

COUNCIL POLICY STATEMENT

Policy No. 33
General Subject: Public Works
Specific Subject: Parkway Decorations
Date Approved: November 1, 1995
Date Amended: June 7, 2010

PURPOSE

To establish the City's policy regarding the types of materials, which are prohibited on public parkways.

RATIONALE

Many residents have installed or erected a variety of materials on public parkways for the general purpose of 1) protecting their lawns from damage caused by cars driving over their parkway and 2) to beautify their parkways. In many cases, these materials pose a safety hazard for both vehicles and pedestrians and therefore a liability to the City. The City does not permit any materials to be placed in the parkways; however, residents have ignored or are unaware of the restrictions and there is a need for a clearer policy and stricter enforcement when those materials create a hazard.

POLICY STATEMENT

1. In all residentially zoned districts, the parkways shall consist solely of grass and trees. Grass shall be maintained by the abutting property owners and trees will be maintained by the City.
2. Materials prohibited from the parkways include but are not limited to the following:
 - Boulders*
 - Basketball backboards
 - Cobblestones
 - Logs
 - Any type of fencing (wire, chain, rope, wood, etc.)
 - Railroad or landscape timbers
 - Any material installed 1" or more above grade, or which has sunken to such a degree that it creates a trip hazard to pedestrians
 - Deciduous and evergreen shrubs and evergreen trees on a case-by-case basis
 - Automatic sprinklers, except in accordance with Policy Statement #32

*except on local streets (but not arterial or collector streets) where boulders (up to 2' in diameter and not more than one every five linear feet) may be located not less than 2' from the edge of the pavement on streets with no curb, not less than 2' from the back of the curb to the face of the boulder or 2' from the edge of the public walk to the face of the boulder, and not less than 2' from the approach to a public alley.

3. The City recognizes that residents who already have these materials in place often have made a significant investment and therefore they will be notified in writing of their violation and granted an amortization period to remove unacceptable materials. The notification compliance process shall be as follows:
 - a) Property owners who are in violation of this policy as the time of its effective date, November 1, 1995, will have until July 1, 2000 to remove unacceptable materials from the parkways, except property owners with boulders which must be moved as specified in this policy as #2 within six months of the effective date of this policy.
 - b) Residents who create violations of the policy after its effective date will be notified in writing by the City and will have 90 days to remove the prohibited items from the parkway. If the property owners fail to comply within that time period, the City will remove the hazardous material from its property and replace it with grass seed or sod. The City will seek reimbursement from the property owner for the cost of abating the prohibited material.
4. To ensure residents are familiar with these restrictions and parkway use, the City will provide a copy of this policy to all homeowners seeking building permits as well as local architects, landscapers and other purveyors of construction services.