

## CHAPTER XIV. STREETS AND SIDEWALKS

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### ARTICLE 1. CONSTRUCTION OF SIDEWALKS

14-101 CITY TO BRING SIDEWALKS TO GRADE. It shall be the duty of the city superintendent to bring to grade all sidewalks ordered in by the governing body at the expense of the city.

14-102 SIDEWALKS TO BE BUILT ON GRADE ESTABLISHED BY THE CITY. All sidewalks constructed or reconstructed in this city shall be constructed on the established grade on file in the city clerk's office.

14-103 SIDEWALK SPECIFICATIONS. All sidewalks constructed in the city shall be constructed according to the following specifications:

#### One Course Sidewalks.

- (a) Cement -- shall meet the requirements of the Standard Specifications of the American Society for Testing Materials.
- (b) Fine Aggregate -- shall consist of natural sand or screening from hard tough, crushed rock, gravel or slag. Must be clean and well graded. All fine aggregate or sand shall pass a one-fourth inch (1/4") screen and ninety-five percent (95%) shall be retained on a one hundred (100) mesh screen.
- (c) Coarse Aggregate -- May be pebbles, broken stone or blast furnace slag. Must be clean, hard, durable and uncoated. All coarse aggregate shall pass a one-inch (1") screen and ninety-five percent (95%) shall be retained on a one-fourth inch (1/4") screen.
- (d) Water -- shall be clean enough to drink.
- (e) Joint Filler -- shall be pre-molded strips of bitumen filled fiber of mineral aggregate, one-half inch (1/2") thick, as wide as the thickness of the sidewalk and at last two feet (2') long.

- (f) Forms -- shall be of lumber two inches (2") thick or of steel of equal strength. Flexible strips may be used on curves. They shall be rigidly held to line and grade by stakes or braces.
- (g) Division Plates -- shall be on one-eighth inch (1/8") steel as wide as the depth of the slab and as long as the width of the walk.
- (h) Subgrade -- Shall be well drained and compacted to a firm surface with a uniform bearing power.
- (i) Drains -- where necessary, four-inch (4") concrete tile drains shall be laid to protect the walk from damage by frost action.
- (j) Sub- base -- on poorly drained soil, where drains are impractical, a five-inch (5") sub-base of cinders, gravel or other porous material shall be constructed. It shall be thoroughly tamped and drained into the street gutter.
- (k) Thickness and proportions -- The walk shall never be less than four inches (4") thick. In business districts it shall be five inches (5") thick. Concrete shall be mixed in the proportions of one (1) part cement, four (4) parts sand, for walks in residential districts. For walks in business districts, use one (1) part cement, four (4) parts sand.
- (l) Mixing -- Concrete shall be mixed until each particle fine aggregate sand is coated with cement and each particle of coarse aggregate is coated with mortar.
- (m) Placing and Finishing -- Concrete shall be placed immediately after mixing. It shall be tapped and struck off with a template and shall be floated with a wood float until the surface has a true contour. Care shall be taken not to bring to the surface an excess of water and fine sand by over finishing.
- (n) Jointing -- The walk shall be cut into separate rectangular slabs not greater than six feet (6') on any one side. The surface edges of each slab shall be rounded to one-half inch (1/2") radius. Markings shall be exactly at cuts between slabs.
- (o) Expansion joints -- shall extend from the surface to the sub grade and shall be at right angles to the sidewalk surface. A one-fourth inch (1/4") expansion joint shall be made across the walk at approximately fifty foot (50') intervals. At all places where the walk intersects a curb line or another walk, a one-inch (1") expansion joint shall be made.
- (p) Curing -- Finished concrete shall be kept wet for seven (7) days.

Two Course Sidewalks: (Same as specifications for one course sidewalks, except the following paragraphs which should be substituted for those of corresponding letters in one course sidewalk specifications.)

- (k) Thickness and Proportions -- Two course walks shall never be less than five inches (5"). They shall consist of a base four and one-fourth inches

(4-1/4") thick composed of concrete in the proportions of one (1) part cement, four (4) parts sand and a top coat three-fourths inch (3/4") thick composed of mortar in the proportions one (1) part cement and three (3) parts fine sand. In business districts, the thickness of the base shall be five and one-fourth inches (5-1/4").

