

Streets, Sidewalks and Public Works

PART 14

STREETS AND PUBLIC WORKS

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SECTION 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 and shrubbery growing in the parking, between the sidewalks 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 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.

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- B. Any owner or occupant who shall fail, refuse or neglect to trim trees and shrubbery as provided in this section, after receiving five (5) days' notice from the head of the department in charge of streets to do so, shall be 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, shall be a separate offense.

### SECTION 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.

### SECTION 14-103 UNLAWFUL TO OBSTRUCT SIDEWALKS, STREETS WITH MERCHANDISE

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.

### SECTION 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.

### SECTION 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.

### SECTION 14-106 UNLAWFUL TO PLAY ON SIDEWALKS AND IN STREETS

It is unlawful for any person to play on the sidewalks, alleys, or upon the main- traveled portion of the streets and alleys of the city, except as may be authorized by ordinance.

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### SECTION 14-107 BUSINESS USE OF STREETS PROHIBITED

It is unlawful for any person, firm or corporation to construct, erect, place, operate, maintain, or permit to exist any ice box, ice dock, gasoline pump, gasoline storage reservoir, tire rack, tire tools or equipment, water hose connection, or mercantile business, or any tools, stand, equipment, merchandise, or appurtenances thereof, aerials, poles, or wires therefor, whether permanent or temporary, or any other obstruction, upon any part of any street, alley, boulevard, parkway, curbing, or parking within the city.

### SECTION 14-108 WATER, MUD FROM VEHICLE NOT TO DRAIN INTO STREET

No automobile or other vehicle shall be washed at any place within the city where the water, dirt, mud or other substances removed therefrom by or during the washing thereof, shall drain into or upon any street or sidewalk of the city.

### SECTION 14-109 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.

### SECTION 14-110 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.

### SECTION 14-111 STREET NOT TO BE OBSTRUCTED SO AS TO INTERFERE WITH DRAINAGE

It is unlawful for any person, firm, or corporation 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 gutter.

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### SECTION 14-112 DUTY TO KEEP SIDEWALK AND GUTTER CLEAN. GOOD REPAIR

It is the duty of the occupant of any lot or piece of ground abutting upon any street where there is a sidewalk or gutter on the street to keep such sidewalk or gutter clean and to remove therefrom all materials, snow or ice, trash, weeds, refuse, rubbish or hazards of any kind and to keep the sidewalk and gutter in good repair. If there is no such occupant of any such lot other than the owner, it is the duty of the owner to do the same.

### SECTION 14-113 EXCAVATIONS

It is unlawful for any person to make any excavation or cutting in any street, sidewalk, alley or public ground, or to remove any earth or construction material therefrom, except when so authorized to by the city.

### SECTION 14-114 OPEN GRATING

It is unlawful and an offense for any person to permit to be open or leave open any cellar door, manhole or grating of any kind in or upon any street, sidewalk or alley of the city.

### SECTION 14-115 SNOW ON WALKS

It is the duty of every owner of property in the city, within twenty-four (24) hours after any snowfall, sleet or ice storm, to clear the sidewalks abutting such property. The snow, ice, sleet or other element of nature shall be cleared from the sidewalk and piled along the other edge, or removed entirely, but in no case shall it be piled in the streets or gutter. Piling of the snow, ice or sleet in the gutter, where the snow, ice or sleet is of a thickness of more than two (2) inches, is hereby declared to be unlawful.

### SECTION 14-116 DRAINAGE OF POLLUTING SUBSTANCES INTO STREETS. ALLEYS OR SIDEWALKS PROHIBITED

It is unlawful for any residence or business to allow drainage of a polluting substance into any street, alley or sidewalk. A polluting substance is one so defined under Section 926.1 of Title 82 of the Oklahoma Statutes.

