

Sec. 26-143. - Maintenance standards for trees and vegetation.

- (a) The owner of record of a property is responsible for the maintenance of trees and vegetation on private property. Vegetation shall comply with all codes including visibility at intersections, alleys, sidewalks and driveways. Where support cabling/bracing of vegetation is provided at the time of installation, the cables and braces shall be removed no later than one year after installation to prevent damage to the vegetation.
- (b) Lawns shall be maintained at a maximum overall height of eight inches or less. Lawns will be considered overgrown if approximately 25 percent of the front yard, or side yards, or rear yard, or right-of-way, or utility easement exceeds eight inches in height overall. Vegetation adjacent to driveways shall not encroach onto the driveway and should be kept trimmed to the edge of the driveway.
- (c) Vegetation which is a hazard to public safety is prohibited in the right-of-way as per section 26-141. Hazardous vegetation on private property with pronounced thorns (such as Spanish bayonet, century plant, bougainvillea, and lime trees) shall not be closer than ten feet to a sidewalk or right-of-way.
- (d) Hedges are prohibited in the right-of-way as per subsection 74-152(c)(1); and a hedge may not obstruct the visibility triangle as per subsection 74-153(g). As per section 74-234, private or public landscape development in the public rights-of-way within the town shall be designed and planted in accordance with the master landscape plan (Ordinance No. 314).
- (e) Vegetation adjacent to public sidewalks and public streets shall not encroach onto the sidewalk or onto a street surface. All vegetation should be kept trimmed to the edge of the sidewalk or to the curb line of the street surface. The branches of trees and shrubs which grow above sidewalks and rights-of-way shall provide a minimum of eight feet of vertical clearance; and when above streets and alleys, a minimum of 15 feet of vertical clearance.
- (f) Fire hydrants, water meters and back flow pipes must have a three-foot clearance around them for accessibility from vegetation. Water meter boxes must be kept trimmed and edged around the box to prevent vegetation from growing into or over the box.
- (g) It is unlawful for any property owner to permit to remain on any property, any tree or tree branch that is diseased or in a weakened condition as described in subsection 74-383(a)(2)(e), so as to pose a danger to any person, or any right-of-way or property of another as determined by the town's arborist. The town's arborist will be a certified and current member in the International Association of Arboriculture (ISA).
- (h) It shall be unlawful to deposit any solid waste, waste material or lawn waste in such a manner that it may be carried or deposited by the elements upon any public place, waterway or private premises within the town either directly or indirectly as per section 46-4.
- (i) As per subsection 74-152(c)(1), no encroachment shall be permitted into existing rights-of-way, except for temporary use authorized by the town.
- (j) Unless approved by the town manager, rights-of-way shall be maintained at a level and even grade.
- (k) No person shall plant any vegetation in a utility easement which will interfere with the use of the easement for utility maintenance purposes.

(Code 1980, § 11-4; Ord. No. 399, § 1, 11-20-01; Ord. No. 498, § 3, 5-20-14)

Editor's note— Section 3 of Ord. No. 498, adopted May 20, 2014, changed the title of § 26-143 from "Lien; recording; interest; foreclosure" to read as herein set out.