

## **ORDINANCE NO. 241**

### **AN ORDINANCE AMENDING CHAPTER 8.03, STREETS OF THE CITY OF COLTON, SOUTH DAKOTA ORDINANCES.**

### **BE IT ORDAINED BY THE MUNICIPALITY OF THE CITY OF COLTON, MINNEHAHA COUNTY, SOUTH DAKOTA:**

That Chapter 8.03 of the City of Colton Ordinances will be amended by adding Sections 8.0309 to read as follows:

8.309                    **CLEARANCE OF OVERHANGING PROJECTIONS OVER STREETS, ALLEYS AND SIDEWALKS**

Minimum clearance of overhanging projections over streets, alleys and sidewalks within the city shall be maintained. Trees shall be trimmed by the owner or the occupant of said premises so that no bough or branch thereof shall project lower than ten (10) feet above sidewalks and fourteen (14) feet over all streets and alleys except truck thoroughfares where the clearances shall be sixteen (16) feet.

All trees, shrubs and/or bushes within the city limits of the City of Colton, South Dakota must be trimmed/pruned so as not to cause any obstruction to sidewalks, traffic signs, motorists or city maintenance crews and their equipment. If any tree, shrub or bush is determined, by the City Council or Public Works Superintendent, to be an obstruction, the property owner will be notified in writing by the City of Colton and given a minimum of thirty (30) days to correct the obstruction by pruning, trimming or removing. If the problem is not corrected within the thirty (30) day time frame, the city will have the obstruction corrected at the property owner's expense.

The foregoing ordinance was introduced by Karen Burgers who moved for its passage and adoption. LeRoy Koopman seconded the motion. A roll call vote was taken with Karen Burgers, Korena Keys, LeRoy Koopman, Jeffrey Pedersen and Matthew Swartwout voting aye and Jack Schmidt voting nay.

Whereupon Council President Jeffrey Pedersen declared the ordinance passed and adopted and instructed the Municipal Finance Officer to publish this ordinance in the official newspaper of the City and to comply otherwise with all applicable notice requirements of the law.

Adopted this 11<sup>th</sup> day of August, 2008

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Jeffrey Pedersen  
Council President  
City of Colton

ATTEST:

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Gail DeJong  
Municipal Finance Officer

First Reading  
Second Reading & Adoption  
Publication Date  
Effective Date

July 14, 2008  
August 11, 2008  
August 20, 2008  
September 9, 2008