Sec. 70-15. - Removal, pruning, corner and sight line and street and sidewalk clearance.

(a) It is unlawful and shall constitute a nuisance for any person who is an owner, owner's agent, occupant or lessee of any property, or on or along the sidewalk, street or alley adjacent to the same between the property line and the curb line or the middle of the alley, or for ten (10) feet outside the property line if there is no curb, to fail to remove and/or treat trees, shrubs, bushes or other vegetation which are dead, broken, diseased, infested by insects or to fail to trim or prune any vegetation which is less than eight (8) feet above the sidewalk or curb line of any adjacent roadway or which are otherwise in violation of the sight line requirements set forth in section 26-14-16 of the Code.

In order to retain certain properties owned by the city, including, but not limited to, designated city parks, open spaces, street rights-of-way, and stream beds and banks, in their natural state, the city is exempt from the above requirements of this subsection as said requirements relate to city-owned properties mentioned herein.

(b) Any unimproved private property that is immediately adjacent to exempt city property is exempt from the above requirements of subsection (a) related to the removal of trees, shrubs, bushes or other vegetation which are dead, broken, diseased, infested by insects; however, it is unlawful and constitutes a nuisance for any person who is an owner, owner's agent, occupant or lessee of any such exempt unimproved private property, which is immediately adjacent to a public street or improved public or private property, to fail to remove and/or treat trees, shrubs, bushes or other vegetation which are dead, broken, diseased, infested by insects in any area located within twenty (20) feet of any immediately adjacent public street and/or improved public or private property.

(c) It shall be unlawful for any person to injure, damage, destroy or remove any tree, shrub, bush, or other vegetation on any city right-of-way or property unless authorized by the city.

(Ord. No. 2008-31, § 1, 10-7-08; Ord. No. 2009-02, § 3, 2-17-09)