

**Chapter 57**  
**STREETS AND SIDEWALKS**

**ARTICLE I**  
**General Provisions**

**§ 57-1. Erection of buildings or obstructions in streets.**

**§ 57-2. Depositing or burning refuse on streets.**

**§ 57-3. Obstructing drains.**

**§ 57-4. Dropping of litter or other material.**

**§ 57-5. Excavated materials.**

**§ 57-6. Daily removal.**

**§ 57-7. Grease and oil on streets.**

**§ 57-8. Obstructions of public places. [Amended 10-6-08]**

**§ 57-9. Overhanging trees, shrubbery or hedges; trimming at owner's expense; extraordinary conditions.**

**§ 57-10. Grass bordering sidewalks and paths.**

**§ 57-11. Swinging gates.**

**§ 57-12. Advertising signs and banners.**

**§ 57-13. Parades.**

**§ 57-14. Use of streets by contractors.**

**§ 57-15. Sidewalk covers.**

**§ 57-16. Protective barricades and lights required, when.**

**§ 57-17. Extinguishing lights.**

**§ 57-18. Removal of barricades unlawful.**

**§ 57-19. Cutting streets and sidewalks.**

**§ 57-20. Cutting curbs.**

**§ 57-21. Entrances to private property.**

**§ 57-22. Obstruction of streets by common carriers.**

**§ 57-23. Unauthorized use of streets for repairs.**

**§ 57-24. Snow and ice removal required.**

**§ 57-24.1. Dumpsters and Storage Receptacles on Public Property.**

**§ 57-25. Penalties.**

**ARTICLE II**  
**Street Improvements - Minimum Standards**

**§ 57-26. Street improvements; minimum standards.**

**§ 57-27. Permit required.**

**§ 57-28. Authority to hire town engineer to supervise or inspect street improvements.**

**§ 57-29. Engineering fee.**

**§ 57-30. Penalty for violation.**

**[HISTORY: Article I adopted 1-20-54, effective 2-1-54; Article II adopted 7-11-49.  
Amended 3-6-95,  
effective 3-26-95. Amendment history noted where applicable.]**

**REFERENCES**

**Building code, permits -- See Chapter 15.**

**Fire code, house numbers -- See Chapter 15.**

**Garbage and refuse -- See Chapter 36.**

**Municipal infractions -- See Chapter 46.**

**Utilities -- See Chapter 62.**

**Walls and fences -- See Chapter 66.**

**ARTICLE I**  
**General Provisions**

**§ 57-1. Erection of buildings or obstructions in streets.**

It shall be unlawful for any person to erect or maintain any building or obstruction in or upon any street or sidewalk beyond the property line except upon the authorization of the Mayor and Council.

**§ 57-2. Depositing or burning refuse on streets.**

It shall be unlawful for any person to throw, cast, lay, sweep, deposit, scatter or drop, leave or cause to be thrown, cast, laid, swept, deposited, scattered or dropped or left, any dirt, mud, ashes, filth, sawdust, shavings, hay, nails, glass, straw, offal, leaves, litter, paper, vegetable matter, decayed fruits, fruit skins or putrescible matter of any sort, animal matter, scraps, rubbish, garbage, trees, cinders or other refuse material or any dead animal, or to burn or set fire to any such material or to cause the same to be burned or set fire to, upon any street, alley, sidewalk, gutter, roadway or other public place within the town.

**§ 57-3. Obstructing drains.**

It shall be unlawful for any person to throw, cast, lay, sweep, deposit, scatter, drop, leave, spill or place any dirt, mud, ashes, filth, sawdust, shavings, hay, straw, offal, leaves, litter, paper, vegetable matter, decayed fruits, fruit skins, tin cans, trash, cinder, rubbish or any material of any kind in or upon any gutter, drain, culvert, stream or passageway provided for the flow of water from, over or under or adjacent to any street, road or alley within the town so as to obstruct any such gutter, culvert, stream, drain or passageway, or so as to prevent or decrease the easy flow of water and other liquid matter along, over, and through such gutter, culvert, stream, drain or passageway.