- (m) Placing and Finishing -- The base shall be thoroughly compacted by tamping and shall be struck off with a template which shall leave it three-fourths of an inch (3/4") below the finished surface. The top coat shall be placed within twenty-five (25) minutes after the base course is laid. It shall be struck off and finished with a wood float until the surface has a true contour.

14-104 SIDEWALKS CONSTRUCTED. All sidewalks ordered constructed, reconstructed or repaired by the mayor and governing body of this city shall be constructed under the supervision of the city administrator except as provided in Section 14-106 of this Article.

14-105 PROCEDURE: SIDEWALKS CONSTRUCTED, RECONSTRUCTED, OR REPAIRED. The mayor and governing body may by resolution order any crosswalk in and order any sidewalk reconstructed or repaired when in their judgment the same is necessary; PROVIDED, that the mayor and governing body may order in a new sidewalk when in their judgment the same is necessary or they may order the same in upon receipt of a petition signed by ten (10) citizens of this city, and it shall be the duty of the city clerk to serve written or printed notice or cause such a notice to be served on the owner or authorized agent for the owner of the property in front of which or adjacent to which the new sidewalks have been ordered constructed or sidewalks have been ordered reconstructed or repaired. If the sidewalk is not constructed within the time provided in the notice, the same shall be done by the City of Washington and the cost thereof levied against the property and certified to the county clerk to be collected the same as provided in Section 13-303 of this code; PROVIDED FURTHER, that notice shall be served on a nonresident property owner by publication in the city's official newspaper, or by posting in ten (10) conspicuous places within the city limits when the address of the owner or agent is unknown to the city clerk.

14-106 SIDEWALK CONTRACTORS TO GIVE SURETY BOND. Whenever the city superintendent of the City of Washington is unable to build any or all sidewalks which it becomes his duty to build, the same may be contracted for by the City to the lowest responsible bidder; PROVIDED, that any person or firm who shall contract to build sidewalks for the city shall give a good and sufficient surety bond that he will construct the sidewalk according to specifications and in a manner acceptable to the mayor and governing body or their authorized agent and maintain the

same in good condition under ordinary conditions for a period of one (1) year from the completion of the work.

## ARTICLE 2. CUTTING OF PAVEMENTS, CURBS

14-201 CUTTING PAVEMENT; PERMIT. It shall be unlawful for any person or persons, company or corporation, to cut pavements or make excavation in the streets, alleys, or other public grounds in this city for any purpose, unless such person, persons, company or corporation first obtain a permit authorizing such excavation, which shall be issued by the city clerk only upon the approval of the city administrator and for which permit the person, company or corporation asking for the same shall be required to pay a reasonable sum per square yard as determined by the city governing body as liquidated damages to be used for the replacement of the pavement by the city.

14-202 PERMIT; HOW SECURED. Any person, company or corporation desiring to obtain a permit, shall pay the amount required by Section 14-201, to the city clerk, and from him obtain a receipt therefor. All fees collected by the city clerk shall be credited to the street and alley fund of the city and all expenses of replacing the pavement cut under the provisions of this article shall be charged to the street and alley fund.

14-203 CUTTING CURBS. It shall hereafter be unlawful for any person, firm or corporation, to make any opening through the curbing on any street or avenue within the city limits, without the written permission of the city administrator; and it shall be unlawful to cause any damage to such curbing.

14-204 PENALTY. Every person violating any of the provisions of this article shall, upon conviction thereof, be punished by a fine of not less than one dollar (\$1.00) nor more than five hundred dollars (\$500.00) or by imprisonment in the jail provided for the use of the city for not more than thirty (30) days, or by both such fine and imprisonment, and for each such violation.

