



# TOWN OF FARMVILLE

## CODE OF ORDINANCES

### CHAPTER 22 – STREETS AND SIDEWALKS

#### Section 1.0 DAMAGING STREETS AND SIDEWALKS

##### 1.1 Street Construction, Excavations

- 1.1.1 Permits Required. It shall be unlawful for any person to make any excavation or do any other work which may cause a dangerous condition in or on any street, alley, sidewalk, public way or public place in the Town of Farmville unless a written permit therefore shall have been first obtained from the Town Manager or his agent. No permit shall be issued in any case where a bond is required until such shall have been executed and filed with the Town Finance Officer. The Manager or other officer having authority to grant the same may refuse to grant said permit for good and sufficient cause, but the applicant therefore shall have the right to appeal from such refusal to the Board of Commissioners.
- 1.1.2 Permit Content. Provisions for the permit for excavations: Every permit for excavation in, or work upon the streets, alley, sidewalks or public places of the Town shall specify the location, character and extent of the proposed excavation or work; the name of the person to whom the same is granted; and the name of the person by whom the excavation is to be made or the work to be done. The permit shall also specify that the same shall become void if the excavation or work authorized therein is not begun and completed within a time to be specified therein and shall require that written notice be given the Manager when the excavation work is begun and completed. Said permit shall further provide that the same is subject at any time to be revoked by the Board of Commissioners or Manager or other officer of the town having authority therefore. It shall be unlawful for any person to neglect or refuse to comply with the provisions of said permit, or to make any excavation, do any work or continue the excavation of work after the expiration or revocation of the permit.
- 1.1.3 Town Supervision, Inspection. All excavations and work in the streets, sidewalks, alley or public places of the Town be under the

supervision and control of the Town Manager or his agent, whose duty it shall be to inspect the same from time to time during the progress thereof. Upon the completion thereof he shall make a final inspection and shall see that the street, sidewalk, or public place is restored to a condition as good in all respects, as before the excavation or work was made or done, and that all debris, material, tools and equipment are removed from. Any person failing or refusing to comply with any provision of this section shall be guilty of a violation thereof; and where such failure or refusal is continued after notice from the Town Manager or his agent, every day's continuance shall constitute a separate and distinct offense.

- 1.1.4 Restoration, Repairs. When any part of any street, sidewalk, alley or public place of the Town shall be torn, dug up, or taken up for any purpose, the person doing the same shall, immediately upon the completion of such purpose and as speedily as practicable during the accomplishment thereof, return the earth and tamp the same to firm and solid bearing, in such manner as will entirely prevent the settling of such earth; and shall replace the surface of the street, sidewalk, alley, or public place and restore the same to a condition as good in all respects as before the excavation was made; all of which shall be done according to the directions of the Town Manager or his agent and to his entire satisfaction. Any person neglecting, refusing or failing to comply with any provisions of this section shall be guilty of a violation thereof; and where such neglect, refusal or failure is continued after notice from the said Town Manager, every day's continuance thereof shall constitute a separate and distinct offense.
- 1.1.5 Public Safety. It shall be unlawful for any person to make any excavation or do any work which may create or cause a dangerous condition, in, or on, or near any street, alley, sidewalk or public place in the Town without placing and maintaining proper guardrails and signal lights, or other warnings, at, in or around the same, sufficient to warn the public of such excavation or work, and to protect all persons, using reasonable care, from injuries on account of same.
- 1.1.6. Adjacent Excavations. Every person is forbidden to make or cause to be made any excavations on any lot contiguous to any street or sidewalk so negligently made or maintained that the same, by caving or otherwise, may in any manner endanger or injure such street or sidewalk or the persons using the same.
- 1.1.7. Deposits. The deposit for making any opening in any street or sidewalk shall be in such amount as the Town Manager deems

adequate for the work to be done.

