

Title 12STREETS, SIDEWALKS AND PUBLIC PLACESChapters:

- 12.04 Removal of Obstructions
- 12.08 Trees
- 12.12 The Vein Skatepark

Chapter 12.04REMOVAL OF OBSTRUCTIONSSections:

12.04.010 Required.

12.04.010 Required. All property owners or occupiers of premises in the town shall clean or cause to be cleaned, all snow, rubbish, or any obstruction that may be deposited on the walks adjoining their premises. Failure to remove any snow after a storm, or any rubbish or obstruction placed on the walks, or allowing any water to run over and freeze on any walks in the town shall subject the owner or occupier of the premises to a fine of not less than one dollar nor more than ten dollars for each offense. (Ord. 34, 1911)

Chapter 12.08TREESSections:

- 12.08.010 Definitions.
- 12.08.020 Street tree species to be planted.
- 12.08.030 Species of trees prohibited in town.
- 12.08.040 Spacing.
- 12.08.050 Distances--From curbs, sidewalks and center of right-of-way.
- 12.08.060 Distances--From street corners and fire plugs.
- 12.08.070 Utilities.
- 12.08.080 Public tree care.

- 12.08.090 Tree topping.
- 12.08.100 Pruning for clearance of corners.
- 12.08.110 Dead or diseased tree removal on private property.

- 12.08.120 Removal of stumps.
- 12.08.130 Interference with park and tree board.
- 12.08.140 Arborist's license and bond.
- 12.08.150 Review by town board.
- 12.08.160 Penalty.

12.08.010 Definitions. The following defined terms shall be applicable in this chapter:

A. "Street trees" means trees, shrubs, bushes and all other woody vegetation on land lying on the town right-of-way.

B. "Town right-of-way" is defined as eighty feet wide (forty feet each side measured from the middle of the street) on all streets in La Veta except the following: On Ryus Street, the right-of-way is one hundred feet (fifty feet each side measured from the middle); in Willis Heights, Moore Park, 1st and 2nd Streets it is fifty feet (twenty-five feet each side measured from the middle).

C. "Park trees" means trees, shrubs, bushes and all other woody vegetation in public parks and all areas owned by the town, to which the public has free access as a park. (Ord. 150 §1, 1986)

12.08.020 Street tree species to be planted. The list in this section constitutes the official street tree list for the town. No species other than those included in this list may be planted as street trees without written permission of the park and tree board.

RECOMMENDED TREES FOR THE TOWN OF LA VETA

Large Trees (over thirty feet high at maturity)

<u>Common Name</u>	<u>Scientific Name</u>
Western Hackberry	Celtis Occidentalis
Honey Locust (thornless)	Gleditsia Triacanthos Inermis
Green Ash	Fraxinus Pennsylvanica Lanceolata
Sycamore	Platanus Occidentalis
Siberian Elm	Ulmus Pumila
American Elm	Ulmus Americana
Western Catalpa	Catalpa Speciosa
American Linden	Tilia Americana
Little Leaf Linden	Tilia Cordata
English Elm	Ulmus Procera
Burr Oak	Quercus Macrocarpa
Red Mulberry (male)	Morus Rubra

Small Trees (Less than thirty feet tall at maturity)

<u>Common Name</u>	<u>Scientific Name</u>
Flowering Crab	Malus Sp.
Plum	Prunus Americana
Mountain Ash	Sorbus Americana,
	Sorbus Aucupar,
	Sorbus Decora,
	Sorbus Scopulina
Aspen	Populus Tremuloides
Norway Maple	Acer Platanoides
Mountain Alder	Alnus Tenufolia
Rocky Mountain Maple	Acer Glabrum
American Hornbeam	Carpinus Carolinana
Redbud	Cercis Canadensis
Golden Raintree	Koelreuteria Paniculata

(Ord. 150 §2, 1986)

12.08.030 Species of trees prohibited in town. A. It is unlawful to sell or import into the town or to plant or cause to be planted within the city limits any of the following species of trees:

1. Any cotton-bearing cottonwood tree (Genus Populus);
2. Any female boxelder tree (Acer Negundo).

B. In addition, it is unlawful to plant or cause to be planted any of the following species of trees on the right-of-way of any street, alley, sidewalk or other public place within the city:

