

CHAPTER 19

STREETS AND OTHER PUBLIC AREAS

Article 1. Use and Obstructions.

Article 2. Miscellaneous Provisions.

Article 3. Penalty

Article 1. Use and Obstruction

Section 19-1. Trees and Shrubbery.

1. The owner of any premises abutting on any street shall trim all trees and shrubbery growing in the public right-of-way and all trees and shrubbery growing on any part of the premises adjacent to any street or alley, in such a manner that the boughs or limbs thereof shall not obstruct free and convenient passage and travel along any streets, sidewalks or 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 hereinbefore required of the owner.

2. It shall be unlawful for any person to injure any tree or shrubbery in a street or alley, provided that this shall not prohibit the lawful and proper care and removal of such trees and shrubbery.

Section 19-2. Rights of Way and Easements.

1. It shall be unlawful for any person, firm or corporation to obstruct or otherwise prevent access to, any publicly-used street, alley, easement or other municipally-owned property, whether platted or unplatted; provided that the City of Hollis, Oklahoma, may prevent or provide access to such streets, alleys, easements and municipally-owned properties from, time to time, in the public interest.

2. The City Council may permit certain streets, alleys, easements and municipal properties which are dedicated, but not required for traffic or other public access or use, to be fenced or otherwise made inaccessible to the public, as in the case of land being farmed or grazed as a part of a larger field or pasture; provided that said Council or any of its officers or employees shall have the right of ingress, egress and easement for, the purpose of installing or maintaining utilities, cleaning, grading, mowing or any other activity which is in the public interest.

3. Persons, companies, corporations or individuals who have fenced in, or are farming or grazing dedicated, but unopened, streets, alleys, easements or municipally-owned properties, as permitted above, shall:

- a. Not construct any building, structure, earthworks or ponds, nor in any other way disturb the general grade and slope of the land;
- b. Maintain the property so that no nuisance is created;
- c. Immediately relinquish any rights presumed to be held concerning the property upon notice by the City of Hollis, Oklahoma; and
- d. Permit access to the property at any time when requested to do so by a municipal officer or employee.

Section 19-3. Drainage of Polluting Substance.

It shall be unlawful for any residence, business or industry to allow drainage of a polluting substance (as defined by 82 O.S. 1971, § 926.1) into any street, alley, sidewalk or public right-of-way of the City of Hollis, Oklahoma.

STREETS AND OTHER PUBLIC AREAS

Section 19-4. Obstructions.

1. It shall be unlawful for any person to use or obstruct the sidewalks, streets, alleys, easements or public rights-of-ways of the City of Hollis, Oklahoma, in any manner so as to interfere unduly with pedestrian or other lawful traffic and parking thereon, or to interfere unduly with the purpose(s) of the easement of right-of-way.

2. It shall be unlawful for any person, firm or corporation to deposit, throw or sweep into or upon streets, alleys, parking areas or sidewalks any paper, rubbish, grass, weeds, tree trimmings, dirt, trash, crates, boxes or other refuse of any kind.

3. It shall be unlawful for the owner or occupant of property abutting upon a sidewalk or sidewalk area to permit the sidewalk or sidewalk area adjacent to the property to become a hazard to persons using the sidewalk.

4. It shall be 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 of Hollis, Oklahoma.

5. It shall be unlawful for any person to make any excavation or cutting in any street, sidewalk, alley or public grounds, or to remove any earth or construction material therefrom, except where authorized to do so by the City Council; excavations so authorized shall be properly guarded and protected to prevent said excavations from being or becoming dangerous to life or limb.

6. It shall be unlawful for any person, firm or corporation to obstruct any street, sidewalk, alley or drainage easement by placing any approach, driveway or other obstruction or substance whatever, that will obstruct or prevent the natural flow of water through the easement or into the storm sewers or drains, or dam the same so as to back any water upon the streets, alleys, sidewalks or gutters.

Sections 19-5 through 19-9. (Reserved for future use.)

Article 2. Miscellaneous Provisions

Sections 19-10 through 19-19. (Reserved for future use.)

Article 3. Penalty

Section 19-20. Penalty.

Any person, firm or corporation who violates any provisions of this Chapter shall be guilty of an offense and, upon conviction thereof, shall be punished by fine and costs as provided for in Section 9-34 of this Code. Each day upon which a violation continues shall be deemed a separate offense.