

**Chapter 178**  
**SIDEWALKS AND PUBLIC RIGHTS-OF-WAY REGULATIONS**

**§ 178-1. Definitions.****§ 178-2. Conditions.****§ 178-3 Payment of Fee.****§ 178-4. Review Process.****§ 178-5. Insurance****§ 178-6. Liability.****§ 178-7. Penalties.****§ 178-8. Appeal.**

**[HISTORY: Adopted by the Board of Selectmen of the Town of Peterborough on 6-30-98. Amendments noted where applicable.]**

**General References**

**Highways and Streets—See Ch. 22**

**Streets and Sidewalks—See Ch. 108**

**Sidewalks and Right-of-Way Regulations—See Ch. 156**

**§ 178-1 Definition.**

No person shall put or place, or cause to be put or placed, any display, merchandise, goods, tables, chairs, vending machines or any other obstruction on any sidewalk or right-of-way maintained by the Town of Peterborough, whether publicly or privately owned, unless they shall have received written permission in the form of a license from the Code Enforcement Officer.

**§ 178-2. Conditions.**

This license shall not be required for any municipal employee or utility worker in the performance of his or her duties, or any newspaper vending machine.

**§ 178-3. Payment of Fee.**

A license fee of \$100.00 per year shall be charged for any license granted to obstruct Town-owned sidewalks and (or rights-of-way for commercial purposes. There shall be no fee when the obstruction is located entirely on private property; or when the use is non-commercial, decorative purposes; or when the use is de minimus.

**§ 178-4. Review Process.**

Completed application forms along with a scaled drawing of the portion of the sidewalk or public right-of-way showing the location of the display shall be reviewed by the Code Enforcement Officer to ensure unimpeded public use of the sidewalk. A license shall be granted only if the proposed activity can be carried out in accordance with the applicable laws, safely, and without posing hazard or inconvenience to the public.

**§ 178-5. Insurance**

If the license is approved an indemnification agreement shall be required in addition to liability issuance in the amount of \$1 000,000 with the Town of Peterborough named as an additional insured.

**§ 178-6. Liability.**

The Town of Peterborough hereby specifically excludes itself from any liability relating to licensed operations. It shall be the responsibility of the applicants to take suitable measures to protect themselves from public liability and to properly, and safely conduct the licensed activity.

**§ 178-7. Penalties.**

Violations may incur a fine of one hundred dollars (\$100) per day.

**§ 178-8. Appeal.**

Any person who has been aggrieved by any decision of a designated Town official to grant, deny, suspend, revoke or modify a license may petition the Town Administrator for review of that decision.

**APPLICATION FOR LICENSE**  
**Use of Sidewalks or Public Rights-of-Way**  
(Please print or type)

Applicant's Name \_\_\_\_\_ Telephone # \_\_\_\_\_

Applicant's Mailing Address \_\_\_\_\_

Business Name \_\_\_\_\_ Telephone # \_\_\_\_\_

Business Address \_\_\_\_\_

Status of Applicant: Non-Profit Organization \_\_\_\_ Commercial Organization \_\_\_\_

Type of Use: Non-Commercial \_\_\_\_ Commercial \_\_\_\_

Nature of Display: Merchandise \_\_\_\_\_

Display \_\_\_\_\_

Tables, Chairs \_\_\_\_\_ # of Tables \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
(For office use only)

Date Received \_\_\_\_\_ Fee Received \$ \_\_\_\_\_

Insurance Certificate Received \_\_\_\_\_ Sketch Received \_\_\_\_\_

Date License Approved \_\_\_\_\_ Date License Denied \_\_\_\_\_

License Approved By \_\_\_\_\_

Code Enforcement Officer