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### SECTION 14-117 DRAINAGE DITCHES, OBSTACLES IMPEDING DRAINAGE IN STREET. NOTICE CORRECTION

- A. Any culvert, driveway, pipe, or other obstacle upon or in the dedicated streets, alleys or ways of the city which impedes the flow of water through drainage ditches now constructed or which might hereafter be constructed by the city for the purpose of proper drainage of water falling from any rainfalls, which might reasonably be anticipated, shall be and are hereby declared to be public nuisances endangering and interfering with travel upon and the repair and maintenance of city streets and annoying, and injuring and endangering the comfort, repose, health and safety of the citizens of the city.
- B. All public nuisances existing contrary to the provisions of this section not abated by the owners or occupants of adjoining premises or their agents within ten (10) days after being given notice as provided herein, shall be abated by the city manager or other officer or employee of the city by digging up, breaking, if necessary or not reasonably avoidable, and removing such culvert, driveway, pipe, or other obstacle and opening up such drainage ditch, and leaving the same open.
- C. The notice herein mentioned shall be in writing directing the owner or occupant of premises adjoining such nuisance to abate the same by removing such obstacle impeding drainage, and shall be given by mailing to the owner or occupant of such adjoining premises at his or their last known address, or to both, if their names and post office addresses can be ascertained with reasonable diligence, by certified mail or by delivery of such notice to such owner or occupant personally by any officer, employee or agent of the city, or by posting such notice at some conspicuous place upon such premises if the name or mailing address of the owner or occupant of the premises cannot be ascertained with reasonable diligence.

### SECTION 14-118 PENALTY

Any person, firm, or corporation who violates any provision of this chapter shall be guilty of an offense, and upon conviction thereof, shall be punished as provided in Section 1-108 of this code.

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### SECTION 14-119 INTERSECTION VISIBILITY TRIANGLE

On any corner lot, no wall, fence, vehicle, structure, sign, or vegetation that obstructs sight visibility at elevations between 30 inches and six feet above any portion of the crown of the adjacent roadway is allowed in a triangle formed by measuring 25 feet along the front and side curb or pavement edge and connecting the points to form a triangle on the area of the lot adjacent to the street intersection.

At all intersections of alleys, driveways, and streets, a ten (10) foot site triangle shall remain free and clear of all obstruction as stated above.

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CHAPTER 2

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Section 14-206	Warning signals
Section 14-207	Removal of danger signals
Section 14-208	Protection of new pavement
Section 14-209	Removal of street or sidewalk
Section 14-210	Penalty

SECTION 14-201 CUTTING STREETS OR SIDEWALKS

It is unlawful for any person to cut, alter, mutilate, or change in any manner for any purpose, any paved or traveled portion of any street or alley, or any curb, gutter, catch basin, or any other appurtenance of any street or alley or any sidewalk in the city without first securing a permit from the city clerk of the city to make such cut, alteration, or change; provided this requirement shall not apply to any person repairing or replacing a sidewalk under a sidewalk permit, provided such person changes only the sidewalk.

SECTION 14-202 PERMITS

- A. Any person desiring to cut, alter, mutilate, or change in any manner for any purpose, any paved or traveled portion of any street or alley, or any curb, gutter, catch basin, or any other appurtenance of any street or alley, shall apply to the city clerk of the city for a permit therefor, and pay to the city clerk the permit fee required as set by the council by motion or resolution:
1. For concrete street;
  2. For asphalt, oil or blacktop street; or
  3. For dirt or gravel street.

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- B. Upon the payment of the fee, the city clerk shall issue to such applicant a permit in accordance with the application therefore.

### SECTION 14-203 MAINTENANCE BOND

Prior to the issuance of a permit to any person to cut any street or roadway within the city limits of the city, such person shall post with the city a three (3) year maintenance bond running to the city, and to be in full force and effect beginning with the day the road or street shall have been restored to its original condition by such applicant in the manner required by ordinance, and the bond continuing in force for three (3) years after the street has been accepted by the city.

### SECTION 14-204 CUTTING OF PAVEMENT

Previous to the removal of pavement for the installation or repair of subsurface utilities, all sides of the proposed cut shall be sawed with an approved concrete saw to a depth of not less than one and one-half (1/2) inches. Where it is necessary to cut paving for emergency repairs, paving may be removed without sawing, provided any damaged sections of paving are removed prior to making of repair. If it is further necessary to remove additional paving, the sawing process shall be repeated, covering the outer edges of the pavement to be replaced and the replacement of all paving cut shall be done by the applicant at his cost, but under the direct supervision of the city manager of the city.