## ARTICLE 3. GENERAL REGULATIONS

14-301 STREETS, SIDEWALKS; SWEEPING INTO OR UPON. It shall be unlawful for any person to sweep, throw or deposit, in any manner, or cause the same to be done upon any sidewalk, street, alley, avenue, public park, or into or upon any lot, or piece of ground, within the city whether such lot shall belong to himself or another, any shavings, paper, paper

cuttings, envelopes, wrappers, wrapping paper, bills, advertisements, or any scraps or anything whatsoever, which can be, or likely to be blown by the wind along the streets or walks, or from place to place.

14-302 PLACING EARTH ON STREETS, ALLEYS, PUBLIC GROUNDS. It shall be unlawful for any person to place any earth, or cause the same to be done, upon any street, alley, sidewalk, or public grounds in this city, without first obtaining the consent of the governing body so to do.

14-303 BURNING UPON STREETS. It shall be unlawful for any person or persons to make or cause to be made any fire upon any of the paved streets, alleys or street intersections within the city.

14-304 NUISANCES AFFECTING PUBLIC SAFETY; NOTICE TO ABATE. The following are hereby declared to be public nuisances affecting the safety of the inhabitants of this city:

- (a) Hanging signs, ropes, networks or advertising devices, posts, oil or gasoline pumps, radio aerials, placed in or projecting over or across any street, avenue, or alley, unless the same be under the conditions imposed by ordinance.
- (b) Water spouts or drains from buildings which discharge water onto, over or across sidewalks.
- (c) Trees and hedges on any private property or in the parking abutting on any sidewalk, street or alley of this city, the branches of which are lower than seven feet (7') above the surface of such sidewalk or lower than eight feet (8') above the traveled portion of such street or alley.
- (d) Dead trees or limbs of trees on any private property or in the parking close enough to fall upon any portion of any street, alley or sidewalk.

When the owner or occupant of any property in this city shall neglect or refuse to abate any of the nuisances enumerated in this section within the time specified in the notice given him by the city clerk, the city marshal-chief of police shall forthwith proceed to abate such nuisance and the cost thereof shall be collected as provided in Section 7-302 of this code. Any person, who, after having been notified to remove and abate any nuisance, neglects, refuses or fails to do so, shall, upon conviction, be punished by a fine of not less than five dollars (\$5.00), nor more than fifty dollars (\$50.00).

14-305 HAULING. It shall be unlawful for any person to haul over the streets or alleys of this city any loose material of any kind except in a vehicle having

a tight box so constructed as to prevent the splashing or spilling of any of the substances therein contained upon the streets or alleys.

14-306 GLASS, TACKS, NAILS IN STREETS. It shall be unlawful for any person to place, throw, or cause to be placed or thrown on any street, alley, sidewalk or other public property in this city, any glass, tacks, nails, bottles, or any other substance or things that might wound any person or animals, or cut or puncture any pneumatic tire when passing over the same.

14-307 BARRIERS, GUARDS. It shall be the duty of every person who shall have charge of the construction of any excavation or obstruction adjacent to or under any sidewalk or street of this city, during the progress of such work to cause such excavation to be securely guarded by a fence with at least three (3) strings of good six-inch (6") boards nailed not less than eighteen inches (18") apart to posts firmly set in the ground or otherwise securely fixed in place; such posts to be set not more than six feet (6') apart and the top of the highest post shall not be less than four and one-half feet (4 1/2') from the surface of the sidewalk or street, and from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise to illuminate such excavation or obstruction with red lights, sufficient in number and so placed as to show the full extent thereof.

14-308 REMOVING BARRICADES. It shall be unlawful for any person or persons to remove, throw down, run over or interfere with any barricade or barricades erected by the city or any contractor executing a municipal contract, placed to guard and protect any grading, paving, sidewalk construction or other public work.

14-309 MOLESTING UNFINISHED PAVING. It shall be unlawful to walk upon, drive or ride over or across any pavement, in course of construction before the same has been opened for public travel, any uncompleted grading, or sidewalk construction which has not been opened for travel.

14-310 THROWING IN STREET. It shall be unlawful to throw or bat any ball, stone, or hard substance into, on, or across any street or alley or at or against any building or vehicle.

