

**CHAPTER 17**  
**STREETS AND OTHER PUBLIC AREAS**

**Article 1. Use and Obstruction**

**Section 17-1. 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 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 herein required of the owner.
2. It shall be unlawful for any person to injure any tree or shrubbery within any public right-of-way; provided, that, this shall not prohibit the lawful and proper care and removal of such trees and shrubbery.
3. Any owner, lessee or occupant of any property abutting on any street shall not allow any man-made or natural view obstruction at any corner intersection, particularly within the "sight triangle" created by definition in the Town's adopted zoning ordinances.

**Section 17-2. 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 Town of Mountain Park, 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 Town Board of Trustees 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, **the** Town Board 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 Town of Mountain Park, Oklahoma; and
  - d. Permit access to the property at any time when requested to do so by a municipal officer or employee.
4. It shall be unlawful for any person, firm or corporation to construct, erect, build, or cause to be constructed, erected or built, any fence, of whatever height or material, within any dedicated road right-of-way in the Town of Mountain Park, Oklahoma.

**Section 17-3.           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 Town of Mountain Park, 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 or 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 **or cause** 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 Town of Mountain Park, 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 Town Board of Trustees; excavations so authorized shall be properly guarded and protected to prevent **the** 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 whatsoever, 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.

**Section 17-4.           Drainage of Polluting Substance.**

It shall be unlawful for any residence, business or industry to allow drainage of a polluting substance as defined by **Title 82 O.S. §1084.2, as current and as amended** into any street, alley, sidewalk or public right-of-way of the Town of Mountain Park, Oklahoma.

**Sections 17-5 through 17-19.**

**(Reserved for future use.)**

**Article 2. Miscellaneous Provisions.**

**Sections 17-20 through 17-49.**

**(Reserved for future use.)**

**Article 3. Penalty.**

**Section 17-50.**

**Penalty.**

1. Any violation of this Chapter shall be deemed an offense and upon conviction thereof, shall be punished by a fine not to exceed the limits established in Section 11-40, Article 3, Chapter 11 of this Code of Ordinances. Every day upon which a violation continues shall be deemed a separate offense.