

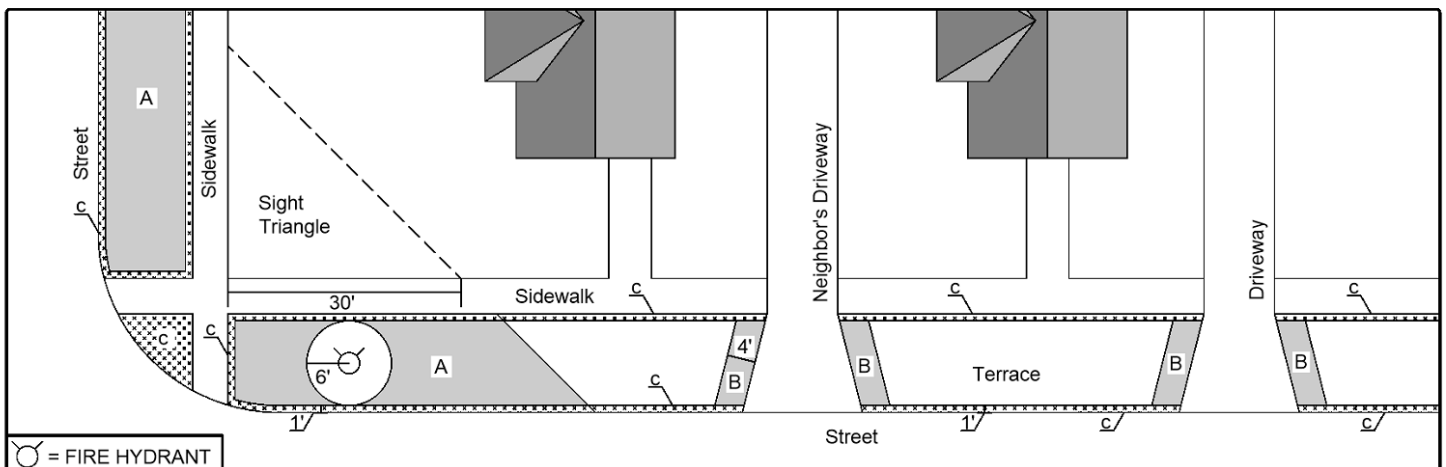
Fact Sheet for Plantings in the Terrace

The purpose of this ordinance is to establish criteria for private plantings and landscaping features within the terrace portion of the public right-of-way. The terrace area is the portion of the public right-of-way in between the curb, or edge of the roadway if no curb is present, and the adjoining lot line, whether or not there is sidewalk present. The ordinance allows for the permissive use of the terrace, provided such use does not interfere with the public's use of the space (See figure below). Please reference Section 97.020 of Chapter 97 of the Galesburg Code of Ordinances for a complete printout of the ordinance.

Permit: A permit is required by the City Engineer for an owner or occupant to be able to plant, maintain and cultivate permissible plantings and landscaping features within the terrace adjoining the owner's property. This is a NO cost permit, and the owner or occupant is required to provide a landscaping plan or sketch when applying for the permit. Traditional lawn does not require a permit. The owner or occupant is responsible for **contacting the JULIE locate service at 811 or 800-892-0123 three working days before digging**. The City Engineer shall have the right to remove or restrict any terrace plantings or landscape features that are deemed to interfere with 1.) the safety of pedestrians and motorists, 2.) City or utility maintenance operations, or 3.) other authorized use of the terrace.

Approved plantings: Approved plantings are non-woody plantings including flower gardens, natural grasses and other plants provided they comply with the height requirements based on where they are located (See figure below). Raised planting beds are not allowed. These approved plantings do not include trees or shrubs as they require a separate permit from the City Arborist. Vegetable gardens are not allowed on the terrace as well as any exotic weeds as designated by the Illinois Exotic Weed Act (525 ICLS 10/3). Landscaping features such as mulch, small rocks, landscaping bricks, edging or other similar items are allowed if they are stable and do not create any potential public safety hazards and are easily removable. Pots, concrete planters, and irrigation equipment and the like are not allowed.

All items placed in the terrace should be easily removable in the event of repair or installation of public utilities. Under no circumstances shall any material, including soil, be placed on top of water valves or utility access hole covers. The utilities shall remain visible and undisturbed.



Zones A and B in the public right of way – Less than 18 inches in height

Zone C – Less than 12 inches in height

All other areas in the terrace and area in the sight triangle – Less than 30 inches in height

Plant Height Restrictions: To provide clear views at all intersections and to provide unobstructed paths and keep plant growth out of the street, the following restrictions apply:

1. A one (1) foot border area adjacent to curbs and sidewalks, plants are limited to twelve (12) inches in height. When no curb is present, this area should be a minimum of ten (10) feet from the roadway (Zone C).
2. Areas within each intersection may not have any plant over eighteen (18) inches in height (Zones A & B). This includes the area in the terrace within four (4) feet of a private road, driveway, or alley Zone B) and at the intersection of two (2) streets abutting a corner lot the clear view area in the public right-of-way within the thirty (30) foot sight triangle extended to the curb line or edge of the street if there is no curb (Zone A).
3. No plants or landscaping features should be placed within a six (6) foot radius of a fire hydrant.
4. All other areas of the terrace and the area of the sight triangle within private property must be less than thirty (30) inches tall.

Plant Maintenance: Approved plantings and landscaping features shall be maintained in a safe manner, free of any unapproved planting or landscaping features and in areas allowed under the ordinance. Plants and non-plant materials should not create tripping hazards or have puncture or cutting potential. Under no circumstances should an approved planting or landscaping feature obstruct or endanger the public's use of a roadway, sidewalk or other multi-use path and should be maintained as to not interfere with the public's right to travel in these areas or the visibility required to exit a private driveway. The owner or occupant responsible for the plantings accepts full responsibility for the care and maintenance of the plantings and understands that plantings in the terrace are made at their own risk. The owner or occupant responsible for the plantings shall frequently inspect and maintain them and at a minimum must remove all invasive plants, trash, leaves, debris, repair areas of erosion and keep the plants trimmed within the terrace.

City Right of Way & Notification: All terraces are public property and are subject to the right of the City and public utility companies to perform necessary work, to access, install, and maintain utilities, to widen, repair, or reconstruct curbing, ditches, sidewalks, and streets, and to store excess snow. Prior to the City performing any public works project that may threaten any permissible planting, the City shall attempt to notify property owners and occupants of the City's plans in order to give the owner or occupant sufficient time to relocate the plantings. This notice shall be provided either personally or by regular mail at least ten (10) days prior to work being performed. This notification provision shall not apply in emergency situations, work by utility companies, or where such notice is not practical. In the event the City or utility companies interfere with terrace plantings or landscape features in the course of this work, they will only be responsible for restoring the terrace to a traditional lawn turf condition. In no event shall the City or public utility company be liable for any damage to, disruption of, or removal of terrace plantings or landscape features, either directly or indirectly, as a result of the City or public utility companies performing any installation, maintenance, or repairs in the public right-of-way.

Non-Compliance: In the event that any plantings or landscape features are not in compliance with the provisions of the ordinance, the City Engineer shall serve written notice either personally or by regular mail to the owner and occupant. The notice shall provide the owner or occupant ten (10) days to bring the plantings or landscaping features in compliance with the provisions of the ordinance. Upon refusal or neglect to comply with the notice from the City Engineer, the City may remove the plantings and landscaping features and restore the terrace back to traditional turf lawn. The cost of the removal will be assessed against the lot adjoining the terrace. The City Attorney may seek legal or equitable remedies against an owner or occupant who does not remove non-compliant plantings or landscaping features.