

#### § 104-12Vegetation.

##### A.

Vision clearances. The owner of a corner property shall maintain adequate vision clearance at corners by not allowing plantings, shrubbery, bushes, or other vegetation or beautification mounds, including their vegetation, to exceed three feet in height above the grade of the street surface within 10 feet of the intersection of the right-of-way lines of the two streets in accordance with the provisions of §§ 145-9 and 145-13.

##### B.

Encroachments. No property owner shall allow any bush, shrub, tree, planting or other vegetation to encroach onto or into the streets, alleys, canals, or other Town rights-of-way in accordance with § 125-2 of this Code.

#### § 125-2Activities prohibited.

[Amended 4-10-1998 by Ord. No. 72-98]

##### A.

No person shall obstruct any of the streets, street rights-of-way, beach access rights-of-way or waterways of the Town by placing thereon any barrier or impediment to the free flow of pedestrian, vehicular or boat traffic. Such barriers or impediments shall include but shall not be limited to boats, building materials, machinery, trash containers, landscaping timbers and pilings, or vegetation. Boats properly moored in the town waterways shall not be considered obstructions.

[Amended 4-8-2004 by Ord. No. 124-04]

(1) Such vegetation shall include but shall not be limited to bushes, flowers, vines, trees, ornamental grasses or other plantings which encroach into any of the streets, street rights-of-way and beach access rights-of-way or more than 2 feet into any of the waterways.

(2) Trees will be allowed to grow to their normal height and breadth, provided that the breadth is kept pruned from the ground to a height of 14 feet over the streets; 12 feet above the street right-of-way (shoulder of the road) within 2 feet of the pavement; 8 feet above the street right-of-way (shoulder of the road) further than 2 feet from the pavement. Trees over beach access rights-of-way are allowed no lower than 12 feet above the ground.

(3) Tree branches more than 2 feet, seaward from the bulkhead, over canals are allowed, but must be no lower than 12 feet above the height of the bulkhead.

(4) Mailboxes in the street right-of-way are allowed, provided they do not encroach over the street pavement.

(5) Flowers, small shrubs, etc. which are in the mailbox "shadow" are allowed, provided they do not block stormwater drainage or the installation of drainage systems. The mailbox "shadow" is defined as 18 inches to each side of the mailbox and no further than the front of the mailbox toward the street.

(6) With the Town Official's approval, plantings and other beautification materials may be placed in the right-of-way directly in front of an owner's property if the right-of-way is wider than 8 feet but only in the portion more than 8 feet from the road pavement. However, planting of trees is not allowed.

Approval shall be in writing.

(7) The Town may place trees, plantings, benches or other materials in rights-of-way at the ends of streets and canals for beautification purposes. Property owners directly adjacent to street and canal end rights-of-way may also beautify the end rights-of-way, provided written approval from the Town has been issued.