.

152-19. Vehicles Selling Consumable Merchandise.

No cart, wagon, or other vehicle, loaded with any consumable article to be exposed for sale, shall be permitted to stand for a market on any street, sidewalk, or CITY property without first obtaining a written license for each day of such use pursuant to Chapter 133 of the Dover Code.

152-20. Sidewalk Seating.

A business that regularly and customarily sells food or drink may obtain a permit from the DIRECTOR to operate an outdoor seating area on a sidewalk within the CITY RIGHT-OF-WAY, for food prepared on premises, on the terms and conditions set out below. The permit shall specify the area to be used for outdoor seating, the furniture to be used within the outdoor seating area, and the proposed arrangement of the furniture. Permits may only permit outdoor seating between May 15th and November 15th and shall only be valid for the calendar year in which issued. Such permit shall be issued by the Community Services Department on an application provided by the Department. All applications for a permit for sidewalk seating shall

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include for each application the fee listed in the annual schedule of fees adopted by the City Council.

An outdoor seating area shall meet all of the following requirements:

- A. The building in which the licensed business operates must share a common boundary line with a public sidewalk.
- B. The outdoor seating area shall not extend beyond the boundaries fronting the licensed business and shall be open and available to all individuals, not solely customers of the permittee.
- C. The outdoor seating area shall allow a minimum four (4) foot wide unobstructed pedestrian corridor at all times. Wider pedestrian corridors or increased clearances may be required where warranted by pedestrian traffic or other circumstances. Furniture in an outdoor seating area may be located next to the curb, with two (2) feet clearance, and/or adjacent to the building, so long as clearances are maintained. Where existing OBSTRUCTIONS are present (such as fire hydrants), the corridor can be measured to go around these OBSTRUCTIONS.
- D. The outdoor seating area must not block access to public amenities like street furniture, trash receptacles, and way finding, or directional signs.
- E. Furniture must be made of durable material. No plastic, or unfinished or pressure treated wood furniture is permitted.
- F. Planters or pots may be used to define the outdoor dining space but are not required.
- G. Lighting must not cause glare to pedestrians or vehicular traffic, and must not be affixed to CITY trees.
- H. The outdoor seating area must be kept clean and neat, and all trash shall be properly disposed.

152-21. Permit Required for the Installation of Monitoring Wells on City Property or in a Public Road.

- A. A PERSON shall not disturb or EXCAVATE within the CITY's RIGHT-OF-WAY, or on CITY property, for the purposes of installing a groundwater monitoring well without first obtaining a written permit of authorization from the City Engineer. Monitoring well permits may be issued following submission of an application form provided by the Community Services Department. Such permit shall be issued by the Community Services Department on an application provided by the Department. All applications for a permit to install monitoring wells on CITY property shall include

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for each application the fee listed in the annual schedule of fees adopted by the City Council.

- B. The DIRECTOR is authorized to establish and publish rules, regulations, and procedures including general permit instructions and construction requirements related to groundwater monitoring well permits, and to prescribe the forms necessary for the management and operation of the monitoring well permit programs under this Section. These rules, regulations, and procedures shall be subject to review and approval by the CITY MANAGER and a copy shall be filed with the City Clerk.

ARTICLE III

152-22. Poles, Wires, and Water & Gas Lines Subject to City License.

- A. No PERSON shall hereinafter erect, construct, put up, or maintain any pole, wire(s), terminal, or other electrical appurtenances for telephonic, telegraphic, electric power or electric lighting, or for any other purpose, or any water or gas lines, along, across, under or over any PUBLIC ROAD, sidewalk, or RIGHT-OF-WAY without a license having first been obtained from the CITY consistent with RSA 231:159-189, or successor statute, and no such license shall be granted except upon written application to the City Clerk stating for what purpose or purposes said pole or wire(s) are to be used; Any PERSON granted such license shall not permit other PERSONs to attach wires to such licensed poles unless such other PERSONs also obtain a license from the CITY pursuant to this section. All licenses issued under this section shall forever thereafter be subject to such alterations, and requirements as the CITY may from time to time impose, and further subject to revocation when in the judgment of the CITY the public interests will be best served thereby, and all poles, wires, terminal or other electrical appliances now in use shall be subject to the same conditions.
- B. Authority to issue the License under this Section is delegated to the CITY MANAGER pursuant to RSA 231:161, I (b).
- C. The DIRECTOR is authorized to establish and publish rules, regulations and procedures related to the standards for installation pursuant to licenses issued under this Section. These rules, regulations and procedures shall be subject to the review and approval by the CITY MANAGER, and a copy shall be filed with the City Clerk.
- D. Within six (6) months of the completion of the installation in the RIGHT-OF-WAY the Licensee shall provide the DIRECTOR with electronic copies of the as-built plans, compatible with the CITY's GIS system, for all of the items placed/installed in the RIGHT-OF-WAY pursuant to the license granted. Failure to provide such plans within six (6) months of placement/installation shall be cause to revoke the license.

