

ARTICLE I  
**Sight Obstructions**  
[Adopted 2-2-1981 by Ord. No. B-3 ]

**§ 104-1. Sight obstructions prohibited.**

No property owner shall erect, construct or maintain any fence, barrier, tree, bush, shrubbery or any other obstruction on his property which shall impair the view of any operator of a motor vehicle on any street located in the Town of Middletown.

**§ 104-2. Notice of violation.**

The Public Safety Commissioner shall have authority to determine whether a violation of the above exists and give the offending landowner written notice to remove the specified obstruction within 10 days.

**§ 104-3. Violations and penalties. [Amended 12-3-2007 ]**

If said landowner fails to correct the specified violation within the ten-day period, said landowner shall be fined \$75 for each day said violation continues.

## ARTICLE II

**Trees; Shrubbery; Bushes; Vines; Plants****[Adopted 10-5-1987 ; amended 9-8-1998 ; 12-3-2007 ; 9-14-2015 by Ord. No. 15-08-01 ]****§ 104-4. Obstruction of traffic lanes and public walks prohibited.**

No tree or part thereof shall protrude in or around a vehicular traffic lane at a height lower than 14 feet, measured from the road surface to the lowest leaf, branch or limb of the tree in question; and no tree or part thereof shall protrude in, on or around any public walkway, unless said tree or part thereof is at a height of seven feet or more, measured from the ground to the lowest point of the overhanging tree or part thereof; and no bush, vine or plant shall protrude in or around a vehicular traffic lane or public walk which would prevent full use of such public right-of-way by either vehicle or pedestrian traffic or obscure the view of said traffic so as to cause a safety hazard. To prevent sight obstructions of public walkways and sidewalks, no bush, shrub, vine or plant shall be permitted to grow in accordance with the recommendation of the Town of Middletown Consultant along the homeowner's property side edge of any public walkway or sidewalk.

**§ 104-5. Responsibility of property owners.**

Property owners shall be responsible to ensure that any tree, bush or vine on their property complies with the requirements as set forth above.

**§ 104-6. Notice of violation.**

Property owners in violation of this article will be so notified in writing of said violation and be given 15 days to take corrective action. If said violation is not corrected within said 15 days of notification, the Town will take necessary action to ensure the hazard is corrected, and the cost of the corrective action shall be borne by the violator.

**§ 104-7. Violations and penalties.**

Violations of this article shall be punishable by a fine of \$75 per offense, each day being a separate offense.