



## **SITE OBSTRUCTION:**

The Borough recognizes that there are many properties in town with beautiful landscaping and shrubs that are well maintained. Unfortunately, corner properties no matter how well maintained they are may still pose a visibility problem to all motorists, cyclists and residents trying to turn the corner or simply crossing the intersection. The Building Department has been receiving many inquiries about the regulations pertaining to this hazardous issue.

Through Police and Zoning Official observations, and numerous motorists' reports, many of these problem corners have been identified.

If your property has been identified by way of notice from our Building Department, please correct any obstructions in violation of the ordinances noted below:

### **255-44 VISIBILITY AT INTERSECTIONS**

On a corner lot in any district no fence, wall, hedge or other structure or planting more than 2 1/2 feet in height shall be erected, placed or maintained within the triangular area formed by the intersecting street lines and a straight line joining the street lines at points which are 30 feet distant from the point of intersection, measured along the street lines. Where, due to topographic or other conditions, the application of the rules stated above does not produce a clear visibility above 4 1/2 feet at the center lines of the streets adjacent to the above-mentioned triangular area, plans for development of such triangular area shall be subject to approval by the Planning Board.

### **§ 234-3 REGULATION OF TREES AND SHRUBS**

B. Obstruction through planting prohibited. No person shall, through planting of trees, shrubs, or plant life, obstruct the sight distance on any street intersection.

(1) Whenever necessary and expedient for the preservation of the public safety, the person in possession of the property as owner or tenant shall, upon notification by the Mayor and Council or its designee, trim and cut all bushes, hedges and plant life (except shade trees) to a height of not more than 2 1/2 feet or to remove same if it is located:

(a) Within the road right-of-way.

(b) Within the triangular area formed by the intersecting street lines and a straight line joining the street lines at points which are 30 feet distant from the point of intersection, measured along the street lines.

(2) It shall be the responsibility of the tenant or owner of property to maintain all shade or ornamental trees, hedges, or shrubs growing on private property so that the lowest branches overhanging a sidewalk area are at a height to permit pedestrians to walk freely without interference.

### **§ 234-17 VIOLATIONS AND PENALTIES.**

Any person, applicant, developer or owner who violates any provision of this article shall be liable for a fine not to exceed \$1,000 or imprisonment for a term not in excess of 90 days or both. Each and every violation hereof shall constitute a separate offense for which a fine or other penalty may be imposed.