

CHAPTER 21

STREETS AND OTHER PUBLIC AREAS

Article 1. Use and Obstruction.

Article 2. Miscellaneous Provisions.

Article 3. Penalty.

Article 1. Use and Obstruction

Section 21-1. 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.

Section 21-2. 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 Corn, 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 said 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 Corn, Oklahoma; and
- d. Permit access to the property at any time when requested to do so by a municipal officer or employee.

Section 21-3. 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 Corn, Oklahoma, in any manner so as to interfere unduly with pedestrian or other lawful traffic and parking thereon,

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or to interfere unduly with the purpose (s) of said 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 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 Corn, 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 said 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 whatever, 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 21-4. Drainage of Polluting substance.

It shall be unlawful for any residence, business or industry to allow drainage of a polluting substance (as defined by 82 O.S. 1971, § 926.1 as amended) into any street, alley, sidewalk or public right-of-way of the Town of Corn, Oklahoma.

Sections 21-5 through 21-9. (Reserved for future use.)

Article 2. Miscellaneous Provisions

Sections 21-10 through 21-19. (Reserved for future use.)

Article 3. Penalty

Section 21-20. Penalty.

1. Any owner or occupant who fails, refuses or neglects to trim trees and shrubbery as provided in Section 21-1, after receiving ten (10) days' notice from the Chief of Police or duly authorized agent to do so, shall be guilty of an offense.

2. Any violation of this Chapter shall be deemed an offense and, upon conviction thereof, shall be punished by a fine and costs as provided for in Section 9-20 of this Code. Every day upon which a violation continues shall be deemed a separate offense.



AN ORDINANCE OF THE TOWN OF CORN, OKLAHOMA, PROVIDING FOR THE CLOSURE OF THAT PORTION OF LINCOLN STREET LYING BETWEEN BLOCK THREE (3) AND BLOCK FOUR (4) IN RICHERT ADDITION TO THE TOWN OF CORN, WASHITA COUNTY, OKLAHOMA, AND DECLARING AN EMERGENCY.

WHEREAS, that portion of Lincoln Street lying between Block Three (3) and Block Four (4) in Richert Addition to the Town of Corn, Washita County, Oklahoma,

Is unimproved and untraveled; and,

WHEREAS, it is deemed necessary and expedient that the above described portion of Lincoln Street in the Town of Corn, Oklahoma, be vacated and closed as a public street, subject to easements and right of ways of record;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF CORN, OKLAHOMA:

That Section 21-5, of Article 1, Use and Obstruction, of Chapter 21, Streets and Other Public Areas, of the Code of Ordinances of Corn, Oklahoma should be and the same is hereby to read as follows:

1. That portion of Lincoln Street lying between Block Three (3) and Block Four (4) in Richert Addition to the Town of Corn, Washita County, Oklahoma,

be, and the same is, hereby vacated and closed as a public street, subject to easements and right of ways of record.

2. Repealer – All former Ordinances, or parts of Ordinances, conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.
3. Severability – If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.
4. Effective Date – This Ordinance shall become effective this 12th day of August, 2017.
5. Emergency – Whereas, it being immediately necessary for the preservation of the peace, health and safety of the Town of Corn, Oklahoma, and the inhabitants thereof, that the provisions of this Ordinance be put into full force and effect, an emergency is hereby declared to exist, by reason thereof, this Ordinance shall take effect and be in full force from and after its passage, as provided by law.

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THIS ORDINANCE PASSED AND APPROVED, AND THE EMERGENCY CLAUSE VOTED UPON SEPARATELY AND PASSED AND APPROVED, IN AN OPEN MEETING THIS 12th DAY OF AUGUST, 2017 BY THE BOARD OF TRUSTEES AND THE MAYOR BEING PRESENT AND VOTING ON THE PASSAGE OF THE ORDINANCE.

EMERGENCY SEPARATELY PASSED AND APPROVED THIS 12th DAY OF AUGUST, 2017.

Passed and approved this 12 day of August, 2017.



THE TOWN OF CORN, OKLAHOMA

BY: Barbara Nurnberg
BARBARA NURNBERG, MAYOR

ATTEST: Chris Loewen
CHRIS LOEWEN, TOWN CLERK

I, Chris Loewen, Town Clerk of the Town of Corn, Oklahoma, hereby certify that the above and foregoing Ordinance is true and correct.

Dated this 12th day of August, 2017.

Chris Loewen
Town Clerk

AGENDA ITEM FOR TOWN OF CORN MEETING FOR AUGUST 12, 2017: An Ordinance providing for the vacating of that portion of Lincoln Street lying between Block 3 and Block 4 in Richert Addition, to the Town of Corn, Washita County, Oklahoma.

