

CITY OF FINCASTLE

ORDINANCE 2; SERIES 2014

OBSTRUCTION OF PUBLIC WAYS

1. ***Structural and Temporary Obstructions.***
 - (A) ***Impeding public use.*** It shall be unlawful for any person to erect, keep, or maintain, permanently or temporarily, any house, fence, wall, building, permanent or immovable structure, post, rail, or object including basketball goals, flower boxes or plant containers, bike racks, decorative objects, kiosks, or objects of art on or over any sidewalk, street, alley, or public way within the City of Fincastle that obstructs or impedes public use of such sidewalk, street, alley, or public way.
 - (B) ***Special Rules for Recreational Sports.*** Whereas the City of Fincastle recognizes that children playing in the street is a dangerous activity and whereas the City of Fincastle wishes to protect and keep safe the children within the City of Fincastle there shall be no recreational sports played on public ways within the City of Fincastle. Basketball goals are to remain on private property and there shall be no basketball goals kept, maintained or erected past the easement to city streets.
 - (C) ***Penalties.*** Any person found in violation of this ordinance will be issued one (1) warning upon the first offense; upon the second offense said person shall be fined in the amount of One Hundred Dollars (\$100.00); and for each offense thereafter said person shall be fined Two Hundred Dollars (\$200.00) and, if applicable, will be subject to forfeiture of the obstruction and costs incurred.
2. ***Enclosures.*** It shall be unlawful for any person to enclose in any manner, either totally or partially, any sidewalk, street, alley, public way, or any part thereof, with any fence, wall, or other structure, or in any manner whatever, except as may be provided by ordinance.
3. ***Other Regulations.*** Nothing in this section shall prevent the City of Fincastle from establishing reasonable time, place, and manner governing the placement of approved temporary objects on the right-of-way.