**§ 57-4. Dropping of litter or other material.**

It shall be unlawful to cause or permit any earth, clay, dirt, sand, gravel, broken stone, mortar, hay, straw, manure, shavings, sawdust, coal, ashes, paper, rubbish or any loose material of any kind to be scattered, dropped, leaked, spilled or let fall from any cart, wagon, dray, truck or other vehicle in which the same may be carried, upon any of the streets of the town; and this prohibition shall apply to the owner, driver, operator, contractor, manager, agent, foreman, superintendent or person or persons in charge of any such cart, wagon, dray, truck or other vehicle from which any of the materials hereinbefore mentioned shall be scattered, dropped, leaked, spilled or let fall upon any street or roadway.

**§ 57-5. Excavated materials.**

It shall be unlawful to deposit or permit to be deposited upon any sidewalk, crosswalk, gutter or improved roadway or street within the town any earth, clay, sand, gravel or other excavated material by spilling, dropping or placing the sand thereon or by tracking the same thereon by the wheels of vehicles or feet of animals, either in process of conveying such excavated material from the place where the excavation is being made or in returning from the place where the excavated material shall have been deposited, and this prohibition shall apply to the owner of the land where the excavation is being made, the owner of the land where the excavated material shall have been deposited, every driver, operator, teamster, owner of horses and vehicles, foreman, superintendent, and contractor engaged in making any excavation.

**§ 57-6. Daily removal.**

Every person having charge of any building or hauling operations, either as owner or contractor, shall remove or cause to be removed, at the expiration of each working day, from the sidewalks, gutters and roadways, all earth, sand, gravel, dirt, mortar, stones, broken brick, shavings, rubbish and all other litter that may have been deposited or accumulated thereon as a result of such building or hauling operations.

**§ 57-7. Grease and oil on streets.**

It shall be unlawful for any person to pour, spill or permit to drop upon any sidewalk of the town any kerosene, gasoline, benzene or any similar oil or oily substance or liquid, or for any person to drain, flush, deposit or cause to be drained, flushed or deposited any crankcase drainings, oil, gasoline, grease or other automobile refuse or waste into any gutter, sewer, catch basin, ditch or stream, or onto or across any street, alley, sidewalk, drive or parkway.

**§ 57-8. Obstructions of public places. [Amended 10-6-08]**

- (a) As used in this section, “public place” means any place or space, including, but not limited to, a sidewalk, street, road, or other way, to which the general public has access and a right to use for any lawful purpose. “Public place” is not limited to place devoted to the use by the general public.
- (b) A person may not obstruct any public place so as to hinder or impede the free and uninterrupted passage of vehicular or pedestrian traffic on, in, along or across the public place.
- (c) A person may not commit any act that prevents the free and uninterrupted ingress, egress, and regress in, on, to and from any public place and any lawful activity being conducted in or on the public place.

- (d) A person may not obstruct any sidewalk of the town with merchandise, and each day such obstruction shall be permitted to exist shall constitute a separate offense.
- (e) Whenever any person commits an act that is prohibited by subsections (b) or (c) of this section, a police officer or law enforcement officer shall order that person to cease from committing that act and, where appropriate, to move or remove any prohibited physical obstruction that was placed or created by such person before issuing any citation for municipal infraction.

**§ 57-9. Overhanging trees, shrubbery or hedges; trimming at owner's expense; extraordinary conditions. [Amended 2-21-72. Amended 3-6-95.]**

(a) No person shall allow any wall, hedge or shrub located on his property, or property of which he has possession, to project therefrom so as to obstruct or cover any part of the sidewalk, or permit any tree or shrub to overhang the sidewalk or street in any manner so as to impede the full and free use thereof by the public.

(b) Trimming at owner's expense. Upon a complaint to the town or upon observation by the town code enforcement officer or the town police that a condition exists prohibited by the preceding subsection, the town shall notify the owner or custodian of the property to remedy the condition within fifteen (15) days after the receipt of such notice. Upon failure to comply, the owner or custodian will be subject to the penalties set forth in § 57-25. In addition, the town may employ a person or persons to do the work, the cost of which shall be assessed against the owner or custodian of the property, such costs to become a lien against the property and collectible as other municipal taxes are collected.

