

**IN AND FOR THE CTIY OF BROOKINGS
STATE OF OREGON**

**In the Matter of an Ordinance Amending)
Ordinance No. 06-O-572, An Ordinance)
Creating the City of Brookings Municipal) **Ordinance No. 07-O-589**
Code, to amend Section 10.05.030, Duties of)
the police department – Trees and fences.)**

Sections:

- Section 1. Ordinance identified.
- Section 2. Amendment to Section 10.05.030.

The City of Brookings ordains as follows:

Section 1. Ordinance Identified. This ordinance amends Ordinance No. 06-O-572, Brookings Municipal Code (BMC).

Section 2. Section 10.05.030 is hereby amended to read as follows:

10.05.030

Duties of the police department – Trees and fences.

A. The police department through its officers:

1. Shall cause all signs, signals, parking meters and markings necessary to traffic controls provided for by enactments of the council to be installed, marked and maintained in accordance with standards established by the State Highway Commission and nationally recognized traffic control standards (such as the Manual on Uniform Traffic Control Devices published by the U.S. Bureau of Public Roads), and may cause to be placed and maintained additional and incidental traffic control devices necessary to regulate traffic under this title or under state law, or to guide or warn traffic.

2. May trim or remove or cause to be trimmed or removed any tree, shrub or hedge which is within or extends over the street and interferes with the use of the sidewalk or roadway or obstructs a driver's view of an intersection or traffic upon streets approaching an intersection or otherwise constitutes a traffic hazard. Trees, shrubs and hedges shall be maintained at an unobstructed height of not less than eight feet above the sidewalk and not less than 13-1/2 feet above the roadway.

B. No owner or person in charge of property that abuts upon a street or public sidewalk shall:

1. Permit trees or bushes on his property to interfere with street or sidewalk traffic. It shall be the duty of an owner or person in charge of property that abuts upon a street or public sidewalk to keep all trees and bushes on his premises, including the adjoining parking strip, trimmed to a height of not less than eight feet above the sidewalk and not less than 13-1/2 feet above the roadway;

2. Allow to stand a dead or decaying tree that is a hazard to the public or to persons or property on or near the property;

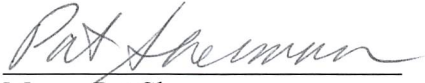
3. Allow to stand a tree that has been identified as a high potential blowdown hazard by a professional engineer or forester, as designated by the city;

4. Construct or maintain a barbed-wire fence thereon, or permit barbed-wire to remain as part of a fence along a sidewalk or public way; except such wire may be placed above the top of other fencing not less than six feet, six inches high;

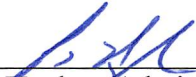
5. Construct, maintain or operate an electric fence along a sidewalk or public way or along the adjoining property line of another person. [Ord. 06-O-572 § 1; Ord. 94-O-406.B § 2; Ord. 86-O-406 § 7; Ord. 61-O-157 § 4.]

First Reading: August 13, 2007
Second Reading: August 13, 2007
Passage: August 13, 2007
Effective Date: September 14, 2007

INTRODUCED AND ADOPTED By the City of Brookings Council and signed by me in authentication of its passage the 15th day of August 2007.



Mayor Pat Sherman



Paul Hughes, Admin Services Director/Recorder