

DIVISION 2. OBSTRUCTIONS

Sec. 22-31. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Visibility triangle shall mean a triangle sign area at all intersections, which shall include that portion of the public right-of-way and any corner lot within the adjacent curb lines and a diagonal line intersecting such curb lines at points 35 feet back from their intersection, such curb lines being extended if necessary to determine the intersection point as shown in Exhibit A which is available for inspection in the office of the city secretary.

Parkway area shall mean that area between the curb line or grade line of any public street and the abutting private property line.

(Code 1965, § 18A-2(a))

Cross references: Definitions and rules of construction generally, § 1-2.

Sec. 22-32. Obstructions prohibited within visibility triangle.

(a) It shall be unlawful to set out, maintain or permit or cause to be set out or maintained, any tree, shrub, plant, sign or other view obstruction having a height greater than two feet as measured from the top of the curb of the adjacent streets within the visibility triangle.

(b) This restriction shall not apply to permanent structures authorized by the zoning ordinance or to traffic-control signs and signals, street signs or utility poles placed within such area by authority of the city council.

(Code 1965, § 18A-2(b))

Sec. 22-33. View obstructions in parkway.

(a) It shall be unlawful to set out, maintain or permit or cause to be set out or maintained, any tree, shrub, plant, sign or other view obstruction within any parkway area, which exceeds two feet in height above curb level.

(b) This prohibition shall not apply to trees within the parkway area which are trimmed at all times so that no branches are less than six feet above curb level and

which are planted no less than 25 feet apart. Such trees shall not interfere with the free passage of vehicles on the street or pedestrians on the public right-of-way or obscure the view of motor vehicle operators of any traffic-control device or street sign or otherwise create a traffic hazard.

(Code 1965, § 18A-2(c))

Sec. 22-34. Enforcement.

(a) It shall be the duty of the code enforcement officer to cause a written notice to be served upon the owner of any property upon which any of the above violations exist, or upon any owner or occupant of any property which abuts any parkway area upon which any of the above violations exist to correct such violations within ten days after service of such notice.

(b) Such notice shall be given personally or by letter addressed to such owner at his post office address, or, if the owner's address be not known and personal service not possible, by publication at least twice within ten consecutive days.

(c) If such violation is not corrected within a ten-day period, the code enforcement officer is hereby authorized and directed to cause a tree, plant, structure or obstruction constituting such violation to be trimmed, pruned or removed to eliminate such prohibited condition.

(d) The cost of such trimming, pruning or removal shall be assessed against the property owner or abutting property owner, as the case may be. The minimum fee for such service shall be \$10.00.

(Code 1965, § 18A-2(d))

Secs. 22-35--22-45. Reserved.