(c) Extraordinary conditions. If the Mayor and Council determine that an extraordinary condition exists and that trees, shrubs, hedges and/or walls are obstructing access to any public way or obstructing the view at street intersections so as to cause a danger to traffic, the owner or custodian of the property will be so informed, and the work of removing said condition must be carried out immediately. If said condition is not rectified in the required time period, the Mayor and Council shall have the right of employing a person or persons to do the work, the cost of which shall be assessed against the owner or custodian of the property. In the event that the owner or custodian cannot be successfully notified of such condition, the Mayor and Council reserve the right to correct such condition, the cost of which shall be assessed against the owner or custodian.

**§ 57-10. Grass bordering sidewalks and paths. [Added 10-5-81. Amended 11-7-83. Amended 3-6-95, effective 3-26-95.][Amended 6-7-10, effective 6-27-10]**

(a) Every person in charge or control of any building or parcel of land located in the town, fronting or abutting on a public sidewalk, whether as owner, tenant, occupant or otherwise, shall cut and keep trim grass from the edge of the property line to the paved road, whether the land is public or private, and shall not allow any trash, waste material, garbage, offensive dirty

material, weeds, briars, brush and grass to grow more than ten (10) inches tall. Height shall be measured from the ground to the top of vegetation, excluding seed heads; seed heads may be used for determination of height if there are fifty (50) or more seed heads exceeding the height limitation. It shall be unlawful to fail, neglect or refuse to comply with this section.

(b) Violations of subsection (a) of this section are municipal infractions. Violations shall be enforced in the same manner and in accordance with the same procedures, and subject to the same remedies and penalties, as specified in sections 68-2 and 68-3 of this code.

**§ 57-11. Swinging gates.**

It shall be unlawful for any person, whether the owner or tenant of property, to permit any gate on his property to swing outward on any public road, sidewalk or public passageway within the town.

**§ 57-12. Advertising signs and banners.**

It shall be unlawful for any sign or board to project over any sidewalk, and no flag, banner or other display shall be stretched across any of the streets of the town without permission of the Mayor and Council.

**§ 57-13. Parades.**

Any person or organization desiring the use of the streets of the town for any parade, pageant or demonstration shall apply to the Mayor and Council for a permit for such purpose. The Mayor and Council shall have authority to issue such permit, subject to such conditions as may be reasonably necessary to ensure public safety, the prevention of fire hazards and the orderly flow of traffic within the town.

**§ 57-14. Use of streets by contractors.**

It shall be unlawful for any contractor or any employee of any contractor or any other person to use the streets or sidewalks of the town to store or place materials thereon without the permission of the Mayor and Council to use the street or sidewalk in such manner.

**§ 57-15. Sidewalk covers.**

Whenever a building immediately abutting on a street shall be constructed, razed or repaired, substantial sidewalk covers shall be erected and maintained during such construction. The covered sidewalk shall be kept unobstructed and clear of rubbish, dirt and snow. Excavation on either side of such sidewalk shall be protected by a tight board fence which shall be maintained as long as any danger exists.

**§ 57-16. Protective barricades and lights required, when.**

It shall be unlawful to maintain any excavation or obstruction in or along any of the public streets or sidewalks or other public places in the town without properly protecting the same by lights thereon from one (1) hour after sunset until sunrise.

**§ 57-17. Extinguishing lights.**

It shall be unlawful for any unauthorized person to extinguish or obstruct the light in any public lamp or street light or any red lantern or other light required as a warning of any barricade, excavation or construction work.

**§ 57-18. Removal of barricades, unlawful.**

Whenever any street is closed or a barricade is placed thereon by order of the Mayor and Council, or by any person or governmental agency with the sanction and approval of the Mayor and Council, it shall be unlawful for any person to remove or attempt to remove such barricade without the written authority of the Mayor and Council.

