
PART NINE — STREETS, UTILITIES AND PUBLIC SERVICES CODE

ARTICLE 909 Streets

- 909.01** Definitions.
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CROSS REFERENCES

General power to regulate—see WV Code 8-12-5(1)
Connection to State road system—see WV Code 17-4-26 *et seq.*
Street obstructions—see Ord. Art. 311.01

909.01 Definitions.

- (a) “Street” includes any and all existing streets and right-of-way within the Corporate limits including rights of way which have not been physically opened, but which appear on the surveys of S. Howell Brown of the Town of Harpers Ferry. “Street” shall include all existing rights of way whether or not they lie specifically within the boundaries shown on the surveys of S. Howell Brown of the Town of Harpers Ferry, notwithstanding, the ownership of a fee title through or upon the land of which “street” physically passes and notwithstanding whether they, being unconstructed appear on the surveys of the Town of Harpers Ferry S. Howell Brown; provided, however the term “streets” as defined above shall not include in any way a driveway less than a total of 1,000 feet in length used solely by a landowner as a means of ingress or egress from any existing tract of land, dwelling or building within the corporate limits of Harpers Ferry, West Virginia or located outside the corporate limits of the Town access to which is desired by way of a driveway or road located partially within the corporate limits of Harpers Ferry.
- (b) “Person” includes any person within the Corporate limits including, but not limited to the Mayor, any and all policemen of the Town and/or Bolivar, West Virginia, also an incorporated municipality, any member of the Town Council, any person purporting to exercise authority on behalf of the Town of Harpers Ferry, any member of any government authority of Jefferson County, West Virginia, the State of West Virginia or the United States of America.
- (c) “Natural disaster” shall be limited to any fire, earthquake, hurricane, tornado, flood, automobile accident, or collapse of a building, or buildings causing a direct threat to the safety of persons in the vicinity of such “natural disaster.” The words “natural disaster” shall not include the restriction of automobile traffic upon any street within the Corporate limits of the Town for any than the above set forth “natural disaster.” (Ord. 86-1. Passed 5-22-1986.)

909.02 Obstructions prohibited.

- (a) No person shall obstruct, or to cause to be obstructed, individually or acting in concert with any other person, any street within the Corporation limits of Harpers Ferry, West Virginia except when necessary by virtue of a natural disaster as defined herein.
- (b) Violation of this section shall constitute a crime against the laws of the Town of Harpers Ferry and shall be punishable by a fine of one hundred dollars (\$100.00) and / or ten days imprisonment for each such violation and in the event, a violation of this section, each hour thereof shall be deemed to be a separate offense punishable as set forth; provided, however, this section shall not be deemed to be a separate offense

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punishable as set forth; provided, however, this permitting Chief of Police of Harpers Ferry / Bolivar to momentarily close a street or streets to the passage of traffic in order to facilitate and permit the presentation of or gathering for a special event of a transient nature otherwise permitted by the Town in order that there be an orderly traffic flow during the time allowed for such special event, to being the specific intent of Council to forbid the closure, in particular, temporarily or permanently or otherwise, in a way, of a certain right-of way known as the Shenandoah Street in connection with the construction by the United States Department of the Interior, National Park Service, Harpers Ferry National Park of a parking lot on what in former times was known as Cavalier Farm located on Cavalier Heights, together with construction of a road connecting with the Shenandoah Street for the use of bus transportation to and from the corporate limits of Harpers Ferry by visitors to the Harpers Ferry National Park. (Ord. 86-1. Passed 5-12-1986.)

909.03 Construction restricted; permit.

No person shall construct any street, as defined above, within the Corporate limits of Harpers Ferry, or alter or improve any street within the Corporate limits of Harpers Ferry or connect or cause to be connected any street with any existing street within the Corporation limits of Harpers Ferry without first obtaining a permit in writing for the same from the Planning Commission and from the Town Council in such manner and form as may be prescribed and directed by the Town Council. (Ord. 86-1. Passed 5-22-1986.)

909.04 Snow removal.

All owners or occupants of property within the Town shall remove, or cause to be removed, the snow from the sidewalks adjacent to their property within four hours after the snow has ceased to fall; provided, however, that should the snow fall during the night or on a Sunday, it shall be removed, within four hours after sunrise on the following day. (Ord. 86-1. Reinstated 1-11-1999.)