

DIVISION 2. SIGHT TRIANGLE*

***Cross references:** Streets in subdivisions, § 70-206; supplementary zoning district regulations, § 90-646 et seq.

Sec. 66-91. 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:

Curb line means the boundary of that portion of any street which is improved, designed or ordinarily used for vehicular travel.

Object means every sign, advertisement, container or display item of any type or form, portable or fixed.

Plants means any hedge, bush, shrub, vine, palm or other vegetation except trees.

Property line means the boundary line of a parcel of land defined by metes and bounds in a recorded deed or by boundary lines on a recorded map, which line marks the division between the area for a public street and the property abutting upon such street.

Street means the entire width between the boundary lines of every way open to the use of the public for the purpose of traffic.

Traffic means the use of any street for the purpose of travel by pedestrians, riders of animals, vehicles and other conveyances.

Visibility triangle means a triangle formed by the intersecting property lines and a line joining the property lines at points 25 feet from their point of intersection.

(Ord. No. 512, § 1.01, 7-22-85)

Cross references: Definitions generally, § 1-2.

Sec. 66-92. Plants, objects, vehicles and heights.

- (a) *Street corners.* It shall be unlawful for any person to place or maintain or cause to be placed or maintained, any plant, object or vehicle having a height greater than three feet above the level of the centerlines of the nearest abutting street, on or in that area of a triangle formed by the intersecting property lines and a diagonal line joining the property lines at points 25 feet from their intersection of any corner lot on which a front yard is required.
- (b) *Areas between property lines and curblines.* It shall be unlawful for any person to place, maintain or cause to be placed or maintained any plant, object or vehicle having a height greater than three feet above the level of the centerline of the nearest abutting street on or in that area which lies between the property lines of any corner lot and the curblines of any street in the city.
- (c) *Fences.* No person shall construct or reconstruct, or cause to be constructed or reconstructed, any fence or wall on a corner lot if the top of such fence or wall is more than three feet above the level of the centerline of the nearest abutting street, and such fence or wall is within the visibility triangle; provided, however, that this subsection shall not apply to a retaining wall necessary for the support of the lot, nor to a wall of a building when the wall or building legally extends into that triangle.

(Ord. No. 512, § 2.01, 7-22-85)

Sec. 66-93. Trees and other objects.

- (a) *Street corners and public right-of-way frontage.* It shall be the duty of every owner or occupant of any corner lot in the city to keep any and all trees trimmed and pruned of limbs, branches and foliage to a minimum clearance of 13 feet and six inches above the street level at the nearest curb line of any lot or property adjoining a public right-of-way. In cases where curbing is not present, the property line adjoining the public right-of-way or the surfaced or nonsurfaced roadway surface shall be designated as the determining line.
- (b) *Residential neighborhoods.* When in the opinion of the city manager or public works administrator, the enforcement of the clearance height may be considered detrimental to the aesthetic integrity of the neighborhood, the city manager or public works administrator shall direct staff to trim only to a clearance height necessary for the protection and safety of the public.
- (c) *Free passage in sidewalk areas.* It shall be unlawful for any person to place, maintain or permit, or cause to be placed or maintained, any tree, plant or object on or in the area between the property line of any lot and the curb line of any street abutting such lot in any way that obstructs the free passage and use of that area by the public.

- (d) *Clearance near fire hydrants.* It shall be unlawful for any person to place, maintain or permit, or cause to be placed or maintained any tree, plant or object within five feet of any fire hydrant in the city.
- (e) *Clearance near traffic control devices.* Notwithstanding the provisions of any other ordinance of the city regulating traffic and traffic control devices, it shall be unlawful for any person to place, plant or maintain any plant, tree or other object in such a manner as to obstruct from view any traffic control device.

(Ord. No. 512, § 2.02, 7-22-85; Ord. No. 825, 12-8-97)

Sec. 66-94. Trimming and removal by city.

- (a) *Notice from public works administrator; service of notice; failure to correct; filing of complaint.* The public works administrator shall have a written notice served upon the owner or occupant of any property upon which any violation of any section of this division exists to correct the condition which constitutes a violation in this section within ten days after service of this notice. Service of the notice may be accomplished by sending the notice to the owner or occupant by certified mail, return receipt requested, or by personal service upon the owner or occupant. If such condition is not corrected by the end of such ten-day period, the public works administrator, or his designated representative, shall file a complaint with the municipal court.
- (b) *Authorization to trim and remove.* The public works administrator is hereby authorized to remove, or cause to be removed, any tree, plant or object found between the opposite curblines in any street or public right-of-way in the city, and to trim branches, limbs or foliage of any tree or plant which overhangs or grows above the area which lies between the opposite curblines of any street or public right-of-way to a minimum clearance of 13 feet and six inches above the street level at the curb line, and graduated toward the centerline of the street to a clearance of 13 feet and six inches above the centerline of the street or public right-of-way. The director of public works is further authorized to trim or remove any tree or plant which obstructs any traffic control device in the city.

(Ord. No. 512, §§ 3.01, 3.02, 7-22-85; Ord. No. 825, 12-8-97)

Secs. 66-95--66-125. Reserved.