

PART 14

STREETS AND PUBLIC WORKS

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§ 14-101 TREES AND SHRUBBERY TO BE TRIMMED.

- A. The owner of any premises abutting on any street of this city shall trim all trees, shrubbery and vegetation, including grass and weeds as defined in § 8-102 of this code, growing in the parking area, between the end of the right-of-way and the roadway, of any such street, and all trees and shrubbery growing on any part of the premises adjacent to the sidewalks or any street or alley, in such manner that the boughs or limbs or vegetation thereof shall not obstruct free and convenient passage and travel along the streets, sidewalks, and alleys. When such premises are occupied by some person other than the owner, such occupant shall trim the trees and shrubbery in the same manner as hereinafter required of the owner. Such trees and shrubbery shall be trimmed so that the lowest branches or foliage shall not be lower than ten (10) feet above the roadway of a street or alley nor lower than eight (8) feet above the sidewalk.
- B. Any owner or occupant who shall fail, refuse or neglect to trim trees and shrubbery as provided in § 14-101 of this code, after receiving five (5) days notice from the head of the department in charge of streets to do so, is guilty of an offense against the city. Every day that the owner or occupant shall fail, refuse or neglect to trim the trees or shrubbery, after the expiration of the five (5) days' notice, is a separate offense. (Prior Code, §§ 19-5, 19-6)

State Law Reference: Obstruction, encroachments in streets, 11 O.S. §§ 36-107, 36-108.

§ 14-102 UNLAWFUL TO INJURE TREES AND SHRUBBERY.

It is unlawful for any person to injure any tree or shrubbery on a street or alley in the city; provided that this shall not prohibit the lawful and proper care and removal of such trees and

shrubbery. (Prior Code, § 19-7)

§ 14-103 UNLAWFUL TO OBSTRUCT SIDEWALKS, PARKWAYS, STREETS AND ALLEYS WITH MERCHANDISE.

- A. It is unlawful for any person, firm or corporation to place upon or permit to be placed upon the sidewalks, parkways, streets and alleys of the city any goods, wares, articles of merchandise or any other obstruction, and leave same thereon; or to use the same as a place to carry on a business or trade.
- B. It is unlawful to sell, offer to sell, store or display any goods, wares or merchandise on any street, alley, sidewalk or right-of-way in the city, or to perform any service or solicit any sale or service thereon. Nothing in this section shall prevent the towing or removing of a distressed vehicle or authorized acts of the city or its employees. (Prior Code, § 19-8)

§ 14-104 UNLAWFUL TO OBSTRUCT UNDULY SIDEWALKS AND STREETS.

It is unlawful for any person, firm or corporation to use or obstruct the sidewalks of the city in any manner so as to interfere unduly with pedestrian traffic thereon, or to use or obstruct the streets and alleys of the city in any manner so as to interfere unduly with lawful traffic and parking thereon. (Prior Code, § 19-9)

§ 14-105 UNLAWFUL TO DEPOSIT TRASH UPON STREETS OR SIDEWALKS.

It is unlawful for any person, firm or corporation to deposit, throw or sweep into or upon the streets, alleys, parking or sidewalks of the city any paper, rubbish, grass, weeds, tree trimmings, dirt, trash, crates, boxes or other refuse of any kind. It is unlawful to place, leave or throw on or across any streets or sidewalks, including but not limited to, rocks, sand, gravel, cement, bottles, lumber, nails, wire, wood, limbs, leaves, trash or debris. (Prior Code, § 19-10)

§ 14-106 WATER FROM FILLING STATIONS AND OTHER BUSINESSES.

It is unlawful for any owner or operator of a filling station or other place of business, or any agent or employee thereof, to cause or allow water, grease or other fluid to flow or drain into, upon, over or across any sidewalk, parking, street, alley or other public way. (Prior Code, § 19-15)

§ 14-107 OWNER OR OCCUPANT NOT TO PERMIT SIDEWALK OR SIDEWALK AREA TO BECOME A HAZARD.

It is unlawful for the owner or occupant of property abutting upon a sidewalk area to permit the sidewalk or sidewalk area adjacent to the property to become a hazard to persons using the sidewalk, or sidewalk area. (Prior Code, § 19-16)

§ 14-108 SIGNS PROHIBITED.

It is unlawful and offense, for any person, firm or corporation to cut, carve, paint, mark, engrave,

paste or inscribe upon any sidewalk, curbing, pavement or other public part of any street, any sign, mark, advertisement or effigy, other than to show sidewalk contractor's name plate or except as provided in §§ 9-803, 10-309 and 10-310 of this code. (Ord. No. 537, 1/2/01; Ord. No. 584, 10/26/04)

Cross Reference: Signs Prohibited, exceptions in §§ 9-803, 10-309 and 10-310.

§ 14-109 OBSTRUCTION TO VIEW ON INTERSECTION STREETS.

It is the duty of all property owners or occupants of premises within the city to keep all hedges, shrubbery, natural growth, trees and limbs of trees trimmed in such a way that they will not interfere with the cross visibility at intersecting streets.

