

TITLE 16

STREETS AND SIDEWALKS, ETC¹

CHAPTER

1. MISCELLANEOUS.
2. EXCAVATIONS AND CUTS.
3. REGULATING CONSTRUCTION, EXCAVATING, AND GRADING ON PRIVATE PROPERTY.

CHAPTER 1

MISCELLANEOUS

SECTION

- 16-101. Obstructing streets, alleys, or sidewalks prohibited.
- 16-102. Trees projecting over streets, etc., regulated.
- 16-103. Trees, etc., obstructing view at intersections prohibited.
- 16-104. Projecting signs and awnings, etc., restricted.
- 16-105. Banners and signs across streets and alleys restricted.
- 16-106. Gates or doors opening over streets, alleys, or sidewalks prohibited.
- 16-107. Littering streets, alleys, or sidewalks prohibited.
- 16-108. Obstruction of drainage ditches.
- 16-109. Abutting occupants to keep sidewalks clean, etc.
- 16-110. Parades, etc., regulated.
- 16-111. Animals and vehicles on sidewalks.

16-101. Obstructing streets, alleys, or sidewalks prohibited. No person shall use or occupy any portion of any public street, alley, sidewalk, or right of way for the purpose of storing, selling, or exhibiting any goods, wares, merchandise, or materials. (1993 Code, § 12-201)

16-102. Trees projecting over streets, etc., regulated. It shall be unlawful for any property owner or occupant to allow any limbs of trees on his property to project out over any street, alley or sidewalk at a height of less than fourteen (14) feet. (1993 Code, § 12-202)

16-103. Trees, etc., obstructing view at intersections prohibited. It shall be unlawful for any property owner or occupant to have or maintain on his property any tree, hedge, billboard or other obstruction which prevents

¹Municipal code reference

Related motor vehicle and traffic regulations: title 15.

persons driving vehicles on public streets or alleys from obtaining a clear view of traffic when approaching an intersection. (1993 Code, § 12-203)

16-104. Projecting signs and awnings, etc., restricted. Signs, awnings, or other structures which project over any street or other public way shall be erected subject to the requirements of the building code.¹ (1993 Code, § 12-204)

16-105. Banners and signs across streets and alleys restricted. It shall be unlawful for any person to place or have placed any banner or sign across any public street or alley except when expressly authorized by the city council. (1993 Code, § 12-205)

16-106. Gates or doors opening over streets, alleys, or sidewalks prohibited. It shall be unlawful for any person owning or occupying property to allow any gate or door to swing open upon or over any street, alley, or sidewalk. (1993 Code, § 12-206)

16-107. Littering streets, alleys, or sidewalks prohibited. It shall be unlawful for any person to litter, place, throw, or allow to fall on any street, alley, or sidewalk any refuse, glass, tacks, or other objects or materials which are unsightly or which obstruct or tend to limit or interfere with the use of such public ways and places for their intended purposes. (1993 Code, § 12-207)

16-108. Obstruction of drainage ditches. It shall be unlawful for any person to permit or cause the obstruction of any drainage ditch in any public right of way. (1993 Code, § 12-208)

16-109. Abutting occupants to keep sidewalks clean, etc. The occupants of property abutting on a sidewalk are required to keep the sidewalk clean. Also, immediately after a snow or sleet, such occupants are required to remove all accumulated snow and ice from the abutting sidewalk. (1993 Code, § 12-209)

16-110. Parades, etc., regulated. It shall be unlawful for any club, organization, or similar group to hold any meeting, parade, demonstration, or exhibition on the public streets without some responsible representative first securing a permit from the city manager. No permit shall be issued by the city manager unless such activity will not unreasonably interfere with traffic and unless such representative shall agree to see to the immediate cleaning up of all

¹Municipal code reference

Building code: title 12, chapter 1.

litter which shall be left on the streets as a result of the activity. Furthermore, it shall be unlawful for any person obtaining such a permit to fail to carry out his agreement to clean up the resulting litter. (1993 Code, § 12-210)

16-111. Animals and vehicles on sidewalks. It shall be unlawful for any person to ride, lead, or tie any animal, or ride, push, pull, or place any vehicle across or upon any sidewalk in such manner as to unreasonably interfere with or inconvenience pedestrians using the sidewalk. It shall also be unlawful for any person to knowingly allow any minor under his control to violate this section. (1993 Code, § 12-211)