## 1.2 Parking Trucks and Trailers on the Streets

- 1.2.1 Overnight Parking. It shall be unlawful for any person, firm or corporation to park or cause to be parked any truck, trailer, truck tractor and/or trailer on any paved street in the Town of Farmville for overnight parking.
- 1.2.2 Metal Wheels. It shall be unlawful for any person, firm, or corporation to park or cause to be parked any truck, trailer, truck-tractor and/or trailer on any paved street in the Town of Farmville for overnight parking, The terms truck and/or truck-tractor shall mean vehicles having two (2) or more rear axles. Whether the vehicle or trailer is loaded or not shall not be a determining factor. Additionally, regardless of the number of axles, the truck, truck/tractor or tractor trailer shall not exceed a gross weight of more than 10,000 pounds. (amended 10/02/07)
- 1.2.3 Fire Districts. It shall be unlawful for any person, firm, or corporation to park or cause to be parked, any dual wheel truck within the fire districts of the Town of Farmville or on any streets immediately adjacent to the fire districts of said Town of Farmville, or on any part of Main or Wilson Streets in the Town of Farmville between the hours of 6:00 P.M. and 6:00 A.M.

## 1.3 Damage to Lights, Signs

No person shall injure, tamper with, remove, paint upon or deface any sign, sign post, street light, traffic signal, bulletin board, plant or shrub, or any other municipal property upon the streets and sidewalks or on public property or rights of way of the Town of Farmville except employees of the Town in performance of their duties.

## 1.4 Parking of Petroleum Products Vehicles

- 1.4.1 Streets and Alleys. It shall be unlawful for any person, firm or corporation to park or cause to be parked, or permit to remain standing, any truck, trailer truck or combination of truck and trailer, or any other vehicle designed, constructed and used for the transportation of gasoline, naphtha, kerosene, distillate, oil or other inflammable or explosive oil derivatives, whether the same be empty or loaded, at any time on the streets or public alleys in the Town of Farmville. Provided that this ordinance shall not apply to the loading and unloading of gasoline at filling stations and railroad tank cars.
- 1.4.2 Residences. It shall be unlawful for any person, firm or corporation to park or cause to be parked or permit to remain

standing, any truck, trailer truck, or combination of truck and trailer, or any other vehicle designed, constructed and used for the transportation of gasoline, naphtha, kerosene, distillate, oil or other inflammable or explosive oil derivatives, whether the same by empty or loaded, on the premises of any private residence in the Town of Farmville, at any time; provided that this section shall not apply while the vehicle is actually engaged in loading or unloading.

1.5 Destruction and Demolition of Sidewalks

It shall be unlawful for any person, firm, or corporation to destroy, remove or reduce in size, width, or quality or materials any sidewalks in the Town of Farmville except by permission of the Board of Commissioners.

1.6 Moving of Buildings

No person, firm or corporation shall move any house or building upon or across the public streets or sidewalks without the written consent of the Town Manager or his agent and the deposit of a good and sufficient bond to be set by the Town Manager to cover any damage which may be done to streets, sidewalks, or other public facilities.

**Section 2 OBSTRUCTION STREETS AND SIDEWALKS**

2.1 Parking on Sidewalks

2.2.1 Prohibition; Permits. It shall be unlawful for any person, firm or corporation to place any obstruction on, over, across or under any street or sidewalk in the Town of Farmville such as to interfere with the normal flow of vehicles and persons, without having first obtained a permit from the Town Manager or his agent.

2.2.2 Obstruction Defined. "Obstruction" as used in this ordinance shall be construed as including, but not limited to, the displaying of fruits, vegetables, and other eatables, goods, wares and merchandise of every nature upon the streets and sidewalks, and including trucks parked upon the streets and/or sidewalks from which goods are sold.

2.2.3 Exceptions. This ordinance shall not apply to farmers selling their produce unless they propose to sell them from a stationary position and shall not apply to retail and wholesale deliveries to business houses from trucks parked in loading zones and alleys or to deliveries in residential districts.

2.3 Sheds and Awnings

2.3.1 Wooden Sheds and Awnings. It shall be unlawful for any person to erect or repair over any sidewalk or street any wooden shed or awning or any wooden shed for the support of any awning, or erect upon any street or sidewalk any post for the support of any awning. If any person shall violate this section, then each day that the above forbidden structure shall remain after notice shall constitute a separate violation.

