1 2 3	CITY OF HOMER HOMER, ALASKA	City Manager
4 5	ORDINANCE 16-51	, , , , , , , , , ,
6 7 8	AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, ENACTING HCC CHAPTER 11.36, VEGETATION IN RIGHTS-OF-WAY, PROVIDING FOR THE REMOVAL OF VEGETATION THAT	
9 10 11	INTERFERES WITH THE REASONABLE PUBLIC USE OF A RIGHT-OF-WAY.	
12 13	THE CITY OF HOMER ORDAINS:	
14 15 16	<u>Section 1</u> . Homer City Code Chapter 11.36, Vegetation in Rights-of-Way, read as follows:	is enacted to
17	Chapter 11.36	
18 19	VEGETATION IN RIGHTS-OF-WAY Sections:	
20	11.36.010 Vegetation in rights-of-way.	
21 22	11.36.020 Removal of vegetation in rights-of-way.	
23	11.36.010 Vegetation in rights-of-way.	
24	All or any part of a tree, shrub or other vegetation that is located in, over	er or under a
25	public right-of-way in the city is subject to removal by the city as necessary for the	e reasonable
26 27	public use of the right-of-way, including without limitation removal as autho	rized in HCC
28	11.36.020, regardless of whether:	
29	<ul> <li>a. The vegetation existed in, over or under the right-of-way before the dedication or improvement of the right-of-way;</li> </ul>	tne granting,
30	b. The vegetation was planted in the right-of-way by another person	n including
31	without limitation an owner of property adjacent to the right-of-way; or	_
32	c. The vegetation originated on property adjacent to the right-of-way, t	to the extent
33	that limbs, branches or roots of the vegetation extend into, over or under the righ	it-of-way.
34 35	11.36.020 Pemoval of vogotation in rights of way	
36	11.36.020 Removal of vegetation in rights-of-way.  The city manager may cause the removal of all or any part of a tree, sh	with of other
37	vegetation that is located on, over or under a public right-of-way if the city manage	or other
38	the vegetation:	ser mus mar
39	a. Obstructs or interferes with the use of the right-of-way by vehicular o	r pedestrian
40	traffic;	
41 42	b. Obscures visibility to or from the right-of-way or otherwise constituthazard;	ites a safety
43	c. Interferes with the maintenance of the right-of-way, including without	ut linetess
11	and the maintenance of the fight-of-way, including without	ut limitation

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paving, grading, cleaning and snow removal;

d. Has the potential if not removed to damage pavement or other improvements in the right-of-way; e. Has the potential if not removed to damage or interfere with the operation of overhead or underground public utility facilities in the right-of-way. Section 2. This ordinance is of a permanent and general character and shall be included in the City code. ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 24th day of October, 2016. CITY OF HOMER BRYAN ZAK, MAYOR ATTEST: JO JOHNSON, MMC, CITY CLERK AYES: 6 NOES: ABSTAIN: ABSENT: First Reading: 19/10/16 Public Reading: 10/24/16 Second Reading: 10/24/16 Effective Date: 10/25/16 Reviewed and approved as to form: Mary K. Koester, City Manager Holly C. Wells, City Attorney Date: 10. 20.14 

Date: 11.7.16