

# Broeck Pointe City Code

## CHAPTER 600 PUBLIC WORKS

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# Broeck Pointe City Code

## 600.0 Public Works

### 610.0 Municipal Utilities

### 620.0 Public Ways and Places

#### 620.1 Removal of Dead Trees

Whenever the City Commission by resolution shall condemn any dead or decaying trees by or over the sidewalks or thoroughfares of the City, and notice is served by the City Clerk on the owner of a lot or property abutting on the street or sidewalk where said condemned trees shall be located, the owner shall, within thirty (30) days after notice, at his/her own expense, remove the said condemned trees from the street or right-of-way in such a manner as will least impede public travel, and he/she shall put the surface of the street or right-of-way in an even and uniform shape after removal, provided, however, there shall be no duty on the part of an abutting owner to maintain any area constituting the unmade extension of any street.

[Penalty 690.1]

#### 620.2 Removal of Trees, Shrubbery, or Branches for Vision Clearance

Section 1: Whenever there exist trees or overhanging branches of same, hedges, shrubs or weeds on the sidewalk or public ways of the City or on private property adjacent thereto, which in the opinion of the City Commission obstruct the vision of any operator of vehicles, the City Commission may order the removal of such obstructions by giving the owner of such property written notice to remove such obstructions within fifteen (15) days from the receipt thereof, and if said notice is not complied with within the said time, then the City Commission may have such obstructions removed at the expense of such property owner.

Section 2: The notice herein provided shall state the nature of such obstructions and what part thereof shall be removed, and such notice may be delivered or mailed to the owner of such property or his/her agent.

[Penalty 690.1]

#### 620.3 Removal of or Damage to Shade Trees

It shall be unlawful for any person to trim, cut, damage or remove any shade or ornamental tree on any of the sidewalks or other public ways of the City without having first secured a permit to do so from the City Engineer or Mayor who may seek approval by resolution to the City Commission but shall not be required to do so, provided, however, no permit shall be required to trim trees, hedges or shrubs in order to remove a traffic hazard.

[Penalty 690.1]

#### 620.4 Weeds in Sidewalks or Gutters

Section 1: It shall hereafter be unlawful for the owner or his/her agent of property abutting any public ways to permit noxious weeds or vegetable matter to grow or remain in the area between his/her property line and the paved portion of the street and it shall be the duty of such abutting owner to maintain the grass in the unpaved portion of the public way adjacent to his/her property and to keep drainage facilities adjacent to his/her property free from obstruction.

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Section 2: The owner of property may take reasonable steps to protect the area adjacent to his/her property from damage or harm, including the maintenance of curb stones or similar devices no closer than one (1) inch to the paved portion of the roadway in areas subject to continued abuse. However, it shall be specifically unlawful to supplement the paved portion of the street with additional paving or gravel beyond the boundary of the originally dedicated pavement.

Section 3: The City Commission shall give notice of violations of this section to the owner or his/her agent requiring the nuisance to be abated within five (5) days.

[Penalty 690.1]

### 620.5 Failure of Owner to Comply with Notice

Upon the failure of the owner of the property to comply with any notice specified herein, the Mayor, with the approval of the City Commission, may send City employees or subcontractors upon said property to remedy the situation and the City shall have a lien against the property for reasonable value of labor and materials used in remedying the situation, which claim shall be in the form of an affidavit signed by the Mayor and shall be recorded in the Jefferson County Court Clerk's Office and which lien shall bear interest at the rate of eighteen (18%) percent per annum thereafter until paid.

[Penalty 690.1]

### 620.6 Maintenance of City Sidewalks

Section 1: The City shall maintain and/or repair the sidewalks within the City Limits and be responsible for paying all bills relative to the same.

### 620.7 Uniform Mailboxes

Section 1: The City shall construct uniform mailboxes in a uniform manner upon each lot within the city limits.

Section 2: The City shall remove each existing mailbox located within the city limits.

Section 3: The City shall pay for all services with reference to the removal, construction and maintenance off all mailboxes.

## 630.0 Harbors and Streams

## 690.0 Penalties

### 690.1 Penalty

Any person violating any of the provisions of Code Section 620.1 through 620.5 shall be fined not less than fifteen (\$15.00) dollars nor more than fifty (\$50.00) dollars for each offense. Each day's continued violations shall constitute a separate offense.