2.3.2 Permitted Awnings. This ordinance shall not be construed to prevent the erection over the sidewalk of cloth or metal awnings, supported upon metal frames firmly suspended from the building, so long as they are at least seven (7) feet above the level of the sidewalk.

## 2.4 Trash and Rubbish on Streets and Sidewalks

It shall be unlawful for any person, persons, firm, or corporation to place or cause to be placed, garbage, vegetable matter, including but not limited to corn shucks and cobs, pea pods, and bean hulls, leaves, or other refuse junk or rubbish upon the sidewalks or streets in the Town of Farmville unless such shall first have been bound, wrapped or place in a reasonably durable bag, burlap sheet, basket or other proper container. Such placement should, where practical, be upon that area between the street and sidewalk but in any event so as not to obstruct traffic, vehicular or pedestrian.

## 2.5 Sidewalk Clearances

2.5.1 Clearance Height. The area above all public sidewalks within the Town of Farmville shall be kept clear and unobstructed to their full width and to a height of eight feet (2.4 meters).

2.5.2 Exception: Wooden or wrought iron benches, flower planters, and flag poles are acceptable in CBD (Central Business District) and GBD (General Business District) for businesses fronting Main and Wilson Street, The benches and flower planters should not extend onto the sidewalk more than 30 inches from building edge. No merchandise shall be displayed on the sidewalks unless it is during a town wide “side walk sale” which can be conducted up to twice per year with the Town Manager’s permission.

(amended 12/02/2008)

## 2.6 Obstruction of Railroad Crossings

It shall be unlawful for any person, firm, or corporation to allow a railroad train,

locomotive, or any railroad vehicle to stand upon a public crossing, or any part thereof, for more than ten minutes at any time.

### **Section 3 USE AND CLEANLINESS**

#### **3.1 Skating**

It shall be unlawful for any person to skate on either the streets or the sidewalks in the business districts of the Town of Farmville. (Amended 12/2/97)

3.1.1 For the purposes of this section, “skating” shall be defined as that act or form of recreation whereby the participant is able to propel themselves along the ground by means of wheels or rollers and shall be inclusive of, but not limited to such devices as skates, roller-blades, skateboards, scooters or similar devices or toys.

3.1.2 For the purposes of this section, “business district” shall be defined as the territory of the downtown portion of the Town of Farmville, which is within and bounded by North and South Contentnea Street to the East, East and West Horne Avenue to the North, North and South Walnut Street to the West, and the Norfolk-Southern Railroad to the South.

#### **3.2 Bus Stops**

It shall be unlawful for intercity buses to discharge or take on passengers within the corporate limits of the Town of Farmville other than at the Bus Station.

#### **3.3 Bicycles**

It shall be unlawful for any person to ride a bicycle upon any sidewalk in any business district in the Town of Farmville.

#### **3.4 Sporting and/or Sporting Apparatus Prohibited**

It shall be unlawful for any person(s) to place in whole or in part, any apparatus used to facilitate any game or sport, whereby the apparatus, in whole or in part or the sporting participants utilizing the apparatus, are on, over, across or under the right-of-way of any town maintained street. Such apparatus shall include but not limited to ramps of any type for cyclist and skaters, and basketball goals.

Apparatus left unattended in violation of this section shall be deemed to have been abandoned upon the right-of-way of a town maintained street and subject to immediate removal by the town as debris in the roadway.

(added 01/02/2007)

**Section 4 TEMPORARY STREET CLOSINGS**

When the Town or any person or organization desires the temporary closing of any public street within the town to vehicular traffic (for purposes such as street dances, special programs, and other reasons), such temporary street closings shall be approved or disapproved by the town manager in the following manner:

4.1 Applications

Application shall be made to the town manager, who may require that the request be in writing and that the applicant provide any relevant information.