1. Any of the poplar species (Genus Populus) except aspen (Populus Tremuloides);
2. Any of the willow species (Genus Salix);
3. Any boxelder tree (Acer Negundo);
4. Any weeping or pendulous type tree;
5. Any tree with a bushy growth habit, which cannot be maintained to a single leader or trunk;
6. Any tree, shrub or hedge growth which by its habit or growth would obstruct, restrict or conflict with necessary and safe use of the public rights-of-way. (Ord. 150 §3, 1986)

12.08.040 Spacing. The spacing of street trees shall be in accordance with the size class species listed in Section 12.08.020 and no trees may be planted closer than the following: small trees, thirty feet; large trees, fifty feet; except in special plantings approved by the park and tree board. (Ord. 150 §4, 1986)

12.08.050 Distances--From curbs, sidewalks and center of right-of-way. In areas where sidewalks exist, small trees must be two feet away, and large trees must be four feet away. In areas without sidewalks, trees must be placed the same distance. (Ord. 150 §5, 1986)

12.08.060 Distances--From street corners and fire plugs. No street tree shall be planted closer than thirty-five feet to a street corner measured from the point of the nearest intersecting curblines. No street tree shall be planted closer than twenty feet to any fireplug. (Ord. 150 §6, 1986)

12.08.070 Utilities. No street tree other than those species listed as small trees in Section 12.08.020 may be planted under or within ten lateral feet of any overhead utility wire or over or within twenty feet of any underground sewer line, transmission line or other utility. (Ord. 150 §7, 1986)

12.08.080 Public tree care. A. The town shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes and public grounds.

B. The park and tree board may remove or cause to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric powerlines, gaslines, waterlines or other public improvements, or is affected with any injurious fungus, insect or other pest.

C. This section does not prohibit the planting of street trees by adjacent property owners providing that the selection and location of the trees is in accordance with Sections 12.08.020 through 12.08.070. (Ord. 150 §8, 1986)

12.08.090 Tree topping. It is unlawful as a normal practice for any person, firm or city department to top any street tree, park tree or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown, to such a degree so as to remove normal canopy and disfigure the tree. Trees severely damaged by storms or other causes or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this chapter at the determination of the town park and tree board. (Ord. 150 §9, 1986)

12.08.100 Pruning for clearance of corners. Every owner of any tree overhanging any street or right-of-way within the town, shall prune the branches so that such branches do not obstruct the light from any street lamp or obstruct the view of any street intersection and so that

there shall be a clear space of eight feet above the surface of the street or sidewalk. The owners shall remove all dead, diseased or dangerous trees, or broken limbs which constitute a menace to the safety of the public. The town shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a street light or intersection visibility of any traffic control device. (Ord. 150 §10, 1986)

12.08.110 Dead or diseased tree removal on private property. The town shall have the right to cause the removal of any dead or diseased trees on private property within the town, when such trees constitute a hazard to life and property or harbor insects or disease which constitute a potential threat to other trees within the town. The park and tree board will notify in writing the owners of such trees. Removal shall be done by the owners at their own expense within sixty days after the date of the service of notice. In the event of failure to comply with such provisions, the city shall have the authority to remove such trees and charge the cost of removal to the owner. Appeal before sixty days may result in a monthly pay schedule to the town. (Ord. 150 §11, 1986)

12.08.120 Removal of stumps. All stumps of street trees and park trees shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground. (Ord. 150 §12, 1986)

12.08.130 Interference with park and tree board. It is unlawful for any person to prevent, delay or interfere with the park and tree board, or any of its agents, while engaging in and about the planting, cultivation, mulching, pruning, spraying or removing of any street tree, park tree or trees on private grounds as authorized within this chapter. (Ord. 150 §13, 1986)

12.08.140 Arborist's license and bond. It is unlawful for any person or firm to engage in the business or occupation of pruning, treating or removing street or park trees within the town without first applying for and procuring a license. The license fee shall be seventy-five dollars for the first year in advance. Renewals shall be twenty-five dollars, provided that no license shall be required of any public service company or town employee doing such work in pursuit of their public service endeavors. Before any license shall be issued, each applicant shall first file evidence of possession of liability insurance in the minimum amounts of one hundred thousand dollars for the death or injury of any one person, three hundred thousand dollars for the injury or death of any number of persons in any one accident and twenty-five thousand dollars for damage to

property. If liability insurance should become cancelled during the period of the license, the licensee shall forfeit the license and fee. The applicant must also show proof that their work will follow the standards of this chapter. (Ord. 150 §14, 1986)

