

RESOLUTION NO. R18-84

A RESOLUTION OF THE CITY COUNCIL GRANTING PERMISSION FOR A PROPERTY OWNER TO UTILIZE DECORATIVE GRAVEL AND ROCK ALONG A PORTION OF THE BOULEVARD ADJACENT TO THE OWNER'S PROPERTY LOCATED IN THE CITY OF LAUREL.

WHEREAS, the owner of the property located at 519 5th Avenue, in the City of Laurel, desires to change a portion of the boulevard located along the 6th Street portion of his property from grass to decorative gravel and rock; and

WHEREAS, Chapter 12.32.010 of the Laurel Municipal Code Laurel currently requires all boulevard's to be kept in grass and trees unless specific permission is granted for other purposes; and

WHEREAS, the property owner has filed a written request, in the attached letter which is hereby incorporated herein, seeking the City Council's permission to install decorative gravel and rock instead of the existing grass in the boulevard along the 6th Street portion of his property; and

WHEREAS, based on the location of the request, the City Council finds no reason to deny the request since the overall purpose of the City Code will remain unaffected regardless of the exception granted the property owner.

NOW THEREFORE BE IT RESOLVED the City Council of Laurel hereby grants permission, pursuant to Chapter 12.32.010 of the Laurel Municipal Code, to the property owner at 519 5th Avenue, Laurel Montana, to change a portion of the boulevard located along 6th Street near the property from grass to decorative gravel and rock; and

BE IT FURTHER RESOLVED, if the property owner removes the gravel and rock, he/she shall return the same to grass. Tree Planting shall be in accordance with the Laurel Municipal Code.

Introduced at a meeting of the City Council on December 4, 2018, by Council Member _____.

PASSED and ADOPTED by the City Council of the City of Laurel, Montana, this 4th day of December 2018.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer

APPROVED AS TO FORM:

Sam Painter Civil City Attorney

Tabled indefinitely
7-0

CODE ENFORCEMENT FIELD NOTES

Date: 10/16/2018

No.: 18-10207

Location: 519 5th Avenue

Legal Description: Township: 02 S Range: 24 E Section: 09

Subdivision: Laurel Heights Block: 14 Lot(s): 11-12

Geo Code: 03-0821-09-3-38-07-0000 COS: _____ Tax ID: B00695

Owner: George H & Joey D Eastman 406-281-0122

Address: 519 5th Avenue Laurel, MT 59044-2311



1st Inspection: 10/16/18: Inspection finds that the piles of rock that had been reported on September 25, 2018 still remain on the boulevard constituting storage on the boulevard in violation of LMC §12.32.010.

1 photo taken

10/24/18: Call from George stating that he was taking out the grass and replacing it with gravel and rock on his boulevard along the W. 6th Street side back to the alley. I stated that he would need to send letter to City Council to get permission to allow him to do so as this is what the LMC states. He stated that he would do so and requested an extension until he finds out if possible. Extension granted.

11/9/18: Per Brittney Moorman the request has been placed on the 11/27/18 agenda for City Council.

Notice Sent: 10/17/18

Follow-Up Date: _____

2nd Inspection: _____

Notice Sent: _____

Follow-Up Date: _____

Certified: _____

Follow-Up: _____

Violation Resolution: Compliance: _____

Citation: _____

No Violation: _____

Dear Sir or Madam,

I am writing to ask permission to keep my landscape rocks on the boulevard at 519 5th Ave. on the 6th street side.

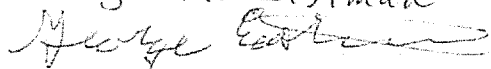
I am currently doing some landscaping in my front and back yard. The large rocks are for finishing the back yard. They are very heavy and I would like to only have to move them once. I plan to be finished with the landscaping by mid-spring of 2019. I plan to work on it through the winter, weather permitting.

I would also like to ask permission to ~~have~~ place ground cover on the boulevard and cover it with gravel. I also plan to plant some trees if it may.

Thank you for your time and consideration.

George H. Eastman

9-2-18



Chapter 12.32

TREES AND BOULEVARDS*

Sections:

- 12.32.010 Boulevards to be kept in grass and trees.
- 12.32.020 Boulevards—Regulation of trees on.
- 12.32.030 Cottonwood trees prohibited.
- 12.32.040 Definitions.
- 12.32.050 Creation and establishment of a city tree board.
- 12.32.060 Term of office.
- 12.32.070 Compensation.
- 12.32.080 Duties and responsibilities.
- 12.32.090 Operation.
- 12.32.100 Tree species to be planted.
- 12.32.110 Spacing.
- 12.32.120 Distance from curb and sidewalk.
- 12.32.130 Distance from street corners and fireplugs.
- 12.32.140 Utilities.
- 12.32.150 Public tree care.
- 12.32.160 Pruning standards.
- 12.32.170 Tree topping.
- 12.32.180 Pruning and corner clearance.
- 12.32.190 Dead or diseased tree removal on private property.
- 12.32.200 Protection of trees.
- 12.32.210 Interference with the city tree board.
- 12.32.220 Arborist's license and bond.

12.32.230 Authority of adjoining property owner to plant or care for trees on boulevard or parkways.

12.32.240 Removal, cutting and injury.

12.32.250 Interference with trees by house mover, permit required.

12.32.260 Procedure for temporary removal.

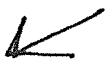
12.32.270 Insects and diseases—Declared nuisance.

