

Chapter 168

STREETS AND SIDEWALKS

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[HISTORY: Adopted by the Board of Trustees of the Village of Windsor; Art. I, 3-1-66; Art. II, 7-25-67 as Section 2 of Article I of 1967 Ordinance Book; Art. III, 7-25-67 as Section 5 of Article III of 1967 Ordinance Book; Art. IV, 7-25-67 as Section 6 of Article III of 1967 Ordinance Book; Art. V, 7-25-67 as Section 8 of Article III of 1967 Ordinance Book; Art. VI, 7-25-67 as part of Section 1 of Article III of 1967 Ordinance Book amended in its entirety at time of adoption of Code (see Ch. 1, General provisions, Art.I); Art. VII at time of adoption of Code (see Ch. 1, General Provisions, Art. I. Sections 168-3A, 168-6, 168-7 and 168-10 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]

GENERAL REFERENCES

Snow and ice - See Ch. 162.

Zoning - See Ch. 200.

**ARTICLE I
Construction Requirements**

§ 168-1. Requirements for acceptance.

Streets to be deeded to the village must provide for a right-of-way fifty (50) feet in width and must be graveled, graded, ditched and have culverts installed before acceptance by the village.

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§ 168-2. Extension of water mains.

Water mains will be extended along proposed streets to provide service for prospective new developments within the village limits under the following conditions:

- A. The developer will, at his own expense, open a ditch five (5) feet in depth and backfill the same after the main is laid.
- B. The developer will pay one-half ($\frac{1}{2}$) of the cost of the materials, fittings, valves and hydrants for the proposed main. A sum of money equal to the developer's share of the cost of the above-mentioned materials, fittings, valves and hydrants is to be placed in escrow by the developer before these materials are ordered.
- C. The village will pay one-half ($\frac{1}{2}$) of the cost of the required materials, fittings, valves and hydrants and will install the same in the open ditch at no cost to the developer.

§ 168-3. Reimbursement for construction of curbs and sidewalks.

- A. The Village will pay one-half ($\frac{1}{2}$) of the cost of the construction or repair of sidewalks or curbs paralleling a village street up to two hundred dollars (\$200.00), upon receiving a receipted bill for the cost thereof from the owner of the property upon which the sidewalks or curbs were constructed.
- B. The width of new sidewalks for which payment will be made is limited to four (4) feet.

ARTICLE II
Street Trees

§ 168-4. Trimming to remove obstructions.

Every tree, vine, shrub or obstruction which shall obscure, obstruct or hide from view any official traffic sign or signal or the view of any operator of any motor vehicle or any other person using a public highway or which shall endanger the safety of persons using the public highway, is hereby declared to be a public nuisance, and the Superintendent of Streets is hereby authorized and empowered, subject to the direction of the Board of Trustees of the Village of Windsor, to trim, cut or remove the same if it is situated in, upon or over a public highway.

ARTICLE III
Projections Over Streets and Sidewalks

§ 168-5. Permission required for construction; bond.

No person shall erect, place or maintain any sign, signboard, awning, marquee, aerial or any other article or structure which shall project into or over any public street, highway or public sidewalk without first obtaining the written permission of the Mayor or Board of Trustees, and, as a prerequisite to such permission, there may be required to be posted a corporate surety bond, approved by the Board of Trustees, indemnifying and saving harmless the Village of Windsor from any and all injuries and damages.

§ 168-6. Penalties for offenses.

A penalty set forth in Appendix C of the Code of the Village of Windsor containing the list of Fines and Penalties for the Village or imprisonment for not more than fifteen (15) days, or both, is hereby imposed for the violation of any of the provisions of this Article and each day that such violation remains uncorrected after notice to remove the same has been given by the mayor or any member of the Board of Trustees shall be an additional violation.*

ARTICLE IV
Excavations.

§ 168-7. Permit required; penalties for offenses.

No person shall be allowed to dig up any street or public place in the village for the purpose of laying pipe or any other purpose without a written permit from the Mayor or Board of Trustees under a penalty set forth in Appendix C of the Code of the Village of Windsor containing the list of Fines and Penalties for the Village or imprisonment for not more than fifteen (15) days, or both for every offense, and an additional offense shall be deemed to be committed for every twenty-four (24) hours that the same may be dug up or left unfinished in addition to what actual damage the corporation may sustain.*

ARTICLE V
Playing in Streets

§ 168-8. Prohibited activities.

Riding bicycles on the sidewalks of the village is forbidden. Playing ball or other games in the streets is forbidden

*Editor's Note: Amended 9/4/2001; L.L. 5-2001

§ 168-9. Closing of streets for recreational use.

The Mayor or Board of Trustees may at certain times set aside a portion of one or more streets for coasting under proper safeguards, but otherwise coasting or skiing upon any of the streets or sidewalks of the village is forbidden.

§ 168-10. Penalties for offenses.

The violation of any of the provisions of this Article shall be punishable by a fine set forth in Appendix C of the Code of the Village of Windsor containing the list of Fines and Penalties for the Village or imprisonment for not more than fifteen (15) days, or both.*

ARTICLE VI
Sidewalk Maintenance

§ 168-11. Responsibility of owner.*

A. The public sidewalks abutting upon private property shall be maintained and repaired by the owner of the property in accordance with the following provisions:

- (1) The owner shall cause his sidewalk to be kept free of obstructions and in good repair and conditions and safe for public use.
- (2) In the event that sidewalks become out of grade (a heave, movement or settlement greater than one inch), the owner shall bring the same into true grade.
- (3) Any accumulation of snow and ice on sidewalks must be removed within 24 hours after said accumulation ceases. In the event of noncompliance, the Superintendent of Public Works may direct the Department of Public Works to clean said sidewalks and a bill shall be presented to the owner and shall include all Village expenses.

B. Should the landowner fail to comply with the duties outlined above, he will be liable to those who injured for any defects in the sidewalk.

§ 168-12. Penalties for offenses.

Any person violating any of the provisions of this Article shall be liable to a penalty set forth in Appendix C of the Code of the Village of Windsor containing the list of Fines and Penalties for the Village or imprisonment for not more than fifteen (15) days, or both, for each and every offense.*

*Editor's Note: Amended 9/4/2001; L.L. 5-2001

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ARTICLE VII
Construction Approval

§ 168-13. Approval required.

Any construction of a street or highway shall require prior approval of the Village Board.

§ 168-14. Penalties for offenses.

Any person violating any of the provisions of this Article shall be liable to a penalty set forth in Appendix C of the Code of the Village of Windsor containing the list of Fines and Penalties for the Village or imprisonment for not more than fifteen (15) days, or both.*

ARTICLE VIII
Speed Limits
[Amended 4/3/2001;
Local Law #1-2001]

§ 168-15. Applicability.

It shall be unlawful for any person to operate a motor vehicle at a rate of speed in excess of fifteen (15) miles per hour on Grove Street for 300 feet going west from the building line of the Alice Palmer Freeman Elementary School and going to route 79 from the east building line of the said school.

§ 168-16. Signs.

Regulatory and warning signs shall be erected and maintained to the above-designated speed limits as authorized by the Department of Transportation.

§ 168-17. Penalties for Offenses.

Operating a motor vehicle at a speed in excess of the posted speed limits shall subject the operator of the vehicle to such penalties as may be provided by the New York State Vehicle & Traffic Statutes.

*Editor's Note: Amended 6/5/2001; L.L. 2-2001