4.2 Notice to Board

The Town Manager shall give immediate notice to the Mayor and Board of Commissioners that he has received the application for a temporary street closing. If the mayor or any commissioner notifies the manager in a time by fashion that they object to the proposed closing, a majority vote of the board in a duly called meeting shall be required to approve the temporary closing.

4.3 Approval

The Town Manager shall approve temporary street closings if he finds (1) that the closing will not create a public safety hazard, (2) that the closing will not significantly inconvenience the general public or the residents or businesses in the immediate vicinity, and (3) that the street closing is essential to the purpose of which application has been made. If the manager is unable to make these findings, the applicant may apply directly to the board for approval at a regular or special meeting. In approving temporary closings, both the manager and the board may set conditions of approval designed to protect the public safety and welfare.

4.4 Implementation

When temporary street closings are approved, the town manager shall notify the applicant, the police department, and streets department in writing and shall direct the placement of barriers to block the street to vehicular traffic. If time allows, advance notice of temporary street closings shall be published in the media. Approval of temporary street closings shall have the effect of temporarily deleting the closed area from the rights-of-way open to vehicular traffic.

4.5 Exception

This ordinance shall not apply to temporary barricading of streets for construction purposes, except that a person, firm or corporation who erects barricades to protect construction activity must place barriers in locations and in sufficient numbers determined by police department to be adequate for the protection of public safety.

Failure to comply with this provision shall constitute a misdemeanor.

## **Section 5 STREET AND SIDEWALK IMPROVEMENTS**

### **5.1 Sidewalk Extensions**

Owners of property who desire that a sidewalk be constructed may petition the Town to construct such sidewalk. Such a petition must state the location of the proposed sidewalk and must be signed by at least 50% of the property owners abutting the proposed improvement, who also represent 51% of the abutting property frontage. Sidewalks shall be constructed of concrete or brick and upon approval and construction; the costs will be apportioned according to the improvements policy of the Town.

### **5.2 Reserved**

Note: See governing body policies on street improvements (paving, curb and gutter) adopted 5/3/60; driveway, sidewalk, and drainage improvements adopted 10/4/77, and speed bump installations adopted 3/5/80. (Ordinance updated 8/01/06 as noted below)

#### **5.2.1 Initial request for Speed Bump**

A resident may request the installation of a speed bump(s) upon their street of residence through the Chief of Police or his designated representative. The request may be either verbal or in writing citing any and all conditions that the resident believes to be pertinent to the consideration for approval and/or installation of a speed bump(s).

#### **5.2.2 Eligible Locations**

5.2.2.1 Eligible locations shall be on minor neighborhood streets, cul-de-sacs, park drives, public alleys, and internal drives on municipal properties and parking areas.

5.2.2.2 Speed bumps may not be installed on U.S. or State highways and routes, on major or minor thoroughfares, on collector streets, on neighborhood connectors, or on non-public streets or drives.

5.2.2.3 The posted speed limit is 35 mph or less.

#### **5.2.3 Information and Petition**

5.2.3.1 Upon receiving a request for the installation of a speed bump(s), the Chief of Police or his designated representative shall provide the resident a copy of the ordinance pertaining to “Speed Bump Installation”.

5.2.3.2 The resident shall also be provided with a copy of

“Petition for Speed Bump” designated as sub-section 5.2.8 and made a part of this ordinance. The petition, upon preliminary examination by the Chief of Police or his designated representative, shall note by street(s) and block(s) location, those residences that may be affected by the speed bump. The requesting resident shall be responsible for presenting the petition to each head of household residing within the noted locations on the petition for their support and agreement and by obtaining their name, address, phone number and signature indicating their support of the petition.

5.2.4 Required Percentage in Support of Petition

Such petitions shall normally be deemed sufficient to initiate further investigation and survey by the town upon obtaining 70% support of the affected households.

5.2.5 Town Investigation and/or Survey

5.2.5.1 Upon receipt of an adequate petition, the police department shall make appropriate survey of traffic volumes and traffic speed on the street(s) and the extent of pedestrian and bicycle traffic.