14-311 BARBED WIRE: IRON POINTS. It shall be unlawful for any person to place any barbed wire or other sharp iron points on any railing or posts in or adjacent to any alley or sidewalks of this city; PROVIDED, that any person who may have heretofore erected such fence or points shall upon notice from the city marshal-chief of police immediately remove the same.

14-312 SIDEWALKS: EARTH WASHING THEREON. Whenever any lot or piece of land abutting on any sidewalk in this city shall become or remain in such a condition that earth or other substance therefrom shall accumulate on such sidewalk and the owner of such lot or piece of land shall refuse or neglect to place the same in such condition as to prevent such washing or accumulating on such sidewalk, such owner shall, upon conviction thereof, be fined not less than two dollars (\$2.00) nor more than fifty dollars (\$50.00) and each day that such owner shall refuse or neglect to abate the condition after notice from the city clerk shall constitute a separate offense.

14-313 SIDEWALKS, CURBS: REMOVING. It shall be unlawful to loosen or remove any plank, brick, block or support from any sidewalk or crosswalk or any curbing or gutter: PROVIDED, that this section shall not apply to a person temporarily removing the same on account of building operations.

14-314 SIDEWALK SIGNS. It shall be unlawful for any person to erect any sign or other structure for advertising or other purposes across or upon any street or sidewalk unless the same is eight feet (8') or more above the sidewalk or street; PROVIDED, that no sign larger than three feet by three feet (3' x 3') in size shall be constructed without the permission of the governing body first having been secured; PROVIDED FURTHER, that all persons or firms desiring to construct signs or other structures weighing more than fifty pounds (50 lbs.) over any sidewalk or upon any building in this city, shall execute to the city a good and sufficient surety bond to hold the city free and harmless from any damage done to person or property, should such sign or structure fall, be blown down, or otherwise be dislocated.

14-315 OBSTRUCTING SIDEWALKS. It shall be unlawful for any person, firm or corporation to leave or allow to be left without special permit any implements, tools, boxes, merchandise, goods, trash cans, crates, advertising show cases or any obstructing item on any of the sidewalks or other public ways of this city longer than is necessary for loading or unloading of the same.

14-316 SIDEWALK, OBSTRUCTIONS ON SURFACE. It shall be unlawful for the owner of any property having a sidewalk adjacent hereto to permit any plank, brick, stone or segment of the sidewalk to be raised above the established level of the sidewalk more than one-half inch (1/2"), in any manner which might catch the foot of a pedestrian; or to permit any holes or depression to occur in the sidewalk in which a pedestrian might drop or catch his foot in a manner liable to cause injury.

14-317 PENALTY. Any person, firm or corporation violating any of the provisions of this article for which a penalty is not otherwise provided, shall, upon conviction thereof, be fined in any sum not exceeding fifty dollars (\$50.00).

#### ARTICLE 4. ENCROACHMENTS

14-401 OBSTRUCTIONS PROHIBITED. No person shall erect or maintain any building, sidewalk, curb, gutter, drain, awning, canopy, sign or obstruction, upon or adjacent to any premises within the limits of the city or extending past the boundary of any lot or tract of ground in the city, in such a manner as to encroach upon, or obstruct, any street, avenue, alley or sidewalk in the city, or in such a manner as to be unsafe, or as to threaten injury to any person or to property: PROVIDED, that awnings, canopies, and signs may be erected and maintained as provided in Section 14-402.

14-402 CANOPIES; SIGNS. No person shall erect or maintain, within the city, any awning, canopy or sign which extends past the boundary of any lot or tract of ground into, above, or across any street, avenue, alley or sidewalk, unless the same be erected and maintained as follows, to-wit:

- (a) All parts of canvas awnings must be maintained not less than eight feet (8') above the sidewalk, except there may be attached thereto an ornamental vertical section of canvas maintained not less than seven feet (7') above the sidewalk;
- (b) All canopies must have frames of metal or wood or of equally substantial materials, and must be attached to, or suspended from a building or other secure support with metal rods or chains, and all parts and the supports thereof must be maintained not less than eight feet (8') above the sidewalk or ground;
- (c) All signs must have frames of metal or wood or of equally substantial materials, must be attached to, or suspended from a building or other secure support in a safe manner and so as not to threaten injury to any person or to property, and must be maintained not less than eight feet (8') above the sidewalk or ground.