CHAPTER 2

EXCAVATIONS AND CUTS¹

SECTION

- 16-201. Definitions.
- 16-202. Permit required.
- 16-203. Applications.
- 16-204. Fee.
- 16-205. Deposit or bond.
- 16-206. Insurance.
- 16-207. Manner of excavating--barricades and lights.
- 16-208. Manner of excavating street.
- 16-209. Restoration/repair.
- 16-210. Restoration/repair.
- 16-211. Supervision.
- 16-212. Liability and responsibility for repair.
- 16-213. Inspection.
- 16-214. Standards specification packet.
- 16-215. Pipe boring, tunneling and encasement.

16-201. Definitions. (1) "Building official." The person who shall serve as the supervisor for the inspection department or, in his absence, the person assigned or delegated direct responsibility for the administration of this chapter.

(2) "City engineer." The person then holding the position of city engineer or the person assigned or delegated direct responsibility for the administration of this chapter.

(3) "City inspector." A person employed by the city to physically inspect any excavation for conformity with the permit and other provisions of this chapter.

(4) "Emergency." A sudden or unexpected occurrence or condition calling for immediate action. The repair of a broken or malfunctioning utility line or services shall be deemed an emergency if a repair is reasonably warranted under existing circumstances prior to the next working day.

(5) "Excavation." Any excavation or tunneling of any public street right-of-way including, but not limited to, excavation in, cutting of, or tunneling of any street, sidewalk or curb for purposes of constructing or maintaining pipes,

¹State law reference

This chapter was patterned substantially after the ordinance upheld by the Tennessee Supreme Court in the case of City of Paris, Tennessee v. Paris-Henry County Public Utility District, 207 Tenn. 388, 340 S.W.2d 885 (1960).

lines, driveways, or private streets, poles, guy wires, signs, or other utility or private structure or facility.

(6) "M.U.T.C.D." State of Tennessee Manual on Uniform Traffic Control Devices for streets and highways. Available in the building official's office.

(7) "Traffic control supervisor." The person then holding the position of traffic control supervisor or such person as shall be assigned or delegated direct responsibility for the administration of this chapter.

(8) "Working days." Any day when the city hall is open for the transaction of normal business. (1993 Code, § 12-101, as replaced by Ord. #925, Aug. 2012)

16-202. Permit required. It shall be unlawful for any person to make any excavation in any street, curb, alley, or public right-of-way, or to tunnel under any street, curb, or public right-of-way in the city without first having obtained a permit from the building official and complying with the provisions of this section. It shall be unlawful to violate, or to vary from, the terms of any such permit; provided, however, any person maintaining pipes, lines, driveways, or other facilities in or under the surface of any public right-of-way may proceed with an excavation without a permit when emergency circumstances demand the work to be done immediately and provided further that the person shall apply for a permit thereafter on the next working day. (1993 Code, § 12-102, as replaced by Ord. #925, Aug. 2012)

16-203. Applications. Applications for such permits shall be made to the building official and shall state thereon the location of the intended excavation or tunnel, the size thereof, the purpose thereof, the name of the person doing the actual excavating, and the name of the person for whom the work is being done. The applicant shall disclose any foreseeable lane or sidewalk closures or detours during excavation. As a condition of issuing a permit, all applicants must agree in writing as part of the application to comply with all ordinances and laws relating to the work to be done. The building official may refer such application to the city engineer or traffic control supervisor for review and comment when a professional opinion on the propriety of issuing a permit or condition to attach thereto is needed. The action of the building official in granting or refusing a permit shall be final, except as it may be subject to review at law. A permit may be refused for the following reasons:

(1) The proposed excavation should be redesigned to mitigate a potential safety hazard;

(2) The proposed excavation should be redesigned to mitigate damage within the right-of-way;

(3) The proposed excavation cannot be safely made in the street right-of-way;

(4) The proposed restoration plan does not meet the minimum standards for restoration;

(5) The applicant has willfully failed to comply with conditions of prior permits issued to the applicant; provided that such disqualification shall be removed upon correction of any such defects. (1993 Code, § 12-103, as replaced by Ord. #925, Aug. 2012)

16-204. Fee. (1) The fee for such permits shall be two hundred dollars (\$200.00). This fee is to cover the costs of inspection of backfill, and asphalt or concrete patch of up to forty eight (48) square feet. Any excavation larger than forty-eight (48) square feet shall require an additional fee, to be determined by the traffic control supervisor based on the size of the excavation.

