

**Town of Greenville
Ordinance #43**

Ordinance Regulating Landscaping in the Town Right-of-Ways

Purpose

The purpose of this ordinance is to regulate landscape activities in the right of ways.

Permit

A permit must be obtained from the Town of Greenville prior to any landscape activities being performed on any town owned right of way. A permit may be issued following the submittal and approval of an application and landscape plan to the Town of Greenville. In order to receive approval, all landscape plans must adhere to the regulations set forth by this ordinance.

Landscape activities that require a permit are as follows:

- a) The planting of any vegetative material including trees, shrubs, perennial and annuals with the exception of lawns.
- b) The installation of any hardscape materials including stone, bricks, edging, lawn ornaments, lighting, etc.
- c) Permits are only available in curb and gutter situations.
Landscaping of any form is not allowed in any town ditches.

Right of Way Landscaping Regulations

Any landscaping to be performed in the town right of way must adhere to the following regulations:

- a) No plant material is to be planted within three feet of the curb.
- b) Any hardscape material within 5 feet of the curb must be no greater than 6 inches in height.
- c) No woody plant material (trees and shrubs) greater than 3 feet in height or spread may be planted in the right of way.
- d) Any non-woody plant material (perennials and annuals) greater than 3 feet in height must be at least 8 feet from the curb.
- e) No woody plant material may be planted within 3 feet of any sidewalk or trail.
- f) Any hardscape materials within 3 feet of any trail or sidewalk must be no greater than 6 inches in height.
- g) Any landscape activities may not interfere with any street tree operations.
- h) No digging is to be performed within 3 feet of any street tree.
- i) Any landscaping in the right of way must not violate the town's corner vision ordinance which states "On any corner lot in all zoning

districts, no fence, wall, hedge, planting, object or structure shall be erected, placed, planted or allowed to grow in such a manner as to obstruct vision between a height of 2 1/5 feet and 10 feet above the centerline grades of the intersecting streets in the area bounded by the right of way lines of such corner lots and a line joining the point along said right of way line 15 feet from the point of intersection”

- j) At no point shall any landscaping be allowed to encroach on any road, sidewalk or trail.
- k) Berming or mounding or soil and raised planting beds are not permitted on the right of way.
- l) No underground plumbing or wiring may be installed in the right of way. This includes sprinkler systems and dog fences.

Property Owners Responsibility

Any property owner that performs landscape activities on the town right of way does so at their own risk. The Town of Greenville is not responsible for any damage sustained to any landscaping in the towns right of way under any circumstances. The Town of Greenville will not repair or incur the cost of repairs to any such damage. Any and all damage, regardless of the cause, is the sole responsibility of the property owner.

Fees and Penalties

- a) There is a \$20 processing fee for the issuance of a Right of Way Landscaping Permit.
- b) Failure to obtain a permit prior to performing landscape activities in the right of way may result in a fine of \$50.
- c) Any unauthorized landscaping that violates the landscaping regulations must be removed by the property owner within 30 days of notice.
- d) If the property owner fails to remove any unauthorized landscaping, the Town of Greenville may remove it at the property owners cost.