14-403 OBSTRUCTING SEWERS, DRAINS. No person shall in any manner encroach upon or obstruct, or cause to be encroached upon or obstructed, any gutter, storm sewer, drain or drainage structure which has been

constructed, or is being lawfully maintained or is lawfully controlled by the city.

14-404 ALTERING SEWERS, DRAINS UNLAWFUL. No person shall change or alter any gutter, storm sewer, drain or drainage structure which has been constructed, or is being lawfully maintained or is lawfully controlled by the city, unless such change or alteration has been legally authorized or directed by the governing body of the city.

14-405 OBSTRUCTION ON STREET RIGHT-OF-WAY. The construction and/or maintenance of any structure, building, sign, poster, billboard, roadside stand or other private installation upon or within, or which encroaches upon the limits of the right-of-way of any street or avenue within the limits of the City of Washington, which street or avenue is a city connecting link of the State Highway System of the State of Kansas, hereby is prohibited; PROVIDED, that by the consent of the governing body of the city, grass, flowers, shrubs, trees and private driveways, when and if the same do not interfere with the use thereof for traffic purposes, may be constructed, maintained or had upon the untraveled portion of such streets or avenues.

14-406 GASOLINE AND FUEL PUMPS. The construction and/or maintenance of any gas and fuel dispensing pump within twelve feet (12') of the limits of the right-of-way of any such city connecting link hereby is prohibited.

14-407 CURB CUTS PROHIBITED. The construction and/or maintenance of any entrance to, or curb opening from, any such city connecting link in the city through the curved portion of the curb of any such street or avenue at any intersecting street or avenue, is hereby prohibited.

14-408 PENALTIES. Every person violating any of the provisions of this article shall, upon conviction, be punished by a fine of not more than one hundred dollars (\$100.00) or by imprisonment in the city jail for not more than thirty (30) days, or by both such fine and imprisonment for each and every such violation. In case of default in payment of any fine assessed hereunder, such person shall be imprisoned in the city jail until such fine is paid in full.

## ARTICLE 5. SNOW AND ICE REMOVAL

14-501 SNOW, ICE TO BE REMOVED. The owners and occupants of all lots within the limits of the city are hereby required to remove or cause to be removed all snow and ice from the sidewalk in front of the respective

property so owned or occupied by them, within twenty-four (24) hours after same shall have fallen upon such sidewalks.

14-502 REMOVAL, BY CITY. Wherever the snow and ice is not removed as required in Section 14-501, it is hereby made the duty of the city administrator to cause the same to be removed, keeping an account of the expense of so removing the same, and report it to the city clerk, who shall cause the amount of such expense to be levied upon the lots abutting upon the sidewalk from which the city administrator has so removed such snow and ice, and shall certify the same to the county clerk to be extended upon the tax rolls of the county, and collected the same as other taxes upon the real estate.

## ARTICLE 6. CITY TREE BOARD

14-601 DEFINITIONS. Terms as used in this article shall be defined as follows:

- (a) "Street trees" are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the city.
- (b) "Park trees" are herein defined as trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the city, or to which the public has free access as a park.

14-602 CREATION, ESTABLISHMENT. There is hereby created and established a city tree board which shall consist of five (5) members, citizens and residents of this city, who shall be appointed by the mayor with the approval of the council.

14-603 TERM OF SERVICE. The term of the five (5) persons so appointed shall be three (3) years except that the term of two (2) of the members to the first board shall be for only one year and the term of two (2) members of the first board shall be for two (2) years. In the event that a vacancy shall occur during the term of any member, his successor shall be appointed for the unexpired portion of the term.

14-604 COMPENSATION. Members of the board shall serve without compensation.

14-605 DUTIES, RESPONSIBILITIES. It shall be the responsibility of the board to study, investigate, counsel and develop and/or update annually a written plan for the care, preservation, trimming, planting, replanting, removal, or

disposition of trees and shrubs in public ways, streets and alleys. Such plan will be presented annually to the city council and upon their acceptance and approval shall constitute the official comprehensive tree plan for the city.

