

Chapter 32 - Encroachments into the Public Right-of-Way

SECTION 3201 GENERAL

3201.1 Scope. The provisions of this chapter shall govern the encroachment of structures into the public right-of-way.

3201.2 Measurement. The projection of any structure or portion thereof shall be the distance measured horizontally from the *plot line* to the outermost point of the projection.

3201.3 Other laws. The provisions of this chapter shall not be construed to permit the violation of other laws or rules regulating the use and occupancy of public property.

3201.4 Drainage. Drainage water collected from a roof, *awning*, canopy or marquee, and condensate from mechanical equipment shall not flow over a public walking surface.

3201.5 No Objection Certificate. When an encroachment onto an adjoining parcel or public right of way is proposed, the permit applicant shall submit a completed “No Objection Certificate” with approvals from all relevant agencies as may be determined by the municipality prior to issuance of any applicable permit.

SECTION 3202 ENCROACHMENTS

3202.1 Encroachments below grade. Encroachments below grade shall comply with Sections 3202.1.1 through 3202.1.3.

3202.1.1 Structural support. A part of a building erected below grade that is necessary for structural support of the building or structure shall not project beyond the *plot lines*, except that the footings of street walls or their supports which are located at least 8 feet (2438 mm) below grade shall not project more than 12 inches (305 mm) beyond the street *plot line*.

3202.1.2 Vaults and other enclosed spaces. The construction and utilization of vaults and other enclosed spaces below grade shall be subject to the terms and conditions of the applicable governing authority.

3202.1.3 Areaways. Areaways shall be protected by grates, *guards* or other *approved* means.

3202.2 Encroachments above grade and below 8 feet in height. Encroachments into the public right-of-way above grade and below 8 feet (2438 mm) in height shall be prohibited except as provided for in Sections 3202.2.1 through 3202.2.3. Doors and windows shall not open or project into the public right-of-way.

3202.2.1 Steps. Steps shall not project more than 12 inches (305 mm) and shall be guarded by *approved* devices not less than 3 feet (914 mm) high, or shall be located between columns or pilasters.

3202.2.2 Architectural features. Columns or pilasters, including bases and moldings shall not project more than 12 inches (305 mm). Belt courses, lintels, sills,