5.2.5.2 With regard to the traffic speed survey, speed shall be deemed excessive where at least 15% of the vehicles exceed the posted speed limit by greater than 6 mph (ie. 42mph in a 35 mph zone).

5.2.5.3 The police department shall present any and all relevant information in addition to the speed and volume surveys.

5.2.6 Presentation to Board of Commissioners

5.2.6.1 Upon receipt of an adequate petition, and all other applicable information from the police department, the Town Manager shall present the request to the Board of Commissioners at the earliest reasonable board meeting.

5.2.6.2 Based upon all available information, the Board of Commissioners may authorize the installation of speed bump(s) upon finding (a) that additional measures are needed to prevent speeding and protect public safety and (b) that speed bumps are the best available means of addressing this need, and (c) that speed bumps will not significantly inconvenience the public or constitute a public nuisance.

5.2.7 Installation Guidelines

5.2.7.1 Speed bumps shall be constructed of appropriate grade of asphalt or other comparable manufactured speed bumps. It shall be approximately 48” in width and shall be 2.75-3.0” in height at the crest of the bump. It shall extend the width of the street to within 6” of the edge of a non-curbed street or to the edge of the gutter on a curbed-and-guttered street. The slope of the bump shall be smooth and uniform on each side and it shall be tapered at each end to the street surface.

5.2.7.2 Standard warning signs shall be appropriately placed in both directions in advance of each bump.

5.2.7.3 Speed bumps shall be painted and maintained in the standard yellow color as used by N.C.D.O.T.

5.2.7.4 Speed bumps shall be visible to oncoming traffic from a distance that allows adequate safe response time.

5.2.7.5 Speed bumps, where possible, shall be placed to coincide with property lines and not interfere with the entrance and exit to private drives or storm drainage.

5.2.8 Speed Bump Petition  
(\*Attachment)

**Section 6 NAMING OF STREETS**

6.1 Governing Board Determination

Street names shall be determined by the Board of Commissioners of the Town of Farmville as follows:

- a. The names given new streets by developers may be approved by the Town Board by acceptance of the subdivision plat without specific acceptance of the street name. This is subject to final approval by Pitt County in accordance with Chapter 12 “Addressing Ordinance” of the Pitt County Code of Ordinances and the Interlocal Agreement Regarding Municipal E-911 Address Assignment by Pitt County between the Town of Farmville and Pitt County dated August 6, 2002, and including future amendments.
- b. All other street names shall be determined in accordance with the “Policy For Naming Streets, Public Facilities, Etc.” as adopted by the Farmville Board of Commissioners on August 03, 2004, and including future amendments.

(Amended 11/07/06)

6.2 Non-Duplication

Streets should be named so as to avoid confusion and duplication so that identification by fire and other emergency personnel may be readily made.

Note: See also provisions relating to property numbering in "Buildings and Structures."

**Section 7 SIDEWALK CAFES AND OUTDOOR DINING AREAS**

7.01 Developmental Services may issue permits for the serving of food and beverages on Town sidewalks and pedestrian ways in the area of the town known as the Central Business District and General Business District

7.02 Definitions

7.02.1 *Restaurant:* An establishment engaged in the business of regularly and customarily selling food, primarily to be eaten on the premises or carried out, including businesses that are referred to as restaurants, cafeterias, cafes, lunch stands, grills, snack bars, fast food businesses and other establishments such as drug stores and pharmacies, that have a lunch counter or other section on their premises where food or beverages are sold to be eaten on the premises or carried out.

7.02.2 *Sidewalk:* That portion of public street between the curb line, or the lateral lines of roadway if there is no curb, and the adjacent property line, that is intended for the use of pedestrians.

7.02.3 *Restaurant Operator:* The person, firm or corporation operating a restaurant and associated sidewalk café or dining area; or the manager if different from the owner of the restaurant and associated sidewalk café.

7.03 Application

7.03.1 Any restaurant desiring to operate a sidewalk café or outdoor dining area shall prepare and file an application with Developmental Services which shall contain the following information:

7.03.2 The name, address and telephone number of the restaurant desiring to operate a sidewalk café or outdoor dining area.