**§ 57-19. Cutting streets and sidewalks.**

It shall be unlawful for any person to dig up, cut, break, destroy or in any way injure any sidewalk, curb, gutter or footway or roadway or bridges in any of the streets or other public places of the town, or to make an excavation in any of the streets or other public places of the town or to remove from any of the streets, alleys or other public places of the town, any earth or material without having a lawful permit so to do from the Mayor or the Town Administrator, or on order of the Mayor and Council.

**§ 57-20. Cutting curbs. [Amended 2-6-88.]**

(a) No person shall cut any curb for private or public driveways without a permit authorized by the Mayor and Council and issued by the town. With each application for such permit, the applicant shall deposit with the town the sum of seventy five dollars (\$75), and upon completion of the work to the satisfaction of the Town Administrator, and upon payment of all costs incurred by the town in connection with said work, the town shall refund to the applicant fifty dollars (\$50) of the above deposit, retaining twenty-five dollars (\$25) as the cost for such permit and inspection. When application for a permit is made for such a project, the work shall be done by the town, unless otherwise ordered, and the cost thereof shall be borne by the property owner or applicant, as the case may be.

(b) Wherever permission is given to cut the curb for a private or public driveway, a suitable apron or approach shall be constructed to the sidewalk, if the curb is not a part of the sidewalk, the cost of which shall be borne by the property owner or applicant for the permit, as the case may be.

(c) Wherever the property owner or applicant does the work personally in connection with any permit issued as aforesaid, such work shall be done only if the permit has been issued in accordance with this section, and under proper supervision of the town.

**§ 57-21. Entrances to private property.**

No obstruction shall be placed in or across any gutter abutting on any street or alley within the town. Whenever a private driveway or walk is constructed across any such gutter, it shall be built over a drain of not less than eight (8) inches in diameter, inside measurement, and protected at each end by a suitable cement work. Any such drain must be kept free at all times of dirt and rubbish. Before commencing work on such culvert or drain, application must be made to the Town Administrator and a permit shall be issued by the town, provided the work is found to be necessary. No charge shall be made for such permit. Where a permit is issued, the work shall be under the supervision of the town. When the property owner or resident thereof so desires, the necessary work may be performed by the town employees, and upon completion of the work the property owner or resident shall pay to the town the actual cost of the labor or, labor and material, where material was also furnished, as estimated by the town. Wherever a culvert or drain now laid along the gutter of a public street, highway or alley for entrance into private property is of lesser dimensions than set forth in this section, the Mayor and Council may demand of the property owner or resident benefited by such entrance, the enlargement thereof to the dimensions mentioned herein, under the conditions set forth.

**§ 57-22. Obstruction of streets by common carriers.**

No railroad locomotive, engine or railroad car or train of cars shall encumber or obstruct any sidewalk, crosswalk or street of the town for a period longer than ten (10) minutes. It shall be unlawful for any steam or electric railroad company, whose tracks run across or front on any of the streets of the town, to obstruct any of the said streets with lumber, ties, gates or other material, or to obstruct any of the said streets by the standing of freight trains over the public crossing for a period longer than ten (10) minutes. Each violation of this section shall constitute a separate offense.

**§ 57-23. Unauthorized use of street for repairs.**

It shall be unlawful for any person to use any street or sidewalk or other public property for carrying on the business of automobile or machinery repairing, but nothing herein shall prevent the making of emergency repairs to stalled or wrecked cars at the place where the stalling or wrecking occurred, provided it shall not unduly interfere with the movement of traffic.

**§ 57-24. Snow and ice removal required. [Added 3-6-95, effective 3-26-95.]**

Every person, whether as owner, tenant, occupant or otherwise, in charge or control of any building or parcel of land located in the town that fronts or abuts on any public sidewalk shall be required to remove or clear snow or ice that accumulates on any such sidewalk surface within twenty-four (24) hours of the accumulation. It shall be unlawful to fail, neglect or refuse to comply with this section.