### SECTION 14-205 BACKFILL OF TRENCHES SERVICE NEW SUBDIVISIONS

- A. All trenches excavated across or along any paved street or alley and across any traveled portion of unpaved streets or alleys shall be backfilled and compacted to the same density as the existing soil adjacent to the side of the trench, but shall not be less than ninety percent (90%) standard proctor density; provided the excavated materials consist of soil that can be readily compacted at the optimum moisture. If the excavated material consists of a majority of clay or silt and contains an excess of moisture, such excavated material shall be removed from the site of the work and the trench filled with sand or other materials that will meet the soil classification of A-2 or better. In the backfilling compaction, all of the material shall be removed and hauled from the job site and the trenches refilled with material as specified above. All trenches excavated along unpaved streets may be backfilled and compacted by flooding, provided that an excessive water pressure is not used and that the method of flooding to be used meets with the approval of the city manager.

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- B. All service lines on the opposite side of the street from the main must be in place, backfilled and compacted before street surfacing is laid.

### SECTION 14-206 WARNING SIGNALS

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 in the city to maintain substantial guard rails and barriers around such work or excavation in such a manner as to protect pedestrians, animals, and vehicles using such street, alley, or walk. Similar barriers shall be placed around any materials or equipment with which contact would be dangerous to pedestrians, animals or vehicles. It shall be the duty of all such persons to display and maintain lighted lanterns with warning lights, or lighted signal flares from sundown to sunup during the time such work, excavation or obstruction exists. Such lanterns, flares, or lights shall be of a type approved by the city manager, and shall be placed on or sufficiently near such place in a number and manner sufficient to warn the traveling public from any direction. If such obstruction is more than ten (10) feet long, one of such danger signals shall be placed at each end and additional ones placed along such obstruction not more than twenty (20) feet apart. It an offense for any person to fail to provide such safeguards, and each day of such omission shall constitute a separate offense.

### SECTION 14-207 REMOVAL OF DANGER SIGNALS

It is unlawful for any person to remove or destroy any barrier or danger signal placed or erected under the provisions of Section 14-206 of this code, unless such act is done at the direction of the person in charge of such work or the city manager.

### SECTION 14-208 PROTECTION OF NEW PAVEMENT

It is the duty of any person constructing a sidewalk, curb, or street or alley pavement in the city to place barriers around such work sufficient to prevent any traveling upon the same until it is ready to use. It is unlawful for any person to remove, displace, tear down or destroy any barricades placed upon or along the streets, alleys, or sidewalks of the city for the protection of any pavements or sidewalks while they are in the course of construction and before they are opened for traffic. It is unlawful for any person or persons to enter into or upon such street, pavement or sidewalk, or to permit any person or thing under their control to do so before such pavement, street, or sidewalk is opened for general traffic.

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### SECTION 14-209 REMOVAL OF STREET OR SIDEWALK

It is unlawful for any person to dig, remove, or carry away any earth, sand, rock, gravel or sod, or cut out any trees or bush from any street, alley, land, or other public thoroughfare, to remove any portion of any sidewalk or any support from any sidewalk or crossing, or to loosen or remove any plank, stringer, or other support from any culvert or bridge, without permission of the city manager.

### SECTION 14-210 PENALTY

Any violation of this chapter shall be deemed a misdemeanor, and upon conviction thereof shall be punished by a fine as provided in Section 1-108 of this code.

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CHAPTER 3

STREET AND HIGHWAY PLAN

Section 14-301 Street and highway plan adopted.

SECTION 14-301 STREET AND HIGHWAY PLAN ADOPTED

The city hereby adopts and incorporates the city's Major Street and Highway Plan, Ord. No.414, 8/19/1) and all amendments thereto, which shall be applicable as fully as if set out at length herein. A copy is on file with the city clerk. (Ord. No.414, 8/19/91)