(2) In addition to the fee(s) set forth in subsection (1), there shall be an additional fee imposed when any street cut results in any section of a city street having street cut(s) that comprise twenty percent (20%) or more of any five hundred foot (500') section of that street.

(a) This additional fee will be equal to the city's cost of repaving that five hundred foot (500') section of that city street.

(b) This additional fee will be paid by the entity making the street cut. When more than one (1) entity is responsible for the street cuts within a particular five hundred foot (500') section, the additional fee shall be prorated between the entities making the street cuts on a percentage basis. The percentage assessed to each entity will be equal to their percentage of the total street cuts that exist within a particular five hundred foot (500') section. This assessment is illustrated by the following example: Assume Entity A makes a street cut in a particular city street that results in twenty percent (20%) or more of a five hundred foot (500') section of that city street having street cuts. Assume further that after this last street cut is made there are a total of fifteen (15) street cuts within that five hundred foot (500') section of that city street. Assume further that one (1) entity made ten (10) of those street cuts and another entity made five (5). The first entity would pay the city an amount equal to two-thirds (2/3) of the city's costs of repaving that five hundred foot (500') section of the city street, and the second entity would pay the remaining one-third (1/3). (1993 Code, § 12-104, modified, as amended by Ord. #721, July 2001, Ord. #749, June 2003, and replaced by Ord. #925, Aug. 2012)

16-205. Deposit or bond. No such permit shall be issued unless and until the applicant therefore has deposited with the city manager a cash deposit. The deposit shall be in the sum of five hundred dollars (\$500.00) if no pavement is involved or one thousand dollars (\$1,000.00) if the excavation is in a paved area and shall insure the proper restoration of the ground and, laying of the pavement, if any. Where the amount of the deposit is clearly inadequate to cover

the cost of restoration, the city manager may increase the amount of the deposit to an amount considered by him to be adequate to cover the cost. From this deposit shall be deducted the expense to the city of relaying the surface of the ground or pavement, and of making the refill if this is done by the city or at its expense. The balance shall be returned to the applicant without interest after the tunnel or excavation is completely refilled and the surface or pavement is restored.

In lieu of a deposit the applicant may deposit with the city manager a surety bond in such form and amount as the city manager shall deem adequate to cover the costs to the city if the applicant fails to make proper restoration. (1993 Code, § 12-105, modified, as replaced by Ord. #925, Aug. 2012)

16-206. Insurance. Each person applying for a permit shall file a certificate of insurance (or provide other proof in form and substance to be approved by the city attorney) indicating that he is insured, or the applicant shall provide an indemnity agreement with security satisfactory to the city attorney, against claims of personal injury or property damage which may arise from or out of the work, whether such performance be by the applicant, a contractor or subcontractor, or anyone employed by him. Such insurance or indemnity agreement shall cover collapse, explosive hazards, and underground work by equipment on the street, and shall include protection against liability arising from completed operations. The minimum amount of the liability insurance for bodily injury shall not be in an amount less than one hundred fifty dollars (\$150,000.00) for each person and three hundred fifty thousand dollars (\$350,000.00) for each accident and for property damages in an amount not less than fifty thousand dollars (\$50,000.00) for any one (1) accident and an aggregate of one hundred thousand dollars (\$100,000.00). (1993 Code, § 12-106, modified, as replaced by Ord. #925, Aug. 2012)

16-207. Manner of excavating—barricades and lights. Any person making an excavation or tunnel shall do so according to Manual on Uniform Traffic Control Devices requirements and the specifications and standards issued by the city. Sufficient and proper barricades, lights and other traffic control devices shall be maintained to prevent accidents and injury to persons or property. If any sidewalk is blocked, a temporary sidewalk shall be provided which shall be safe for travel and convenient for users. No work shall be done which deviates from the plans approved unless change of plan has been secured from the building official. All expenses of such safety measures and temporary sidewalks shall be borne by the applicant or owner. (1993 Code, § 12-107, as replaced by Ord. #925, Aug. 2012)

16-208. Manner of excavating street. (1) In excavating any street, all material for paving or ballasting must be removed with the least possible injury or loss of the same and, together with the excavated materials from the

trenches, must be placed where they will cause the least possible inconvenience to the public.

