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**CHAPTER 98: STREETS AND SIDEWALKS**

**ARTICLE I  
GENERAL PROVISIONS**

**98.01 Obstructions Prohibited**

It shall be unlawful for any person to obstruct any street, alley or sidewalk or to choke up any gutter in the city.

(Code 1965, §18-3; Ord. No. 17, 4-16-1890; Ord. No. 583, 11-9-25; Code 1991, §98.03)

**98.02 Duty Of Property Owner And Occupant To Keep Sidewalks Free From Obstructions**

The owner, occupant or agent of every house or parcel of land in the city shall keep the sidewalk and gutter in front or alongside the same free from all obstructions of grass, weeds or other growths, substances or things.

(Code 1965, §18-4; Ord. No. 155, 8-8-1905; Code 1991, §98.04)

**98.03 Obstruction Of Crossings By Railroad Trains**

(A) It shall be unlawful for any corporation, company, person or persons owning or operating railroad trains in the city to allow any railroad train or any railroad equipment to remain standing across any public highway, street, or sidewalk to the hindrance of travel for a longer time than 10 minutes.

(B) It shall be unlawful for any corporation, company, person or persons owning or operating railroad trains in the city to permit flashing light signals or other types of railroad, street or highway grade crossing protective devices to be in operation more than one hour from the time the police department notifies or makes a diligent attempt to notify a railroad employee designated by said owner or operator that said signals or devices are operating but no train can be seen from the crossing approaching or leaving the crossing.

(Code 1965, §18-5; Ord. No. 98; Ord. No. 2448, 6-6-78; Ord. No. 2606, 2-19-80; Code 1991, §98.05)

**98.04 Growing Trees And Other Vegetation Near Intersections; Right-Of-Way To Be Kept Free From Grass And Weeds**

(A) No person shall permit any tree, shrub, hedge, flower or other form of vegetation to grow within 25 feet of the intersection of the curb lines of two intersecting streets to a height in excess of three feet above the lowest grade of two intersecting streets; provided, however, that trees now growing in such places may grow above said height if the limbs are trimmed to the minimum height of eight feet.

(B) The owner (or in the case of leased property, the lessee) of private property abutting a public street or alley right-of-way shall keep that portion of said right-of-way from the center line thereof to the private property line free from grass, weeds, debris and other growths, articles, and things.

(Code 1965, §§18-16, 19-22; Ord. No. 1447, 6-7-65; Ord. No. 2076, 1-7-75)

**98.05 Marking Or Painting Advertising Matter On Sidewalks**

It shall be unlawful for any person to mark, paint or paste any advertising matter or handbill on any city sidewalk in the city.

(Code 1965, §18-10; Ord. No. 146, 7-25-1904; Code 1991, §98.08)

**98.06 Removal Of Snow From Sidewalks**

It is hereby declared to be the duty of all owners, tenants, or managers of commercial establishments in the City of Fayetteville to keep the sidewalks abutting such premises free from snow. All such sidewalks shall be cleared of snow by 5:00 p.m. of the first full business day immediately following the snowfall.

(Code 1965, §18-11; Ord. No. 380, 1-18-18)

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**98.07 Littering Prohibited**

It shall be unlawful for any person to cast, throw, drop, place, or otherwise cause or permit to be located upon, in, or about any public street, sidewalk, alley or public thoroughfare, or any private or public property adjacent thereto, any litter, refuse, or debris.

(Code 1965, §18-17; Ord. No. 2076, 1-17-75; Code 1991, §98.11)

**98.08 Spilling or Tracking Debris onto Public Streets**

- (A) Any person who spills dirt, gravel, sand, offal, or any other similar material, or who tracks mud, dirt or other debris onto the public streets of the City of Fayetteville shall be responsible for the prompt and thorough clearance and cleaning thereof. The Transportation Division Manager is hereby authorized to order the responsible party to clear and clean the affected street(s). The Transportation Division Manager shall give the responsible party written notice, via certified mail, to perform such acts within 3 business days of receipt of notice.
- (B) If the responsible party fails to clear and clean the affected street(s) within 3 business days of receipt of notice, Transportation Division staff may undertake the street cleaning, and bill the responsible party for the costs thereof, at the overtime rate for said staff.
- (C) The responsible party may request that the Director of Operations conduct an administrative review of such an order, or the appropriateness of the amount assessed for the cleaning. The decision of the Director of Operations shall constitute final administrative action in the matter.

(Ord. No. 4615, 8-17-04)

**98.09-98.99 \*Reserved**

(Ord. No. 4100, 6-16-98)

**\*Note**—Ord. No. 4100, 6-16-98 eliminates §§98.01, 98.02, 98.06, 98.12 through 98.99 of Chapter 98, Streets and Sidewalks and incorporates these sections in Title 15, Unified Development Ordinance.