7.03.3 The name, address and telephone number of the restaurant operator.

7.03.4 The type of food, beverage or other products to be sold and served at the sidewalk café or outdoor dining area.

7.03.5 The hours of operation of the restaurant and the proposed hours of

operation of the sidewalk café or outdoor dining area, including movement of furniture and equipment after closing hours to other areas.

- 7.03.6 A drawing or site plan showing how the sidewalk will be used for the sidewalk café or outdoor dining area, including the design and style of the tables, chairs, and a plan describing clearance for pedestrians using the sidewalk, and the proposed placement of tables, chairs, delineation of the sidewalk café or outdoor dining area, and any other relevant furnishings of the sidewalk.
- 7.03.7 Design Guidelines for tables, chairs and articles delineating the sidewalk café or outdoor dining area will be restricted to the regulations contained in the Design Guidelines Attachment in Section 8.
- 7.03.8 Evidence of adequate insurance or other form of security to hold the Town and its taxpayers harmless from claims arising out of the operation of the sidewalk café or outdoor dining area, as determined by the Town Manager in consultation with the Town Attorney and insurance carrier.
- 7.03.9 An indemnity statement, approved by the Town Attorney, whereby the restaurant operator agrees to indemnify and hold harmless the Town and its officers, agents and employees from any claim arising from the operation of the sidewalk café or outdoor dining area.
- 7.03.10 A copy of all permits and licenses issued by the State or the Town, including health and ABC permits business licenses, necessary for the operation of the restaurant business, or a copy of the application for the permit if no permit has been issued. This requirement includes any permits or certificates issued by the Town for exterior alteration or improvement to the restaurant.
- 7.03.11 A sworn statement describing any violation by the restaurant operator of any laws, regulations or ordinances relating to the possession, sale, consumption or transportation of intoxicating beverages or controlled substances during the three (3) years immediately preceding the date of the permit application.
- 7.03.12 Such additional information as may be requested by Developmental Services to determine compliance with this section.
- 7.03.13 A fee in the amount of \$75 as provided in the Town fee schedule to processing and investigating the application and issuing the permit.

7.04 Issuance of Permit

No permit for the operation of a sidewalk café or outdoor dining area may be issued unless the application is complete and unless the following requirements are met:

- 7.04.1 The sidewalk café or outdoor dining area is to be associated with an operating restaurant such that it is under the same management and shares the same food preparation facilities, restroom facilities and other customer convenience facilities as the restaurant. The sidewalk café or outdoor dining area must be operated under the same name as the restaurant and may not be open or be operated at any time when the restaurant is not open for business.
- 7.04.2 The operation of the sidewalk café or outdoor dining area must be clearly incidental to the associated restaurant business. The seating capacity of the sidewalk café or outdoor dining area may not constitute more than fifty percent (50%) of the total seating capacity of the associated restaurant.
- 7.04.3 The placement of tables, chairs, barriers, or other furnishings as shown in the drawing submitted with the site plan must be done in such a manner that at least four (4) feet of unobstructed space (as measured from the street-side edge of the sidewalk) remains on the sidewalk for the passage of pedestrians.
- 7.04.4 The restaurant seeking to operate the sidewalk café or outdoor dining area must front on and open onto the sidewalk proposed for the sidewalk café. The placement of tables, chairs, barriers, and other furnishings may not extend beyond the sidewalk frontage of the associated restaurant. The tables must be contained within visible barriers of the area.
- 7.04.5 The tables, chairs, barriers, and other furnishings used in the sidewalk café or outdoor dining areas shall not be permanent structures and shall meet the design guidelines in the Design Guidelines Attachment in Section 8.
- 7.04.6 Except as elsewhere permitted, the operation or furnishing of the sidewalk café or outdoor dining area shall not make permanent, any alteration to, or encroachment upon any street or sidewalk to the exterior of the associated restaurant.
- 7.04.7 There shall be adequate lighting available in the area of the sidewalk café or outdoor dining area for the safety of the patrons of the area, as well as the public use of the sidewalk. If adequate public lighting is not available, the restaurant must provide additional lighting pursuant

to the guidelines in the Design Guidelines Attachment in Section 8.

