

**PART 14**  
**STREETS AND PUBLIC WORKS**

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**SECTION 14-101    TREES AND SHRUBBERY TO BE TRIMMED**

- A. Every owner of any tree, shrub, bush, or plant of any sort overhanging on any street or right-of-way within the City shall trim the branches so that such branches shall not obstruct the light from any streetlamp or obstruct the view of any street intersection and so that there shall be a clear space of eight (8) feet above the surface of the street or right-of-way. The owners shall remove all dead, diseased or dangerous trees, shrubs, bushes or plants of any sort, or broken or decayed limbs which constitute a menace to the safety of the public. The City shall have the right to trim any tree, shrub, bush or plant of any sort on private property when it interferes with the proper spread of light along the street from a street light, or interferes with visibility of any traffic control device, sign, or of on-coming traffic, such trimming to be confined to the area immediately above and along the right-of-way.
- B. Any owner or occupant who shall fail, refuse or neglect to trim trees and shrubbery as provided in Subsection A of 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 this shall not prohibit the lawful and proper care and removal of such trees and shrubbery.

**SECTION 14-103      UNLAWFUL TO OBSTRUCT SIDEWALKS, PARKWAYS, STREETS AND ALLEYS 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 UNDULY OBSTRUCT SIDEWALKS AND STREETS**

It is unlawful for any person, firm, or corporation to use or obstruct the sidewalks of the City in any manner as to interfere unduly with pedestrian traffic thereon, or to use or obstruct the streets and alleys of the City in any manner 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 STREETS**

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

**SECTION 14-107      VEHICLES NOT TO BE WASHED ON STREET**

The washing of an automobile or other on any street of the City is hereby prohibited.

**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 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.

**SECTION 14-112    UNLAWFUL TO CUT STREETS, ALLEYS, CURBS, PERMITS, STREETS AND ALLEYS**

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, except employees of the City acting under the direct supervision of the City or by permit granted by the City after submission of plans and payment of a permit fee of twenty-five dollars (\$25.00). Any person, company, including utility companies, corporations, or businesses, desiring to install any lines, including electrical, water, sewer, cable, or telephone, shall be required to give reasonable notice to the City as to when they desire to have a particular street, to be cut, altered, or changed. The person, company, corporation, or business shall give at least three (3) days notice to the City which shall constitute a reasonable notice. Any street cuts not perpendicular or longitudinal to the main traffic way will require a separate permit with fees to be negotiated with the City. (Ord. No. 01-08-02, 08-07-2001)

**SECTION 14-113    FEES**

The City shall charge a fee of Twenty-Five Dollars (\$25.00) per permit. (Ord. No. 01-08-02; August 7, 2001)

**SECTION 14-114    UNLAWFUL PLACEMENT OF PIPES OR PIPELINES UNDER THE STREETS AND ALLEYS**

- A. It is unlawful for any persons, firm, or corporation to place under any street or alley within the City any pipes or pipelines without the written permission and permit issued by the City.
- B. Placement of pipes or pipelines without the written permission and permit by the City is hereby declared to be a nuisance and the street department may abate it at any time, either with or without notice to the owners or users.

**SECTION 14-115    DYNAMIC BRAKING SERVICES PROHIBITED**

- A. A dynamic braking device (commonly referred to as Jake Brakes, Jacobs Brake, Engine Brake or Compression Brake) means a device, primarily on trucks, that converts the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes.
- B. No person shall operate any motor vehicle with a dynamic braking device engaged within the municipal boundaries of the City of Barnsdall, except for emergency situations for the purpose of avoiding a collision with another object or vehicle.

**SECTION 14-116 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. (Ord. No. 01-08-02; August 7, 2001)

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**SECTION 14-201     APPROVAL TO CHANGE A DRAINAGE DITCH**

It is unlawful for any person or firm to fill in, dig out, install whistles, create any obstruction, or make any change of whatsoever kind or character in any drainage ditches within the City limits without first obtaining the written approval of the Mayor.