**§ 57-24.1. Dumpsters and Storage Receptacles on Public Property. [Added 6-4-12, effective 6-24-12]**

- a. No dumpster or other receptacle for the storage or transport of construction or other debris, or for the storage of household or other items, shall be installed or placed on any streets, alleys, rights-of-way or other public property, including sidewalks or driveway aprons, without a permit issued by the Town. Permits may be issued for, and expire at the end of, a period of 30 days, at a cost of \$25. A permit may be extended for an additional 60 days at an additional cost of \$50, and thereafter may be extended for good cause shown for an additional 90 days at a further cost of \$75. Permits shall be subject to such further conditions as the Public Works Department may require. Upon a showing of exceptional circumstances, the Town Council, by the affirmative vote of a majority of the entire Council, may authorize a further extension of a permit upon such terms and conditions, and subject to the payment of such additional fee, as may be prescribed by the Council.
- b. The Town shall have the right, upon five days' notice to the owner, to remove any such improper installation or placement. Any dumpster or other receptacle so removed may be disposed of by the Town after 30 days' notice to any known property owner. The property owner shall be charged for such removal and disposal work and services, and the Town of Riverdale Park may collect payment therefor in the same manner as Town taxes. The cost associated with removal and disposal services includes, but is not limited to, all wage and benefit costs for the Town's administrative, public works and police department personnel who rendered such services, charged at such personnels' regular hourly wage and benefit rates.

**§ 57-25. Penalties. [Amended 9-13-65. Amended 3-6-95, effective 3-26-95.] [Amended 6-4-12, effective 6-24-12]**

Violations of the provisions §§ 57-1 through 57-9 and §§ 57-11 through 57-24.1 are declared to be municipal infractions, the penalty for which shall be one hundred dollars (\$100) for each violation.

## ARTICLE II

### Street Improvements - Minimum Standards.

[Adopted 7-11-49. Amended in its entirety 3-6-95, effective 3-26-95.]

#### **§ 57-26. Street improvements; minimum standards. [Amended 5-5-14, Effective 6-22-14]**

Minimum standards are established for all street improvements, defined as the construction, repair, maintenance, improvement, and opening or closing of cuts in all town streets, which includes streets, curbs, gutters, and sidewalks for all public streets and areas under the jurisdiction of the town. The minimum standards hereby adopted are those required for road and street improvements in Prince George's County, Maryland, as provided in Title 17, the Prince George's County Code, a copy of which specifications are filed with the town.

The minimum standards may be waived for any street or section of street, should a supermajority of five affirmative votes of the Council support the finding that the waiver is necessary or desirable to address extraordinary environmental concerns, to avoid or minimize undue impact on historic preservation, or to address design and traffic safety considerations in the development of new sites in the Mixed-Use Town Center (M-UTC) District.

#### **§ 57-27. Permit required. [Amended 6-7-82.]**

It shall be unlawful for any person, defined as any private person, partnership, corporation, contractor, employer, agent, servant or employee, to do any excavating or other work as set forth in § 57-26 of this Article without first obtaining authorization and a permit from the town, the cost for which shall be established by the Mayor and Council from time to time.

#### **§ 57-28. Authority to hire town engineer to supervise or inspect street improvements.**

The town is authorized to employ the services of an engineer for purposes of supervising or inspecting all street improvements described in § 57-26 of this Article, and may require as a condition of granting a permit under § 57-27 that all street improvements be subject to the supervision or inspection of the town's engineer.

#### **§ 57-29. Engineering fee.**

In making application for authorization and permit as provided in § 57-27, the applicant shall designate whether or not the work will be performed under the supervision of his own engineer. If the applicant has the service of his own engineer, he shall, in addition, pay to the town the sum of three percent (3%) of the total cost of such improvements to cover the expense of inspection of the improvements by the town. If the applicant does not have the services of an engineer, he shall pay to the town the sum of six percent (6%) of the total cost of such improvements to cover the expense of preparing plans and specifications and for supervision and

inspection of the improvements by the town. These requirements may be waived by the Mayor and Council by resolution.

**§ 57-30. Penalty for violation.**

Any person making street improvements described in § 57-26 without first obtaining the authorization and permit as provided in § 57-27, in violation of the provisions of this article, which is declared to be a misdemeanor, shall, upon conviction thereof, be subject to a fine of not more than one thousand dollars (\$1,000) or imprisonment of not more than six (6) months, or both.