

ORDINANCE 383-07

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AMENDING THE TOWN CODE CHAPTER 14, STREETS AND SIDEWALKS, BY DELETING THE EXISTING ARTICLE 14-1 SIDEWALKS AND ARTICLE 14-2 STREETS AND ADDING A NEW ARTICLE 14-1 SIDEWALKS AND A NEW ARTICLE 14-2 STREETS.

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA AS FOLLOWS:

Section 1. That the Town Code Chapter 14, Streets and Sidewalks, is hereby amended by deleting the existing Article 14-1 Sidewalks and Article 14-2 Streets, and adding a new Article 14-1 entitled Sidewalks and a new Article 14-2 entitled Streets to read as follows:

Article 14-1 **SIDEWALKS**

- 14-1-1 **Sidewalks and Medians to be Maintained**
- 14-1-2 **Obstructions in Sidewalk**
- 14-1-3 **PENALTIES**

Section 14-1-1 **Sidewalks and Medians to be Maintained**

All persons owning or occupying land or places of business within the town shall keep the sidewalk or public places fronting or bordering their property, including the area between the sidewalk and the curb, free of garbage, junk, obstructions and weeds or grass in excess of ten inches; provided, however, this section shall not prohibit the temporary storage of such matters in authorized receptacles for collection. **TREES, SHRUBS AND OTHER LANDSCAPING PLANTED IN THE AREA BETWEEN THE SIDEWALK AND THE CURB SHALL BE MAINTAINED BY THE ADJACENT LANDOWNER OR OCCUPANT IN SUCH A WAY AS NOT TO IMPEDE, OBSTRUCT OR INTERFERE WITH THE PASSAGE OF ANY SIDEWALK OR STREET INCLUDING, WITHOUT LIMITATION, THE PASSAGE OF STREET SWEEPING AND OTHER STREET CLEANING EQUIPMENT, AND/OR PERSONNEL. IN THE EVENT THE OWNER OR OCCUPANT DOES NOT MAINTAIN SUCH TREES, SHRUBS, OR LANDSCAPING IN THE MANNER REQUIRED BY THIS SECTION, THE TOWN MAY CUT OR TRIM SUCH TREES, SHRUBS OR PLANT GROWTH, OR OTHERWISE TAKE MEASURES NECESSARY TO ELIMINATE THE IMPEDIMENT, OBSTRUCTION OR INTERFERENCE WITH THE PASSAGE ON THE SIDEWALK OR STREET.**

Section 14-1-2 Obstructions in Sidewalk

No owner or occupant of land shall allow or permit trees, shrubs or plant growth on that land to impede, obstruct or interfere with the passage of any sidewalk **OR STREET, INCLUDING, WITHOUT LIMITATION, THE PASSAGE OF STREET SWEEPING AND OTHER CLEANING EQUIPMENT AND/OR PERSONNEL, WITHIN THE TOWN. IN THE EVENT ANY OWNER OR OCCUPANT OF LAND ALLOWS TREES, SHRUBS, OR PLANT GROWTH ON THAT LAND TO IMPEDE, OBSTRUCT OR INTERFERE WITH THE PASSAGE OF ANY SIDEWALK OR STREET, INCLUDING, WITHOUT LIMITATION, THE PASSAGE OF STREET SWEEPING AND OTHER STREET CLEANING EQUIPMENT AND/OR PERSONNEL, THE TOWN MAY CUT OR TRIM SUCH TREES, SHRUBS OR PLANT GROWTH, OR OTHERWISE TAKE MEASURES NECESSARY TO ELIMINATE THE IMPEDING, OBSTRUCTION, OR INTERFERENCE WITH THE PASSAGE ON THE SIDEWALK OR STREET.**

SECTION 14-1-3 PENALTIES

IN ADDITION TO ANY OTHER PENALTIES PRESCRIBED BY LAW, ANY PERSON FOUND VIOLATING THIS ARTICLE AFTER 30 DAYS WRITTEN NOTICE IS SUBJECT TO A CIVIL PENALTY OF \$100 FOR THE FIRST OFFENSE, AND \$500 FOR EACH SUBSEQUENT OFFENSE. EACH DAY SHALL BE CONSIDERED A SEPARATE OFFENSE.

ARTICLE 14-2 OBSTRUCTIONS IN STREET

- 14-2-1 Obstructions in Street**
- 14-2-2 Open Junk Storage Prohibited**
- 14-2-3 Draining onto Street Prohibited**
- 14-2-4 PENALTIES**

SECTION 14-2-1 Obstructions in Street

No owner or occupant of land shall allow or permit trees, shrubs or plant growth on that land to impede, obstruct or interfere with the passage of any street or alley, **INCLUDING WITHOUT LIMITATION, THE PASSAGE OF STREET SWEEPING AND OTHER STREET CLEANING EQUIPMENT AND/OR PERSONNEL, WITHIN THE TOWN OR TO DIMINISH THE VISIBILITY OF ANY TRAFFIC CONTROL DEVICE OR SIGNAL. IN THE EVENT ANY OWNER OR OCCUPANT OF LAND ALLOWS TREES, SHRUBS OR PLANT GROWTH ON THAT LAND TO IMPEDE, OBSTRUCT OR INTERFERE WITH THE PASSAGE OF ANY STREET OR ALLEY, INCLUDING WITHOUT LIMITATION, THE PASSAGE OF STREET SWEEPING OR OTHER STREET CLEANING EQUIPMENT AND/OR PERSONNEL, THE TOWN MAY CUT OR TRIM SUCH TREES, SHRUBS OR PLANT GROWTH, OR OTHERWISE TAKE MEASURES NECESSARY TO ELIMINATE THE IMPEDING, OBSTRUCTION, OR INTERFERENCE WITH THE PASSAGE ON THE SIDEWALK OR STREET AND MAY CHARGE THE COST OF SUCH TRIMMING, CUTTING, OR OTHER MEASURES TO THE OWNER OF THE LAND.**

Section 14-2-2 Open Junk Storage Prohibited

No person shall deposit, store or maintain any garbage or junk that is visible from beyond the lot boundaries, except as authorized for collection.

Section 14-2-3 Draining onto Street Prohibited

No person shall deposit in, sweep upon or permit to drain into any public right-of-way or public place of the town any garbage, junk, obstruction or similar matter or any hazardous material which is offensive to sight or smell or impedes passage or is detrimental to public health.

Section 14-2-4 PENALTIES

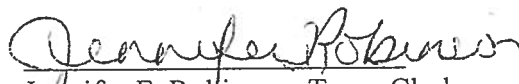
IN ADDITION TO ANY OTHER PENALTIES PRESCRIBED BY LAW, ANY PERSON FOUND VIOLATING THIS ARTICLE AFTER 30 DAYS WRITTEN NOTICE IS SUBJECT TO A CIVIL PENALTY OF \$100 FOR THE FIRST OFFENSE, AND \$500 FOR EACH SUBSEQUENT OFFENSE. EACH DAY SHALL BE CONSIDERED A SEPARATE OFFENSE.

PASSED AND APPROVED BY the Mayor and Common Council of the Town of Queen Creek, Maricopa County, Arizona, this 18th day of July 2007.

FOR THE TOWN OF QUEEN CREEK:


Arthur M. Sanders, Mayor

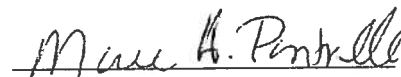
ATTESTED BY:


Jennifer F. Robinson, Town Clerk

REVIEWED BY:


John Kross, Town Manager

APPROVED AS TO FORM:


Town Attorney