(2) The permittee shall carry on the work authorized by the permit in such manner as to cause a minimum of interference with traffic. The permittee shall provide adequate warning signs and devices to warn and guide traffic, and shall place the signs and warning devices in a position of maximum effectiveness. The latest editions of the Manual on Uniform Traffic Control Devices shall be used as a guideline for proper positioning of signs and devices.

(3) Where difficult or potentially hazardous conditions exist, competent Flagman shall be provided to effect a safe and orderly movement of traffic. Where insufficient traffic lanes exist because of street openings, adequate bridging shall be supplied by the permittee. When traffic congestion occurs in spite of all precaution, the permittee shall be responsible for providing a flagman. In the event the building official, traffic control supervisor or city engineer shall discover any hazardous excavation or unwarranted traffic congestion where flagmen have not been provided, he shall direct the permittee to immediately post flagmen. A failure to post flagmen following a directive shall be a violation of this section.

(4) On main thoroughfares and congested districts, sufficient traffic lanes shall be kept open at all times to permit substantially normal traffic flow. Unless this can be accomplished, work shall be done only during the period between 9:00 A.M. and 4:00 P.M. or between 7:00 P.M. and 7:00 A.M., as the city traffic control supervisor may designate. The permittee shall notify the city police and fire department prior to any lane closure occurrence.

(a) In excavating any street, all material for paving or ballasting must be removed with the least possible injury or loss of the same and, together with the excavated materials from the trenches, must be placed where they will cause the least possible inconvenience to the public. All pavements, where trench excavations are to be made, shall be saw cut. Cutting the street with a jackhammer or a hoe-ram is not permitted.

(b) The permittee shall carry on the work authorized by the permit in such manner as to cause a minimum of interference with traffic. He shall provide adequate warning signs and devices to warn and guide traffic, and shall place the signs and warning devices in a position of maximum effectiveness. The latest editions of the Manual on Uniform Traffic Control Devices, copies of which are on file in the traffic control department, and may be used as a guideline for proper positioning of signs and devices.

(c) Where difficult or potentially hazardous conditions exist, competent flagmen shall be provided to effect a safe and orderly movement of traffic. Where insufficient traffic lanes exists because of street openings, adequate bridging shall be supplied by the permittee. When traffic congestion occurs in spite of all precaution, the permittee

shall be responsible for providing a flagman. In the event the building official or traffic control supervisor shall discover any hazardous excavation or unwarranted traffic congestion where flagmen have not been provided, he shall direct the permittee to immediately post flagmen. A failure to post flagmen following a directive shall be a violation of this chapter.

(d) For backfill in roadway areas, the contractor shall provide six inches (6") of graded aggregate base above the utility's main line. From top of graded aggregate base backfill to bottom of paving, the backfill materials shall be flowable fill with a compressive strength of 200-250 psi in forty-eight (48) hours. Flowable fill shall be placed a minimum of forty-eight (48) hours prior to the placing of the asphalt or concrete topping. Where it is impractical to use flowable fill because of terrain, slope, width of trench, or other situations, the materials for the backfill in the roadway areas may be approved for cement treated aggregate base at the sole discretion of the city building official. Each eight inch (8") layer of backfill shall be thoroughly compacted by means of a mechanical tamp. Other backfill materials may be acceptable, but prior approval for the substitution shall be determined by the city building official or his designee.

(e) Backfill for trenches within the sidewalk areas shall be compacted graded aggregate base instead of loose washed stone. Each eight inch (8") layer of graded aggregate base shall be thoroughly compacted by means of mechanical tamp.