The city tree board, or its agent, shall be responsible for the planting, pruning and removal of all trees located within the street rights-of-way, easements, alleys and parks of the city. The owner of land abutting on any street may, when acting within the provisions of this article, prune, spray, plant or remove trees in that part of the street abutting his land not used for public travel. A street tree permit shall be required only when the owner of property intends to deviate from the rules and regulations contained in this article.

The board, when requested by the city council, shall consider, investigate, make findings, report and recommend upon any special matter or question coming within the scope of its work.

14-606 OPERATION. The board shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business.

14-607 STREET TREE SPECIES TO BE PLANTED. The following list constitutes the official Street Tree Species for the City of Washington. No species other than those included in this list may be planted as Street Trees without written permission of the city tree board:

SMALL TREES	MEDIUM TREES	LARGE TREES
Flowering Crabapple	Honey Locust (thornless)	Siberian Elm
Redbud	Pin Oak	Bur Oak
Hawthorn	Chinaberry (soapberry)	Hackberry
Bradford Pear	Kentucky Coffeetree	London Planetree
Purple-leaf Plum	Red Mulberry (Male)	American Sycamore
Flowering Peach	Golden Raintree	Red Oak
	Osage Orange	Black Walnut
	(Male, thornless)	
	Japanese Pagodatree	Green Ash
	Hard (sugar) Maples	Silver Maple
	Black Cherry	Cottonwood

(Cottonless)

Basswood

14-608 SPACING. The spacing of street trees will be in accordance with the three (3) species size classes listed in Section 14-607 of this article and no trees may be closer together than the following:

- (a) Small Trees, thirty feet (30')
- (b) Medium Trees, forty feet (40')
- (c) Large Trees, fifty feet (50')

14-609 DISTANCE FROM CURB AND SIDEWALK. The distance trees may be planted from curbs or curb lines and sidewalks will be in accordance with the three species size classes listed in Section 7 of this ordinance, and no trees may be planted closer to any curb or sidewalk than the following:

- (a) Small Trees, two feet (2').
- (b) Medium Trees, three feet (3').
- (c) Large Trees, four feet (4').

14-610 DISTANCE; STREET CORNERS AND FIREPLUGS. No street tree shall be planted closer than twenty feet (20') of any street corner, measured from the point of nearest intersecting curbs or curb lines. No street tree shall be planted closer than ten feet (10') to any fireplug.

14-611 UTILITIES. No street trees other than those species listed as small trees in Section 14-607 of this article may be planted under or within ten (10) lateral feet of any overhead utility wire, or over or within five (5) lateral feet of any underground water line, sewer line, transmission line or other utility.

14-612 PUBLIC TREE CARE. The city shall have the right to plant, trim, spray, preserve and remove trees, plants and shrubs within the right-of-way lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to insure safety when servicing city utilities or to preserve the symmetry and beauty of such public grounds. The city tree board may remove or cause or order to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewer, electric power lines, gas lines, water lines or other public improvements, or is affected with any injurious fungus, insect or other pests.

14-613 TRIMMING; CORNER CLEARANCE. Every owner of any tree overhanging any street or right-of-way within the city shall trim the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of fourteen feet (14') above the surface of the street or right-of-way. The owner shall remove all dead, diseased or dangerous trees, or broken or decayed limbs, which constitute a menace to the safety of the public. The city shall have the right to trim any tree or shrub on private property when it interferes with visibility of any traffic control device or sign, such trimming to be confined to the area immediately above the right-of-way. The city shall have the right to trim the branches as about provided to the height above provided in the event the owner fails to do so. (Ord. 652 Sec. 1)

14-614 DEAD, DISEASED TREE REMOVAL: PRIVATE PROPERTY. The city shall have the right to cause the removal of any dead or diseased trees on private property within the city, when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the city. The city tree board will notify in writing the owners of such trees. Removal shall be done by the owners at their own expense within sixty (60) days after the date of service of notice. In the event of failure of owners to comply with such provisions, the city shall have the authority to remove such trees and charge the cost of removal on the owner's property tax notice.

