

Sec. 11-14. Definitions.

For the purpose of this article, the following words and phrases shall have the meanings herein set forth:

Brush means scrub vegetation and decaying remains of such vegetation.

Garbage means kitchen refuse, ordinarily including only foodstuffs or related material.

Handbill means any commercial, printed or written advertising material, any sample or device, dodger, circular, leaflet, pamphlet, paper or booklet, or any other printed material or literature distributed free of charge.

Litter means any garbage, refuse or rubbish as defined herein and all other waste material which creates a potential danger to public health, safety and welfare if not deposited in an authorized receptacle.

Nonaesthetic tree means a woody perennial plant having one or more main stems less than two inches in diameter.

Person means any individual, firm, corporation, association, family, group, occupant, owner's agent, lessee or tenant.

Private receptacle means a garbage can, garbage bag or dumpster used to collect and store litter until removed by the authorized garbage service.

Public place means any place to which the public or a substantial group of the public has access, and includes but is not limited to streets, highways and common areas of schools, hospitals, apartment houses, office buildings, transport facilities and shops. All other property is considered private property.

Refuse means all solid waste (except body waste), including garbage, rubbish, ashes, street cleanings, dead animals, and solid market and industrial wastes.

Rubbish means all solid waste consisting of combustible and noncombustible waste, including but not limited to paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

Stagnant water means sitting water which is the breeding place for mosquitoes.

Weeds means herbage in excess of 12 inches tall.

(Ord. No. 91-5, 8-20-91)

Sec. 16-1. Intersection visibility.

- (a) It shall be unlawful for any person to install or maintain any sign, hedge, fence, shrubbery or other obstruction to the view of a driver higher than 30 inches above the level of the center of the adjacent roadway within the public right-of-way and within 20 feet of the intersection of the curb line or the edge of the roadway of the intersection of two or more public streets or of any intersection of a public street and a private roadway normally open to public traffic.
- (b) The provisions of this section shall not apply to any public utility pole, to trees or other plant species of open growth habits which are not planted in the form of a hedge, provided that such may be trimmed to a height not less than eight feet above the adjacent sidewalk during all seasons of the year, or to supporting members of appurtenances to permanent buildings existing on the adoption date of this Code.
- (c) No plant shall be placed on or maintained over, or allowed to grow over and above, the public right-of-way at any other location when the foliage from such tree or plant:
 - (1) Obstructs the view of any driver to any conflicting traffic approaching on any intersecting street.
 - (2) Obstructs the view of any driver to any traffic control device.
 - (3) Obstructs any sidewalk or sidewalk area from the free passage of any pedestrian.
 - (4) Overhangs the traveled portion of any street or alley to a height of less than 13 1/2 feet above the street or alley elevation.
- (d) It shall be the responsibility of the owner of the property adjacent to any such intersection visibility obstruction to remove same from the public right-of-way within 30 calendar days following receipt of notice from the city manager or his designated agent. Such notice shall be prepared by the director of traffic and delivered to such owner of record by registered or certified mail.
- (e) Should any owner fail to so do, the city may do so at the expense of such owner. Such expenses shall be collected by the city in the manner provided in section 11-25, which subsection is hereby incorporated by reference in this section as if set out at length herein.