152-23. Quality of Materials Used and Construction Performed.

All construction work performed pursuant to a license granted under Section 152-22 shall be thoroughly performed in accordance with all applicable codes, and all kinds of material used shall be of the best quality obtainable, and subject to the approval of the DIRECTOR. The poles shall be sound, smooth, and straight, firmly set in the ground, and of such height, and erected at such points and in such a manner and the wires secured with such insulators, or other fixtures of fastenings, as shall preclude all danger from fire or other injury to PERSONs or property; all poles from which are suspended a wire or wires carrying more than five hundred (500) volts shall be plainly so marked. All pavements removed in the erection or removal of poles shall be properly replaced, and all removal of each for the same purpose shall be properly restored and the streets left in a condition which shall fully satisfy the DIRECTOR.

152-24. Posting Bills.

No PERSON shall use said poles for which a license has been granted pursuant to Section 152-22 for the posting of bills or other advertising purposes or any other purpose except that for which the license was granted.

152-25. Wires Attached to Trees.

No PERSON shall, without the written permit of the Community Services Department, attach any electric wires, insulator, or any device for the holding of any wire to any tree growing or planted upon any PUBLIC ROAD, sidewalk, or RIGHT-OF-WAY of the CITY.

152-26. Fastening of Wires.

Every PERSON or corporation having any wire or wires running through a PUBLIC ROAD or RIGHT-OF-WAY pursuant to a license issued pursuant to Section 152-22, shall securely fasten such wire or wires to such pole(s), so that they shall not come lose and come into contact with any PERSON.

152-27. Removal of Wires.

Whenever in the event of a fire it may be deemed necessary by the officers of the Fire Department, to cut, break, pull down, or remove any of said wires installed pursuant to a license issued pursuant to Section 152-22, in order to extinguish or prevent the spread of a fire, or protect the safety of PERSONs, or property, such action may be taken without any liability therefor on their part or the part of the CITY, and such wires so damaged or destroyed shall be repaired and restored by the owners thereof, at their expense, without expense or cost to the CITY.

152-28. Wires and Poles Passing out of Use.

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Whenever any wires or poles now in use or hereafter constructed shall pass out of use or become useless or "dead wires," so-called, the owners thereof shall within sixty (60) days take down and remove the same together with all the other fixtures belonging to said wires or poles; and in case of any refusal or neglect to comply with this provision, the CITY may forthwith revoke the license by which such wires or poles were installed.

152-29. Inspection of Wires.

The CITY shall have the right, but not the obligation, to examine and inspect all wires, poles, conduits, and all fixtures and appliances pertaining thereto, erected upon, over, under, or along any PUBLIC ROAD, highway, sidewalk, building, common, within the limits of the CITY; and the CITY shall have full power and authority to order any and all needed repairs of such wires, poles, conduits, and other fixtures, and to further require of the owners of such wires, poles, conduits, or other fixtures to use safety and protective devices in accordance with generally accepted standards of construction for the protection of property to the public. The CITY shall also have the right, but not the obligation, from time to time, to make such inspections as may be reasonably necessary in its discretion to ascertain that said poles, wires, conduits, and other fixtures and appliances are in a safe and suitable condition; and in cases of defective or dangerous wires, poles, conduits, and other fixtures, they shall be authorized to take such immediate action with reference thereto as may be necessary for the public safety. The CITY may also require the use of guard wires wherever needed, and all construction of additional poles and wires provided for under this Section shall be under the CITY's supervision and direction.

152-30. Wires, Poles, and Fixtures Shall Be Kept in a Safe Condition.

At any time when the owners of wires, poles or fixtures shall neglect to repair and keep them in a safe condition, to the satisfaction of the CITY, upon fifteen (15) days' notice to said owners, or any agent, and a hearing if requested, may order the removal forthwith of said wires, poles and fixtures; and any license previously obtained shall thereby be revoked. Nothing in this Section shall be construed as exempting the owners of said wires from frequent and careful inspection of the same by their own agents; any inspection by a municipal officer is in addition to such inspections, and is intended as supplemental to the owners' required inspection.

152-31. Licensed Structures to be Identified and Numbered.

All corporations, firms and individuals owning or having the care or control of structures erected in the streets, sidewalks, and RIGHT-OF-WAYS of the CITY, shall cause the same to be numbered in numerical order, with the initials of the corporation, firm or individual owning or having care or control of said structure.

ARTICLE IV

152-32. Penalties.

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Any PERSON who violates any provision of this Chapter shall be subject to the fines set forth in the Schedule of Fees adopted by the City Council.

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