

## 12.10.020 Parkway plantings

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### 12.10.020 – Parkway plantings

The owner of the lot or parcel adjacent to the parkway may install private plantings in said parkway, subject to the following restriction:

- A. Private plantings shall not be installed in such a manner as to interfere with the accessibility to public and private utility infrastructure appurtenances. A clearance area around a public or private utility appurtenance shall be maintained with turf in accordance with the City's Engineering Design and Inspection Policy Manual, Planting Guidelines Detail. The city or its designee shall have the right to remove private plantings within the parkway to perform maintenance work on existing public or private utilities, and shall not be required to replace the plantings so removed, but shall only be required to apply grass seed in such areas.
- B. Private plantings shall not be installed in such a manner as to interfere with the usage of public sidewalks or to cause unsafe passage of the same (Refer to "Standard Planting parkway Detail" in the City's Engineering Design and Inspection Policy Manual).
- C. Private plantings shall not create an obstruction when vehicle occupants exit or enter vehicles parked along the edges of public roadways (Refer to "Standard Planting Parkway Detail" in the City's Engineering Design and Inspection Policy Manual).
- D. The height of private plantings shall not exceed the maximum vertical height as defined in the "Standard Planting Parkway Detail" in the City's Engineering Design and Inspection Policy Manual, except as may be specifically authorized by the Director of Public Works or designee. Notwithstanding the maximum allowable vertical height set forth herein, private plantings at street intersection shall not be installed so as to interfere with motorists' sightlines. If the Director of Public Works determines that such interference exists, the owner shall remove such plantings, or trim them down to a height specified by the Director of Public Works.
- E. Private plantings shall not be installed within the parkway in such a manner as to interfere with the natural drainage of storm water. Private plantings shall be placed in such a manner as to provide stabilization for existing loose soils, in conformance with the adopted Kane County Stormwater Ordinance: Article 3 "Erosion and Sediment Control (NRCS)"; Sect: 300.b.
- F. No private plantings shall be installed that would be considered a public health nuisance or would be considered to be hazardous to the public's well-being as referenced in Section 12.20.070 and chapter 8.28 or determined by the Director of Public Works or designee.
- G. The owner of the lot or parcel adjacent to the parkway who installs private plantings within the parkway shall be responsible for all maintenance and trimming of such plantings utilizing good standard Arborist practices or as directed by the Director of Public Works or designee. If the plantings die or are otherwise removed, the parkway must be planted with grass seed or sod.
- H. In the event of a conflict between the provisions of this chapter and the provisions of a recorded easement over a parkway, the more stringent provisions shall apply.
- I. Planting of trees and shrubs in the parkway is governed by chapter 12.20.

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