

Vegetation and the Right-of-Way

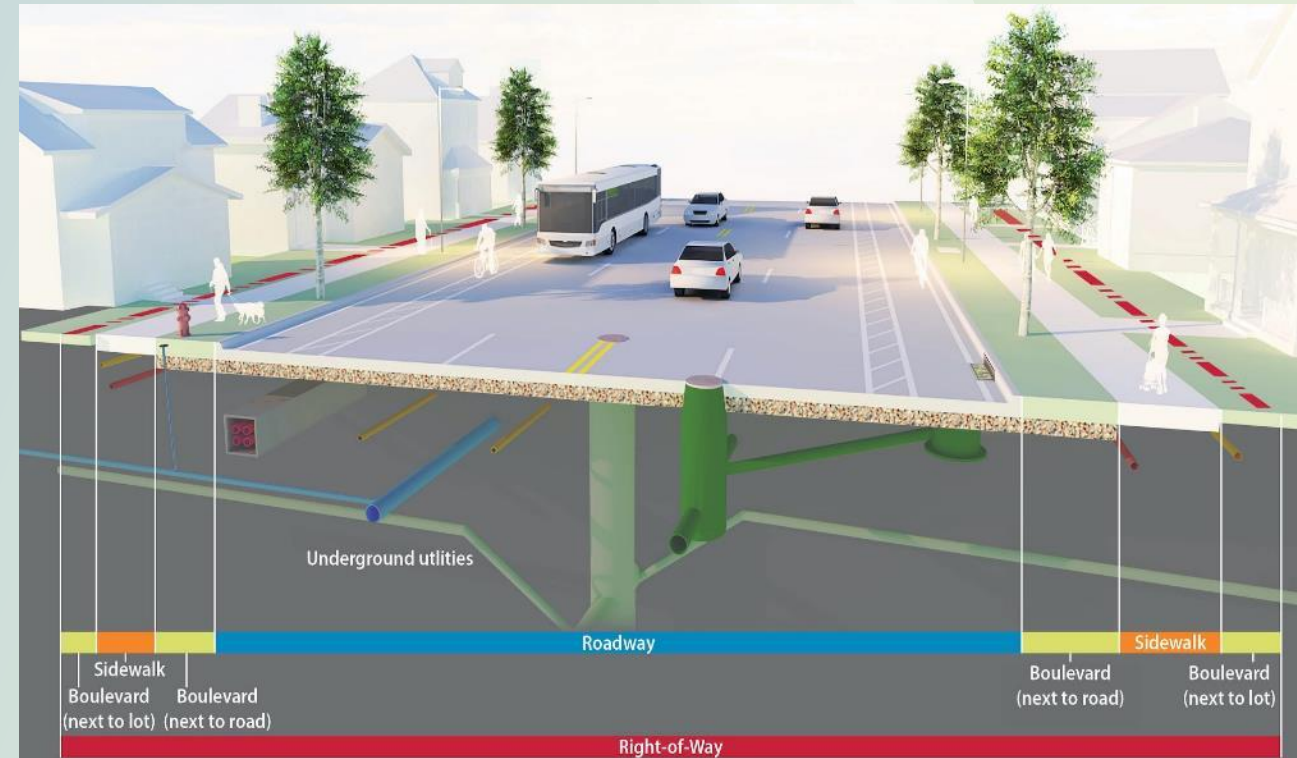
Nicholas Geis

Director, Property and Facilities Management



What is a right-of-way?

- Land owned by the government or over which the government has control
 - Acts as a buffer between the Street and its components and adjoining property



How to determine right-of-way

- Right-of-way often includes portions of what citizens consider their yard
- Common items located in the right of way:
 - Power/Light Poles
 - Sidewalks
 - Stormwater Catch Basins
 - Fire Hydrants
- Right of way varies street by street, sometimes block by block
 - **Common misinformation:** Right of way is always 30ft from the centerline of each side of the street: **FALSE**
 - Staff has a “right of way manual” which determines what the appropriate right of way is for a given location



Citizen's responsibilities in the right-of-way?

Property Owners, Tenants and Occupants

- **WS Code of Ordinances 74-19**
 - **Sidewalks:**

“The owner, tenant, occupant of any lot...where there is an abutting sidewalk shall keep all vegetation removed from the sidewalk and keep all vegetation bordering the sidewalk properly trimmed so as not to require a pedestrian to take evasive action.....or otherwise hinder safe passage of pedestrians.”



Citizen's responsibilities in the right-of-way?

Property Owners, Tenants and Occupants

- **WS Code of Ordinances 74-20**
 - **City Streets/ right-of-way:**

“The owner, tenant, occupant of any lot...shall maintain the area of the street right-of-way between the edge of the traveled roadway or curb....and shall remove all vegetation from such area of the street right-of-way which could obstruct the view of such street, or intersecting streets...or require motorist to take evasive action.”



City's responsibilities in the right-of-way?

City Responsibilities

- **WS Code of Ordinances 74-300:304**
 - **Trees:**

City is responsible for all planting, spraying, pruning, removal, and maintenance of all trees, shrubbery planted on public property to include the right-of-way. Citizens prohibited to do any of these activities without obtaining a permit from Urban Forestry

 - “No person shall attach any object including; but not limited to rope, wire, chain, nail, or sign to any tree or shrub on public property.”



City's responsibilities in the right-of-way?

City Responsibilities

Mowing & Litter Collection

- Routes cover the entire City
 - Include City & State Streets
 - State = Powell Bill reimbursement
 - Responsibilities mostly include wooded areas along streets, vacant lots, state owned property
 - The City does not mow or collect litter in any right-of-way that passes along a residence and/or business. These items are the responsibility of property or business owner and/or tenant



City's responsibilities in the right-of-way?

City Responsibilities

- **Tree and/or storm debris cleanup**
 - City's top priority is to clear the streets of all debris. We will always clear all debris from the streets to make roadways passible
 - Right-of-way:
 - Determines whether the tree is Public or private Tree, which determines appropriate clean up efforts



Common Issues