#### 7.05 Alcoholic Beverages

Alcoholic beverages may be served at sidewalk cafes and outdoor dining areas provided the following requirements are met:

- 7.05.1 The sidewalk café or outdoor dining area shall be part of a standard restaurant as that term is defined in the definitions of this section, and shall otherwise be authorized, permitted or licensed under State laws and the Town Code to serve and sell alcoholic beverages for on-premise consumption.
- 7.05.2 The sidewalk café or outdoor dining area must be included as part of the premises for which an ABC permit is issued pursuant to G.S. 18B-1001 for the purpose of applying and enforcing State laws regarding the sale and consumption of alcoholic beverages.
- 7.05.3 The restaurant operator shall not have violated any law, regulation or ordinance relating to the possession, sale, transportation or consumption of intoxicating beverages or controlled substances for the three (3) years preceding the commencement of the sale of alcoholic beverages at the sidewalk café or outdoor dining area.

#### 7.06 Denial

A permit may be denied if it is found that the granting of the permit would not be in the public interest. Any applicant denied a permit to operate a sidewalk café or outdoor dining area shall receive a written statement outlining the grounds on which the denial is based. The applicant may appeal the denial of the permit to the Board of Commissioners within fifteen (15) working days after the date of the written denial and the Board of Commissioners may take such corrective action as it shall find necessary. The findings and determination of the Board of Commissioners shall be final.

#### 7.07 Permit Revocation

Developmental Services may revoke a permit issued pursuant to this section if he finds that the restaurant operator has:

- 7.07.1 Deliberately misrepresented or provided false information in the permit application.
- 7.07.2 Violated any provisions of Town or County Health Department regulations.
- 7.07.3 Violated any law, regulation, or ordinance regarding the possession,

sale, transportation, or consumption of intoxicating beverages or controlled substances.

- 7.07.4 Operated the sidewalk café or outdoor dining area in such a manner as to create a public nuisance or to constitute a hazard to the public health, safety, or welfare; specifically including failure to keep the sidewalk care area clean and free of refuse.
- 7.07.5 Failed to maintain any health, business or other permit or license required by law for the operation of a restaurant business. Before the revocation of a permit, Developmental Services shall notify the permit holder of the intent to revoke the permit and to reasons therefore and shall afford the permit holder a reasonable opportunity to appear and be heard on the question of such revocation. After the hearing, Developmental Services shall notify the permit holder in writing of his decision and the reasons therefore. A decision of Developmental Services to revoke a permit may be appealed to the Board of Commissioners in accordance with the provisions of Section 7.06.

#### 7.08 Reservation of Rights

The Town reserves the right to require any sidewalk café or outdoor dining area established pursuant to this section to cease part or all if its operation in order to allow for construction, maintenance, or repair of any street, sidewalk, utility or public building by the Town, its agents or employees, or by any other governmental entity or public utility; and to allow for use of the street or sidewalk in connection with parades, civic events, and other events of a temporary nature as permitted by the Town.

#### 7.09 Term, Transfer, Renewal, etc.

Permits issued in accordance with the provisions of this section shall:

- 7.09.1 Be issued for the period beginning July 1 and expiring June 30 of each year.
- 7.09.2 Be in addition to the annual privilege license requirements.

#### 7.1 Design Guidelines

The Town of Farmville Design Guidelines provide standards for the use of outdoor dining areas within the Central and General Business Districts to maintain a quality appearance in keeping with the Town's historic character.