12.32.280 Spraying.

12.32.290 Review by the city council.

12.32.300 Violation—Penalty.

* Prior code history: Prior code §§ 11.36.010, 20.12.010 and 20.12.020.

12.32.010 Boulevards to be kept in grass and trees. 

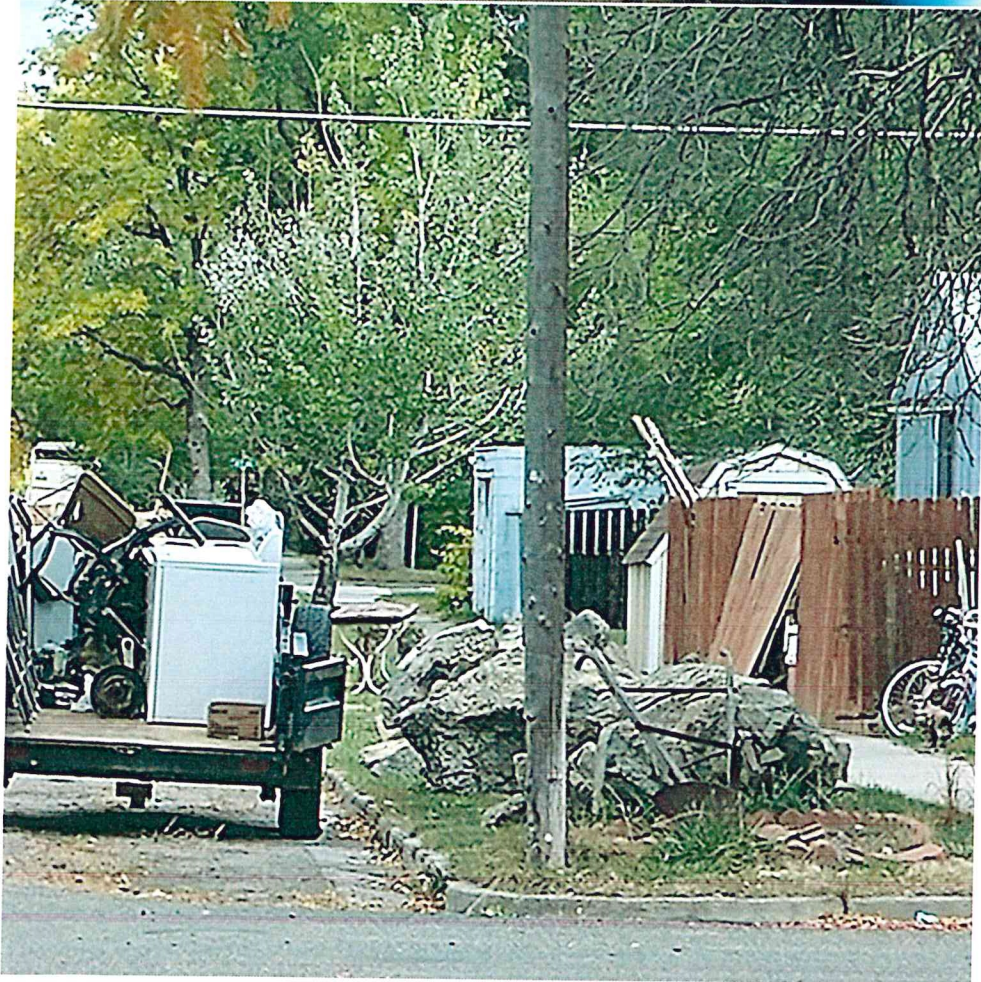
All boulevard areas must be kept in grass and trees unless specific permission is granted by the city council for other purposes. Any person failing to comply or violating the provisions of this section shall be deemed guilty of a misdemeanor. (Ord. 05-1 (part), 2005)

12.32.020 Boulevards—Regulation of trees on.

The owner of property adjoining a boulevard shall be responsible for the care and maintenance of the boulevard and he shall keep the trees planted thereon trimmed and in a condition so that the same shall not be a public nuisance; and, if necessary for the city to remove any trees from such boulevard, the costs of such removal shall be assessed against the abutting property owner. (Ord. 05-1 (part), 2005)

12.32.030 Cottonwood trees prohibited.

No cottonwood trees shall be planted or allowed to grow on private property or



12.16.010 - Encumbering or obstructing streets—Permit required.

No person shall encumber or obstruct, or cause to be encumbered or obstructed, any street, sidewalk, alley or other public place in the city by placing therein or thereon any building materials, trash, vehicle, earth, garbage, rubbish, debris, or accumulated snow and ice removed from an adjoining private premises, without first having obtained permission in writing from the city clerk-treasurer, or other responsible city official.

(Ord. 97-2 § 4 (part), 1997; prior code § 11.12.010)

12.16.020 - Removal of obstruction—Authority to order.

The city engineer or chief of police is authorized to order any article or thing, of the kind mentioned in Section 12.16.010, which encumbers, litters or obstructs any street, sidewalk, alley or other public place within the city, to be removed. If such removal shall not be made within six hours after notice to the owner or person in charge thereof, or if the owner cannot be readily found for the purpose of the notice, the city shall cause the same to be removed to some suitable place to be designated by such official, at the expense of the person responsible therefor.

(Prior code § 11.12.020)