§ 14-110 REMOVAL OF DEBRIS FROM STREETS.

Any person, firm or corporation that causes or permits any material of any kind to be placed upon any of the city streets or sidewalks of the city, except as by law provided shall forthwith immediately removed same therefrom, or shall pay the expense of causing same to be removed, and failure to do so, shall constitute an offense.

§ 14-111 STREET, NOT TO BE OBSTRUCTED SO AS TO INTERFERE WITH DRAINAGE.

It is unlawful for any person to obstruct any street, sidewalk, or alley, by placing any approach driveway or other obstruction or substance whatever that will obstruct or prevent the natural flow of water into the storm sewers or drains, or dam the same so as to back any water upon the streets, alleys, sidewalks, or gutters. (Prior Code, § 19-11)

§ 14-112 UNLAWFUL TO PLAY ON SIDEWALKS AND IN STREETS.

It is unlawful for any person to play on sidewalks or upon the main traveled portions of streets and alleys, except as may be authorized by the city. (Prior Code, § 19-12)

§ 14-113 SIGNS OVER OR ACROSS STREETS.

It is an offense for any person to stretch any sign or other thing on, over or across any street or alley within the corporate limits of the city, except as may be authorized by franchise or permit duly granted by the city. (Prior Code, § 19-17)

§ 14-114 PENALTY.

Any person, firm or corporation violating any of the terms or provisions of this chapter shall be deemed guilty of an offense, and shall be punished as provided in § 1-108 of this code. (Prior Code, § 19-18)

CHAPTER 2

PAVING PERMITS

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§ 14-201 PERMIT REQUIRED FOR CUTTING PAVING.

It is an offense for any person to cut, alter, mutilate or change in any way or manner for any purpose any paved or traveled portion of any street or alley, or any curb, gutter, catch basin or any other appurtenances of any street, alley or the sidewalk without securing a permit from the city clerk, and approval of the city council, to make such cut, alteration or change. This requirement shall not apply to any person acting under direct supervision of the city nor shall it apply to any person repairing or replacing a sidewalk under a sidewalk permit. (Prior Code, § 19-2)

§ 14-202 GUARD RAILS AND BARRIERS REQUIRED.

It is the duty of any person doing any type of constructing or excavating work upon or adjacent to any street, alley, sidewalk or public ground to maintain substantial guard rails and barriers around such work or excavation in such manner as to protect pedestrians, animals and vehicles using such street, alley, or walk. Similar barriers shall be maintained around any materials or equipment with which contact would be dangerous to pedestrians, animals or vehicles. It is the duty of all such persons to display and maintain lighted lanterns with appropriate warning globes, lights or signal flares from sundown to sunup during the time such work, obstruction or excavation exists. Such lanterns, flares or lights shall be of a type approved by the building inspector and shall be placed on or sufficiently near such place in a number and manner sufficient to warn the traveling public from any direction. It is an offense for any person to fail to provide such safeguards. (Prior Code, § 19-3)

§ 14-203 UNLAWFUL TO REMOVE BARRIERS.

It is an offense for any person to remove or destroy any barrier or danger signal placed or erected in compliance with the provisions of this chapter unless such act is done at the direction of the person in charge of such work or the building inspector. (Prior Code, § 19-4)

§ 14-204 PERMIT REQUIRED FOR BORING PUBLIC STREETS AND WAYS.

- A. It is an offense for any person to bore under, alter the subsurface, or change in any way a public street, alley or way without securing a permit from the clerk and approval of the city staff to make such bore or change. This requirement shall not apply to any person or firm acting under direct supervision of the city. A fee shall be paid for the permit in the amount established by the city council. Franchised public utilities are required to secure the permit for city record purposes but are exempt from paying the fee.

- B. Engineering plans shall be provided for each such crossing with ties to land lines and physical features. All construction shall be in accordance with details “C”, “D”, and “K” on Sheet M-1 of the city standard design details, latest revision thereof. All lines shall have a minimum cover of three (3) feet in the ditch line and must clear any existing line by one foot minimum outside to outside. The contractor doing the work must provide a one year maintenance bond to the city covering the work. The contractor is responsible for all repair or replacement, barricades, public notices, and safety devices covering the work. He shall have an approved plan from the city and notify the city at least seventy-two (72) hours in advance of construction time before beginning the work.

- C. The city inspector is to be notified as indicated above and shall have a representative on site during the work. All pipelines crossing city streets shall be bored unless specific permission in writing is obtained from the city in advance using other standard details. (Ord. No. 404, 12/18/90)

CHAPTER 3

RESIDENTIAL STREET LIGHTING POLICY

§ 14-301 Residential street lighting policy.

§ 14-301 RESIDENTIAL STREET LIGHTING POLICY.

That the Residential Street Lighting Policy, appended hereto, shall be and is hereby adopted as the official policy of the City of Choctaw. One copy of the Policy will be on file in the city clerk's office at all times. (Ord. No. 558, 1/28/03)