

Sec. 66-55. Obstructions and abatement.

- (a) *Authority of city manager.* The city manager is hereby authorized to remove or cause to be removed any trees, plants or other vegetative matter between the opposite property lines in any street 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 property lines of any street, so as to provide a minimum clearance of 14 feet above the street level at the center of the street between the curblines, or to provide an unobstructed view or to remove barriers to passage in the public sidewalk easement.
- (b) *Obstructions and abatement.*
- (1) It shall be unlawful for either the owner or the occupant of any property in the city to place, maintain or permit or cause to be placed or maintained any tree, shrub or other vegetative matter on, in or overhanging the area between the property line thereof and the curbline of any street abutting such property line in such a way as to obstruct the free passage on and use of that street by the public. The determination as to what vegetative growth constitutes an obstruction authorizing abatement pursuant to this section shall be made by the city manager or his designate.
 - (2) Upon notice or complaint and investigation, the public works supervisor shall be authorized to issue a written notice to property owners or occupants requiring the removal or clearance of private trees, shrubs or vegetative matter that create an obstruction as prohibited by this ordinance. If an owner or occupant fails to remove or clear such vegetation within ten days of receipt of the notice, the public works supervisor shall be authorized to remove or clear such vegetation.
 - (3) No person shall plant or cause to be planted on public property any tree that reaches a maximum height of 20 feet within ten lateral feet of an overhead utility line or any tree within five lateral feet of an underground utility line.
 - (4) The city shall at all times have the right to abate tree or other vegetative obstructions to or on public ways; the public works supervisor shall be authorized to remove such obstructions at any time.
 - (5) An emergency shall be deemed to exist during such time as a hazardous or dangerous condition exists because a tree or limb has fallen or is in imminent danger of falling. A person may remove fallen limbs or trees blocking pedestrian or vehicular travel.
 - (6) A public utility may remove trees or limbs which have fallen or are in imminent danger of falling if removal is necessary to restore service or to prevent damage to utility lines or facilities.

- (7) It shall be unlawful for either the owner or the occupant of any property in the city to place, maintain or permit or cause to be placed or maintained thereon any tree or plant within five feet of any fire hydrant in the city.

(Ord. No. 01-07-02, § 1, 1-7-02)

Sec. 62-33. Preparation of trash, tree limbs, grass and leaves.

- (a) If trash is of such a nature that it cannot be put in an authorized receptacle, it shall be placed in bundles under 50 pounds weight.
- (b) Tree limbs, tree trunks and hedge cuttings shall be cut to a length of not more than five feet and tied in bundles of a diameter of not more than two feet.
- (c) Grass and leaves shall be placed in suitable containers or sacks to protect them from being spread by the elements or becoming waterlogged.
- (d) Nothing in this section shall be construed as forbidding retention of wood for fuel if stored in a manner such as not to be a nuisance or hazard.

(Code 1984, § 7-56)

Secs. 62-34--62-60. Reserved.