

OPENINGS IN STREETS

12. Any 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 of which shall be delivered to the superintendent of streets 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 this 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 being 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 so 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.

13. 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 on the permit.

14. 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 closed up within ten days after such notice, may be closed and filled up by the superintendent of streets at the expense of the owner or occupier.

15. Every person obtaining a permit to make an 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.

16. No person shall make any permanent excavation under the surface of any street, the moveable 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, and on such conditions as are specified in the permit, provided, however, that coal hole tops may be located near the curb and the transparent covering used for the purpose of lighting only, permanently secured, may extend five feet from the street line.

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

18. No person shall build or place any moveable 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.

19. No person shall make any opening in any street for the purpose of a coal hole, or other receptacle or for light or air, or for entrance to any building or any purpose whatever, without a permit from the Committee upon the terms set out, and such permit shall be exhibited on request of any police officer, or to any other person authorized by the superintendent of streets, in writing, to demand inspection of the permit.

20. The Committee 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.

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

22. 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.

23. (1) 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 streets 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 only be in the day time; and such aperture when open shall be in charge of some competent person to warn passersby.

(2) If such owner or occupier fails to keep any such aperture securely guarded and in good repair and level with the sidewalk, the Committee, may at its option, 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.

24. 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.