**SECTION 14-202     PROPOSED CHANGES TO BE SUBMITTED TO MAYOR, WHISTLES INSTALLED**

Before any person or firm shall undertake in any way to change any drainage ditch within the City limits, they shall first submit the proposed changes to the Mayor of the City for approval. No changes shall be made without the approval of the Mayor or his duly authorized representative. Any whistles installed shall be not less than twelve (12) inches in diameter and shall be installed so as not to obstruct the flow of drainage water.

**SECTION 14-203     VIOLATIONS MAY BE REMOVED BY CITY**

All whistles hereafter installed or any changes hereafter made in any drainage ditches in violation of this Chapter may be removed or corrected by the City. The expense of such removal or correction shall be charged to the property owner of the person or firms responsible for such changes, provided however, demand to remove such whistle or correct such changes is first served personally upon such person or the occupant of the property intended to be benefited by such changes twenty-four (24) hours before the City proceeds with such removal or correction works. All such expenses of the City will be collectable as any other debt owing the City.

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**SECTION 14-301    PERMITS FOR IMPROVEMENTS**

Permits may be granted to any and all persons, firms or corporations to improve, modernize and beautify their store buildings or fronts and the limited use of sidewalks, streets and alleys for this purpose may be granted.

**SECTION 14-302    PERMITTED STRUCTURES**

Any and all business property owners or tenants may construct overhangs, porches, signs or canopies over the sidewalks, streets or alleys and use pillars, posts or like supporting columns, provided that the improvements, but on or above the sidewalks, streets or alleys shall not be made until prior permit is given by a majority vote of the City Council. The City Council shall in considering the permit have the advice of the street superintendent as to avoid any improper or dangerous use of sidewalks, streets, or alleys. After approval or consent is given such constructions or improvements shall not constitute an offense against the City, but where there is no City Council approval any and all such construction and improper use of sidewalks, streets, or alleys shall remain an offense as provided by any and all resolutions or ordinances in force and effect in the City.

**SECTION 14-303    RIGHTS GRANTED REVOCATION**

Issuance by the City Council of a permit shall in no way vest any permanent rights to the permit holders. All permits shall be revocable by the City Council by a majority vote and permit holders shall have thirty (30) days to remove any improvements at the permit holders' expense.

**SECTION 14-304    EXISTING IMPROVEMENTS**

All persons, firms, or corporations which at the time of passage of this Chapter have made improvements as set out in this Chapter shall have a grace period of thirty (30) days to comply.

Failure to comply within thirty (30) days shall constitute an offense against the City and in addition to penalties provided herein, the City shall have the improvements removed at the expense of the violator.

**SECTION 14-305    PENALTY**

Any persons, firm or corporation who shall violate any provision of this Chapter by doing any act prohibited or declared to be unlawful thereby, or declared to be an offense or misdemeanor thereby, or who shall failure to do any act required by any such provision, or who shall fail to do any act such



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**SECTION 14-401    PROCEDURE AND NOTICE FOR CLOSING WAYS AND EASEMENTS**

The City shall cause notice of any proposed closing of any public way or easement to be given in the same manner as provided for service of process in civil actions to:

1.     The Board of County Commissioners; and
2.     Any holder of a franchise and others having a special right or privilege granted by Ordinance or legislative enactment to use the platted tract or portion thereof sought to be vacated.

**SECTION 14-402    ADDITIONAL NOTICE TO ABUTTING OWNERS WHERE OPEN AND USED BY PUBLIC**

If the vacation of a public way that is opened and used by the public, notice shall also be given by mailing of a notice to the owners of record, as shown by the current year's tax rolls in the office of the County Treasurer of property abutting and within three hundred (300) feet in each direction from the public way or that part sought to be vacated.

**SECTION 14-403    PUBLICATION**

Notice shall be published one time at least thirty (30) days prior to the date of presentation of the vacation to the City Council.