

Chapter 4

Buildings

Part 1

Protection of Utility Facilities

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Part 1**Protection of Utility Facilities****§4-101. Curb Boxes to Be at Grade.**

On and after April 1, 1966, it shall be unlawful for any person, partnership, corporation or other legal entity, to cover or otherwise obliterate any curb box or fail to bring to and maintain at grade level of real property any curb box located thereon.

(Ord. 5-1966, 3/7/1966, §1)

§4-102. Applicability.

The provisions of §4-101 are intended to operate prospectively so that if any curb boxes are newly installed by any public utility company in any real property, or if any curb boxes, previously installed by any public utility company are, in the normal course of operation of said public utility company, uncovered, then in all such cases, said newly established and uncovered curb boxes shall be subject to the provisions of §4-101 aforesaid, and any person, partnership, corporation or other legal entity covering, obliterating or failing to bring and maintain said curb box at grade level of any real property wherein said curb box is located, shall be in violation of this Part 6.

(Ord. 5-1966, 3/7/1966, §2)

§4-103. Restoration of Unlawful Covering; Inspection.

In all cases where curb boxes previously installed on real property are covered or otherwise obliterated, or are not at grade level of the real property wherein they are located, said curb boxes, when uncovered by the public utility company, or successor thereof, which is the installer and/or owner thereof, shall be forthwith brought to grade level of the real property wherein they are located, and shall thenceforth be and remain uncovered and kept and maintained at grade level as aforesaid provided. This Section is predicated upon the obligation and practice of every public utility company installing and owning curb boxes, to make a periodic examination and inspection of any curb box installed or owned by it, and it is the intention of this section to make certain that all curb boxes, wheresoever installed, shall be uncovered and at grade level of the real property wherein they are located, on or before the periodic date for examination and inspection.

(Ord. 5-1966, 3/7/1966, §3)

§4-104. "Curb Box" Defined.

A "curb box" is a device ordinarily located near a curb or sidewalk, and used to mark the place of a public utility turnoff connection, and wherein the public utility's service or product to a building or structure erected on real property can be disconnected.

(Ord. 5-1966, 3/7/1966, §4)

§4-105. Unlawful Acts.

On and after April 1, 1966, it shall be unlawful for any person, partnership,

corporation or other legal entity to cover or otherwise obliterate any manhole cover, street curb box, or other municipal or public utility company device, installed, kept or maintained within the confines of this Township of Baldwin. The provisions of this Section are not intended to apply to those installations which are covered for purposes of safety or shelter by the installer thereof.

(Ord. 5-1966, 3/7/1966, §5)

§4-106. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 5-1966, 3/7/1966, §6; as amended by Ord. 427, 4/4/2006)