(f) If a perpendicular cut reaches the centerline of the roadway, the asphalt must be replaced from curb to curb and a minimum of ten feet (10') on each side of the centerline of the excavation. (1993 Code, § 12-108, as replaced by Ord. #925, Aug. 2012)

16-209. Restoration/repair. Upon issuance of each permit, the building official shall specify minimum restoration standards applicable to the manner of excavating the street. (1993 Code, § 12-109, as replaced by Ord. #925, Aug. 2012)

16-210. Maintenance. Any person who shall properly make any excavation or other change to the street right-of-way, and shall have same inspected by the building official or his designee and shall be relieved from any liability for any defects due to inadequate workmanship or defective materials provided the excavation shall remain free from defects for twelve (12) months following installation. This is subject at all times during this twelve (12) month period to the approval of building official. In the event the permittee fails to maintain such restoration, after having received written notice from the building official, the building official will instruct the permittee's bonding agent

to cause the proper restoration to be performed for the period required herein. (1993 Code, § 12-110, as replaced by Ord. #925, Aug. 2012)

16-211. Supervision. The traffic control supervisor or his designees shall inspect all excavations and tunnels being made in or under any public street, alley, sidewalk or other public place in the city, and shall be responsible for the enforcement of the provisions of this chapter. Notice shall be given to him or his designees at least two (2) hours before the work of refilling any such excavation or tunnel commences. The traffic control supervisor or his designees are hereby authorized to issue stop work orders on any job where the excavation or refilling is not being carried out safely, or in compliance with this chapter.

The city engineer and/or traffic control supervisor shall prepare and provide standard specifications for routine circumstances, which may be specifically referenced in the permit. Provided that where the work involved is greater in scope than provided for standard specifications as determined by the building official, the city engineer or the traffic control supervisor, the permittee shall be required to submit suitable plans of installation and street restoration for approval prior to the issuance of a permit.

The permittee shall replace or repair any portion of the right-of-way, embankment, pavement, shoulders, highway bridges and drainage structures, guardrail, private driveways, access roads or ramps or any other part of said street which may be disturbed or damages.

All debris, refuse and waste of any kind, which have accumulated upon the right-of-way as a result of construction, shall be removed immediately upon completion of construction operations. (1993 Code, § 12-111, as replaced by Ord. #925, Aug. 2012)

16-212. Liability and responsibility for repair. Any person who shall make any excavation or other change to the street right-of-way shall be responsible for any defects which shall occur to any public facility due to inadequate workmanship or defective materials for a long as the public facility exists. Where excavating is done in the streets for the purpose, at the insistence of and for the benefit of the abutting owner, said abutting property owner and the person doing said work shall be jointly, severally and strictly liable and responsible for the proper and sufficient repair of said street. The building official, or his designees shall notify the applicant or owner of the need for repairs, except in the case of an emergency, and shall direct that such defect be corrected within a reasonable time. If the applicant or owner fails to make such repairs, fails to complete the work within the time limits of the permit, or in the event of an emergency requiring prompt action to protect the public health, safety or welfare, then the city shall make the repairs or corrections at the expense of the applicant or owner. (as added by Ord. #925, Aug. 2012)

16-213. Inspection. It shall be the responsibility of any person granted a permit to schedule an inspection of the permitted work by the city's inspector upon such conditions as may be specified in the permit. The utility or contractor making any changes to a city right-of-way, shall, at a minimum, have the following inspections performed by the city's inspector:

(a) After the repairs or installation of the new conduit or piping and before the graded aggregate base fill over the pipe has been placed;

(b) During the placement of the flowable fill or other approved fill is the sole discretion of the city engineer; and

Final completion:

(c) Should inspections be required after normal working hours or on weekends, the contractor or utility making the changes to the city right-of-way, shall reimburse the city for the inspector's time at a rate to be determined in accordance with the personnel policies in effect at the time the repairs are performed.

(d) When it is determined that improper work has been performed in the city's right-of-way, the contractor or utility responsible for the work shall remove improper work and reinstall the work in accordance with the city standards. If a permit was not obtained, the contractor or utility shall purchase a permit and the fee shall be double the normal fee. No future permits will be issued to the violating contractor or utility until the improper work has been corrected. (as added by Ord. #925, Aug. 2012)

16-214. Standard Specifications Packet. The Standard Specifications Packet can be obtained in the codes enforcement and inspection office, located at East Ridge City Hall. (as added by Ord. #925, Aug. 2012)

16-215. Pipe boring, tunneling and encasement. Boring across roadways:

(1) Boring under and across roadways shall be the preferred method for installing utility lines across city owned or maintained streets.

(2) Roadway bores of two-inches and less in diameter shall be installed at a minimum depth of twenty-four inches (24") below the pavement surface.

(3) Roadway bores of greater than two-inches in diameter shall be installed at a minimum depth of thirty-six inches (36") below the pavement surfaced.