14-615 INTERFERENCE WITH CITY TREE BOARD. It shall be unlawful for any person to prevent, delay or interfere with the city tree board or any of its agents or servants, while engaging in and about the planting, cultivating, mulching, pruning, spraying or removing of any street trees, park trees, or trees on private grounds, as authorized in this article.

14-616 ARBORIST; LICENSE, BOND. It shall be unlawful for any person or firm to engage in the business or occupation of trimming, pruning, treating, or removing street or park trees within the city without first applying for and procuring a license. The license fee shall be ten (\$10.00) annually in advance; PROVIDED, that no license shall be required of any public service company or city employee doing such work in the pursuit of their public service endeavors.

14-617 REVIEWS BY CITY COUNCIL. The city council shall have the right to review the conduct, acts and decisions of the city tree board. Any person may appeal from any ruling or order of the city tree board to the city council who may hear the matter and make final decision.

14-618 PENALTY. Any person violating any provision of this article shall be, upon conviction or a plea of guilty, subject to a fine not to exceed one hundred dollars (\$100.00).

ARTICLE 7. EMERGENCY SNOW ROUTES;  
DECLARING A TRAFFIC EMERGENCY (Ord. 694)

14-701 FINDINGS OF GOVERNING BODY. The Governing Body finds that parking and operation of vehicles on certain streets covered by a heavy accumulation of snow is a matter affecting the health, safety and welfare of the citizens of Washington for the reason that parked and stalled vehicles impede snow removal operations and cause serious traffic congestion and hazard.

14-702 DECLARATION OF TRAFFIC EMERGENCY. Whenever snow has accumulated or there is a possibility that snow will accumulate to such a depth that snow removal operations will be required, the mayor, the City Administrator, or in the absence of the above mentioned, the president of the City Council, may declare a traffic emergency and until such traffic emergency is terminated it shall be unlawful:

- (a) to park a vehicle on any street designated an emergency snow route in Section 5 of this ordinance; or
- (b) to operate a vehicle, unless it is capable of safely traveling through the designated emergency snow route and will not impede snow removal or cause a traffic hazard.

14-703 NOTICE OF PARKING EMERGENCY, TERMINATION. Upon declaring a traffic emergency, the City shall forthwith cause appropriate notice thereof to be given through local press, radio, television override, and other media. The parking emergency shall be terminated by notice given substantially in the same manner as the parking emergency was declared.

14-704 REMOVAL OF PARKED VEHICLES. All vehicles parked on emergency snow routes must be removed within two (2) hours after declaration of a traffic emergency has been given. All stranded or abandoned vehicles impeding snow removal operations or causing traffic congestion may be removed or caused to be removed by law enforcement to the nearest garage or other place of safety and the vehicle may not be recovered until the towing and storage charges are paid by the owner of the vehicle.

14-705 EMERGENCY SNOW ROUTES; ESTABLISHMENT; SIGNS. Upon announcement that the Emergency Snow Ordinance is “in effect”, the streets listed in this section shall be designated and marked with “Emergency Snow Route” signs. These signs shall be posted on the right hand side of the driving lane at intervals not to exceed four (4) blocks. The emergency snow routes are as follows:

- (a) C Street from First Street to Fourth Street
- (b) D Street from the north city limits to the north line of Hoerman’s Addition
- (c) F Street from the north city limits to Seventh Street
- (d) Second Street from Crest Street to the east city limits
- (e) Third Street from Lamar Street to the east city limits
- (f) All of Lamar Street
- (g) Sunset Lane from Lamar Street to Crest Street.

Appropriate signs shall be installed along each of said streets designated emergency snow routes.

14-706 PENALTY. Any operator of a vehicle who shall violate the provisions of this ordinance shall, upon conviction thereof, be guilty of a traffic infraction and fined an amount not to exceed One Hundred Dollars (\$100.00).

14-707 ALL HAZARD EMERGENCY ROUTE. This ordinance is designated primarily as a snow removal ordinance; however, it can also be used as an All Hazard Emergency Route in the event of any other emergency conditions.