Amended by the Board of Commissioners:  
December 02, 1997  
August 01, 2006  
November 07, 2006  
January 2, 2007  
December 2, 2008  
July 7, 2009

**\*ATTACHMENT – 5.2.8**  
**SPEED BUMP PETITION**  
**Chapter 22, Streets and Sidewalks**  
**Sub-Section 5.2.8**

COME NOW, the residents of \_\_\_\_\_(street), located  
Between \_\_\_\_\_(cross street) and  
(cross street), hereinafter referred to as "Petitioners," hereby petition the Town of Farmville, to consider  
the installation of speed bump(s) to mitigate speeding problems on our above referred street/

This action is deemed necessary to provide a reasonable quality of life on our street and alleviate  
problems the Petitioners have faced in regard to excessive speeds. By signing this petition,  
Petitioners hereby acknowledge that they have a basic understanding as to the effect of speed bumps  
as follows:

1. Speed bumps may require reduction and/or elimination of on-street parking.
2. In advance of each speed bump, warning signs will be installed in the public right-of-way  
(typically immediately behind the curb or sidewalk). **Please Note:** The signs may be  
located within view of some property owners' residences.
3. Signatures from 70% of the affected residences are required in order for the Town of  
Farmville to consider the installation of speed bumps.

Therefore, the undersigned petitioners respectfully request the Town of Farmville to install speed  
bump(s) on our street as above noted. Such action is deemed necessary and accordance with Town  
Ordinance.

	NAME	ADDRESS		PHONE
1.	_____ Signature	_____.	.	_____.
	_____ Print Name	_____.	.	
2.	_____ Signature	_____.	.	_____.
	_____ Print Name	_____.	.	

	<b>NAME</b>	<b>ADDRESS</b>	<b>PHONE</b>
3.	_____ Signature	_____.	_____.
	_____ Print Name	_____.	
4.	_____ Signature	_____.	_____.
	_____ Print Name	_____.	
5.	_____ Signature	_____.	_____.
	_____ Print Name	_____.	
6.	_____ Signature	_____.	_____.
	_____ Print Name	_____.	
7.	_____ Signature	_____.	_____.
	_____ Print Name	_____.	
8.	_____ Signature	_____.	_____.
	_____ Print Name	_____.	
9.	_____ Signature	_____.	_____.
	_____ Print Name	_____.	
10.	_____ Signature	_____.	_____.
	_____ Print Name	_____.	
11.	_____ Signature	_____.	_____.
	_____ Print Name	_____.	
12.	_____ Signature	_____.	_____.
	_____ Print Name	_____.	

	<b>NAME</b>	<b>ADDRESS</b>	<b>PHONE</b>
13.	_____ Signature	_____ .	_____ .
	_____ Print Name	_____ .	
14.	_____ Signature	_____ .	_____ .
	_____ Print Name	_____ .	
15.	_____ Signature	_____ .	_____ .
	_____ Print Name	_____ .	
16.	_____ Signature	_____ .	_____ .
	_____ Print Name	_____ .	
17.	_____ Signature	_____ .	_____ .
	_____ Print Name	_____ .	
18.	_____ Signature	_____ .	_____ .
	_____ Print Name	_____ .	
19.	_____ Signature	_____ .	_____ .
	_____ Print Name	_____ .	
20.	_____ Signature	_____ .	_____ .
	_____ Print Name	_____ .	
21.	_____ Signature	_____ .	_____ .
	_____ Print Name	_____ .	
22.	_____ Signature	_____ .	_____ .
	_____ Print Name	_____ .	

	<b>NAME</b>	<b>ADDRESS</b>	<b>PHONE</b>
23.	_____ Signature	_____ .	_____ .
	_____ Print Name	_____ .	
24.	_____ Signature	_____ .	_____ .
	_____ Print Name	_____ .	
25.	_____ Signature	_____ .	_____ .
	_____ Print Name	_____ .	
26.	_____ Signature	_____ .	_____ .
	_____ Print Name	_____ .	
27.	_____ Signature	_____ .	_____ .
	_____ Print Name	_____ .	
28.	_____ Signature	_____ .	_____ .
	_____ Print Name	_____ .	
29.	_____ Signature	_____ .	_____ .
	_____ Print Name	_____ .	
30.	_____ Signature	_____ .	_____ .
	_____ Print Name	_____ .	
31.	_____ Signature	_____ .	_____ .
	_____ Print Name	_____ .	
32.	_____ Signature	_____ .	_____ .
	_____ Print Name	_____ .	