

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 Town 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.

B Any owner or occupant who shall fail, refuse or neglect to trim trees and shrubbery as provided in Section 14-101 of this Code, 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 Town. 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 TREES PERMITTED ON RESIDENTIAL STREETS

Permission is hereby given to any owner, lessee or occupant of any property abutting on any residential street to set out and grow any kind of tree for shade purposes between the property line and the curb line of such property line, such trees to be set on a line or lines running parallel with the line of such property and shall not be set or grown in any other place or in any other manner. However, trees commonly called Chinese elm, catalpa or cottonwood shall not be permitted to be planted except that variety of tree which is called the cottonless cottonwood may be planted.

SECTION 14-103 DECAYED TREES TO BE REMOVED

All decayed, dead or broken trees and all dead, decayed or broken parts of trees, which are unsightly and liable to fall or be blown down, and which are standing near any sidewalk in this Town, shall be removed by the owner or occupant or person having charge of the adjacent property or the property on which same are located.

SECTION 14-104 INTERFERENCE WITH ELECTRICAL DISTRIBUTION SYSTEM

All trees which in any way interfere with the construction or operation of the Town's electrical distribution system are hereby ordered trimmed under the direction and supervision of the Town or the Lessee of the Town's electrical distribution system.

SECTION 14-105 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 Town; provided that this shall not prohibit the lawful and proper care and removal of such trees and shrubbery.

SECTION 14-106 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 Town 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 14-107 UNLAWFUL TO OBSTRUCT UNDULY SIDEWALKS AND STREETS

It is unlawful for any person, firm or corporation to use or obstruct the sidewalks of the Town in any manner so as to interfere unduly with pedestrian traffic thereon, or to use or obstruct the streets and alleys of the Town in any manner so as to interfere unduly with lawful traffic and parking thereon.

SECTION 14-108 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 Town any paper, rubbish, grass, weeds, tree trimmings, dirt, trash, crates, boxes or other refuse of any kind.

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. Any such obstruction is hereby declared to be a nuisance, abatable as provided in this Code.

SECTION 14-112 UNLAWFUL TO CONGREGATE ON STREETS, SIDEWALKS, ETC.

It is unlawful for any person or persons to obstruct the free use of any street, alley, sidewalk or other public way or walk by congregating or assembling thereon.

SECTION 14-113 STREET, ETC., NOT TO BE OBSTRUCTED SO AS TO INTERFERE WITH DRAINAGE

A. It shall be unlawful for any person, firm or corporation to obstruct any street, sidewalk or alley within the Town, 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.

B. Any such obstruction is hereby declared to be a nuisance; and the Street Department may abate it at any time, either with or without notice to owners or occupants of abutting property owners.

SECTION 14-114 WATER, MUD, ETC., FROM VEHICLE NOT TO DRAIN ONTO STREET

No automobile or other vehicle shall be washed at any place within the Town 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 Town.

SECTION 14-115 DRIVING ON NEWLY PAVED STREETS

It is unlawful for any person to ride or drive any animal or to drive any vehicle over any newly paved street, avenue or alley in this Town before such paving shall have been accepted by this Town, and before the same shall have been formally opened by this Town for public travel thereon. The contractor or other person having charge of such paving, shall erect and maintain barriers at the end of the streets, avenues and alleys on which such paving is being done as well as at all street intersections thereon.

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.

**CHAPTER 2
CUTTING STREETS, PLACING PIPES**

Section 14-201	Unlawful to Cut Streets, Alleys, Curbs, Permits, Notice to Town
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Section 14-203	Unlawful Placement of Pipes or Pipelines Under the Streets and Alleys
Section 14-204	Penalty

SECTION 14-201 UNLAWFUL TO CUT STREETS, ALLEYS, CURBS, PERMITS, NOTICE TO TOWN

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 Town, except employees of the Town acting under the direct supervision of the Town or by permit granted by the Town after submission of plans and payment of a permit fee of Fifty Dollars (\$50.00). 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 Town as to when they desire to have a particular street, to be cut, altered or changed. The person or company or corporation or business shall give at least three (3) days' notice to the Town 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 Town.

SECTION 14-202 FEES

The Town shall charge a fee of Fifty Dollars (\$50.00) per permit.

SECTION 14-203 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 Town any pipes or pipelines without the written permission and permit issued by the Town.

B. Placement of pipes or pipelines without the written permission and permit by the Town 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.

C. All pipes or pipelines placed under any street or alley within the Town shall have a minimum opening of twelve inches (12") or greater. The Town may direct a larger opening when it deems necessary.

SECTION 14-204 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.

CHAPTER 3

DRAINAGE DITCHES

Section 14-301 **Must have Written Approval to Change a Drainage Ditch**
Section 14-302 **Proposed Changes to be Submitted to Mayor, Whistles Installed**
Section 14-303 **Changes in Violation of Chapter may be Removed by Town**

SECTION 14-301 **MUST HAVE WRITTEN APPROVAL TO CHANGE A DRAINAGE DITCH**

It shall be 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 Town limits of Oologah, Oklahoma, without first obtaining the written approval of the Mayor of the Town of Oologah. If permission is denied by the Mayor, the applicant may seek approval from the Board of Trustees.

SECTION 14-302 **PROPOSED CHANGES TO BE SUBMITTED TO MAYOR, WHISTLES INSTALLED**

Before any person or any firm shall undertake in any way to change any drainage ditch within the Town limits of Oologah, Oklahoma, they shall first submit the proposed changes to the Mayor of the Town for his approval, and 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. If permission is denied by the Mayor, the applicant may seek approval from the Board of Trustees. The Mayor shall have the power to require a larger diameter culvert, pipe, or horn where, in his estimation, a diameter of twelve (12) inches would be insufficient to carry the stormwater runoff. Any person aggrieved by his decision may appeal to the Board of Trustees at their next regular meeting and request a reversal.

SECTION 14-303 **CHANGES IN VIOLATION OF CHAPTER MAY BE REMOVED BY TOWN**

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 Town of Oologah, and the expense of such removal or correction shall be charged to the property owner or the person or firm 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 benefitted by such changes twenty-four (24) hours before the Town proceeds with such removal or correction works; such expenses of the Town will be collectable as any other debt owing the Town.

Streets and Public Works