12.08.150 Review by town board.

The town board shall have the right to review the conduct, acts and decisions of the park and tree board. Any person may appeal from any ruling or order of the park and tree board to the town board, who may hear the matter and make a final decision. (Ord. 150 §15, 1986)

12.08.160 Penalty.

It shall be unlawful for any person to plant any tree prohibited by this chapter or to plant in a place or location prohibited by this chapter or to fail to maintain or remove trees or stumps as above required. (Ord. 150 §16, 1986)  
(Ord. No. 250, § 10, 6-16-2009)

Chapter 12.12

THE VEIN SKATEPARK

Sections:

- 12.12.010 Definitions.
- 12.12.020 Regulations.
- 12.12.030 Posting of regulations.
- 12.12.040 Eviction.
- 12.12.050 Penalty.

12.12.010 Definitions.

For purposes of this section certain words or phrases are defined as follows:

A. "The Vein Skatepark" means the portion of the town park in La Veta, Colorado, which has been set aside and dedicated for use by persons using skateboards and similar devices as defined hereinafter.

B. "Skateboard" means skateboard, in-line skate, roller blade, roller skates and any other similar device approved by the board of trustees for use in The Vein Skatepark. (Ord. 213 §1 (part), 2002)

12.12.020 Regulations.

It shall be unlawful for any person within The Vein Skatepark to:

- A. Ride, operate, or use any device other than a skateboard as defined in Section 12.12.010;
- B. Ride, operate, or use a skateboard unless that person is wearing a helmet, kneepads and elbow pads designed for use with a skateboard and is in good repair at all times during use;
- C. Place or utilize additional obstacles or other material (including, but not limited to ramps or jumps) that are not specifically authorized by the board of trustees;
- D. Ride, operate, or use a skateboard before or after the posted hours of operations;
- E. Use or consume alcohol, tobacco products, or illegal drugs;
- F. Use or possess glass containers, bottles or other breakable glass products;
- G. Fail to obey any other rule or regulations posted on or near the facility by order of the board of trustees. (Ord. 213 §1 (part), 2002)

12.12.030 Posting of regulations.

The board of trustees shall effectuate the posting on or near all entrances to The Vein Skatepark a sign or signs that clearly summarize the regulations set for above, and any other rules or regulations that the board of trustees deems reasonably necessary for the safe operation of the facility. The sign or signs to be posted shall include the following language:

WELCOME  
To the Town of La Veta  
THE VEIN SKATEPARK

This facility has been designed for use by skateboarders and rollerbladers. In order to provide a safe and enjoyable experience the following warning and regulations have been posted. Please heed the warning and observe all regulations.

WARNING

Skateboarding and in-line skating are hazardous recreational activities. Use of this facility may result in se-



rious injury or death. The Town of La Veta does not assume any responsibility for injuries or death. Each person entering the facility assumes all risks associated with the use of this facility.

The following rules and regulations have been adopted by the Town Board of Trustees to protect your safety. Any person failing to follow these rules and regulations shall be subject to eviction from the park and prosecution pursuant to the La Veta Municipal Code.

#### RULES

1. USE THIS FACILITY AT YOUR OWN RISK.
2. HELMETS, KNEE PADS AND ELBOW PADS ARE MANDATORY.
3. BICYCLES AND SCOOTERS/RAZORS ARE PROHIBITED.
4. ALCOHOL, TOBACCO and DRUGS ARE PROHIBITED.
5. HOURS OF OPERATION ARE 8:00 A.M. TO DUSK.
6. ADDING OR MODIFYING RAMPS IS PROHIBITED.
7. BOTTLES AND GLASS CONTAINERS ARE PROHIBITED.

REPORT ALL INJURIES TO THE TOWN OF LA VETA -- 742-3631

CALL 911 FOR ALL SERIOUS INJURIES OR OTHER MEDICAL EMERGEN-  
CIES.

(Ord. 213 §1 (part), 2002)

#### 12.12.040 Eviction.

Any person found to be in violation of this section or a regulation duly posted on the sign required as herein stated shall be subject to eviction from The Vein Skatepark. (Ord. 213 §1 (part), 2002)

#### 12.12.050 Penalty.

The privilege of any person to use The Vein Skatepark is expressly conditioned upon compliance by that person with the provisions of this section. A violation of any provision of this section shall be deemed an infraction punishable by a fine as provided by the La Veta Municipal Code under Section 1.08.010. In addition, the person shall be subject to eviction from the facility. (Ord. 213 §1 (part), 2002)