(4) The utility shall submit a list of all proposed roadway boring locations to the traffic control supervisor for approval at least three (3) days prior to installation. In emergency or service calls the utility must notify the traffic control supervisor as soon as possible.

(5) Roadway borings shall not be performed without prior written approval of the traffic control supervisor, except in emergencies or service work as outlined in subsection (4) above. (as added by Ord. #925, Aug. 2012)

CHAPTER 3

REGULATING CONSTRUCTION, EXCAVATING, AND GRADING ON PRIVATE PROPERTY

SECTION

- 16-301. Care of building sites.
- 16-302. Care of excavated materials.
- 16-303. Damage to streets or ditches.
- 16-304. Protection of drainage ditches, drainage facilities, and water courses.
- 16-305. Protection of adjacent streets.
- 16-306. Penalties.
- 16-307. Action over by the city for any judgment against it.

16-301. Care of building sites. Every owner or contractor to whom a building permit has been issued for the construction of, the addition to, or the repair of, any structure in the City of East Ridge, Tennessee, and every owner or contractor doing any type of excavation or grading on any property in East Ridge, Tennessee, shall maintain the construction site in a clean and orderly manner so as to prevent debris, rubbish, or excavated earth from being blown, washed, or carried in any manner from the building site to adjoining properties or to adjoining streets or roads of the City of East Ridge, Tennessee. (1993 Code, § 12-501)

16-302. Care of excavated materials. All materials excavated or graded from building or other sites and all construction debris and rubbish shall be piled and maintained in such manner as not to endanger any person properly using a street adjacent to the building site and so as to prevent washing, falling or silting of such materials into drainage ditches or water courses adjacent to the construction site and so as to prevent the washing, falling or sitting of such materials onto the surface of any adjacent road or street. (1993 Code, § 12-502)

16-303. Damage to streets or ditches. All damage done to adjacent streets or ditches or drainage facilities during the progress of the construction shall be repaired by the permittee, owner or contractor. Either the city manager or the city building inspector shall have the authority to order the correction of any such damage done to streets, ditches or drainage facilities. If the permittee, owner or contractor shall fail to comply with the order within twenty-four (24) hours, the city manager shall have the authority to cause all necessary labor and materials to be furnished by the city for the correction of such damage and the costs thereof shall be charged against the permittee, the property owner, and contractor. (1993 Code, § 12-503, modified)

16-304. Protection of drainage ditches, drainage facilities, and water courses. The permittee, owner, or contractor shall take measures to insure that neither the flow of drainage water in ditches and drainage facilities, or the flow of water in natural water courses shall be interrupted during the construction work by the washing, falling or silting of any material from the construction site into such ditches, facilities, or water courses. In the event any such stoppage of water shall occur, either the building inspector or the city manager shall have the authority to order such obstruction to be removed and the same shall be removed within twenty-four (24) hours after such notification. If such remedial action is not taken by the permittee, owner or contractor, then the city manager is authorized to take such remedial action and the cost shall be charged against the contractor, the permittee, or owner. (1993 Code, § 12-504, modified)

16-305. Protection of adjacent streets. The permittee shall take all necessary action to protect adjacent streets from washing, falling, silting, tracking, or blowing of rubbish, dirt, or any other material from the construction site upon any adjacent street or roadway. In the event the permittee shall not take such necessary protective action and such materials should become a hazard upon an adjacent street or roadway, the city building inspector or the city manager shall have the authority to order the removal of the same and if it is not removed within twenty-four (24) hours, then the city manager shall accomplish the removal and the cost shall be charged against the permittee, contractor, or owner, as the case may be. (1993 Code, § 12-505)

16-306. Penalties. The violation of any part of this chapter by a permittee, contractor, or owner, shall be deemed a violation of this code and punishable as such. Each day's continuation of the offense shall be deemed a new offense. (1993 Code, § 12-506)

16-307. Action over by the city for any judgment against it. In the event any owner, contractor or permittee should fail to remove or clean streets, roads, drainage ditches, drainage facilities, or water courses in accordance with the provisions of any section of this chapter after notice from the city as provided in this chapter, and as a result of such condition, any person obtains a judgment against the city by reason of the existence of such condition, the city attorney shall institute proper legal proceedings against the owner, the contractor, or permittee for the recovery over of the amount of any such judgment. (1993 Code, § 12-507)