

ORDINANCE NO. \_\_\_\_\_  
INTRODUCED BY: \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO,  
AMENDING SECTION 12-16-50 OF THE BRIGHTON MUNICIPAL CODE REGARDING  
OVERHEAD CLEARANCE OF LANDSCAPING OVER ROADWAYS

WHEREAS, Chapter 16 of Article 12 of the *Brighton Municipal Code* addresses encroachments and obstructions over rights-of-way throughout the City; and

WHEREAS, the Brighton Fire Rescue District has expressed concerns to City staff about the difficulty fire trucks have driving down roadways with overgrown trees and shrubbery; and

WHEREAS, at least fourteen (14) feet of overhead clearance is required for fire trucks to traverse roadways unimpeded; and

WHEREAS, the City Council finds it is in the best interests of the City of Brighton and its residents to amend the *Brighton Municipal Code* to require fourteen (14) feet of roadway clearance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF BRIGHTON, COLORADO, AS FOLLOWS:

Section 1. Section 12-16-50(4)(b) is hereby amended as follows:

(b) Encroaching landscaping planted or maintained in accordance with a permit issued pursuant to this Article or exempted by this Paragraph (4) shall be maintained so that there is at least fourteen (14) feet of clearance above and eighteen (18) inches of side clearance from any roadway, and eight (8) feet of overhead clearance and eighteen (18) inches of side clearance from any sidewalk, path, and parking lot at all times of the year, except that flowers and similar insubstantial planting which have no capacity to impede pedestrian or bicycle traffic and grow no higher than twelve (12) inches may extend to the edge of the traffic facility.

Section X. All sections, subsections, and definitions of Article 12 not expressly amended or modified herein remain in full force and effect.

Section X. As provided by City Charter Section 5.9(A), this Ordinance, either as presented or as amended, shall be published full as it was adopted prior to taking final action. This Ordinance shall be in full force and effect five days after final publication, as provided in City Charter Section 5.8., except as set forth herein.

INTRODUCED, PASSED ON FIRST READING AND ORDERED PUBLISHED THIS  
7<sup>th</sup> DAY OF NOVEMBER 2023.

INTRODUCED, PASSED ON FINAL READING AND ORDERED PUBLISHED BY  
TITLE ONLY THIS 21<sup>st</sup> DAY OF NOVEMBER 2023.

CITY OF BRIGHTON, COLORADO

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GREGORY MILLS, Mayor

ATTEST:

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NATALIE HOEL, City Clerk

Published in the *Brighton Standard Blade*

First Publication: November 16, 2023

Final Publication: November 30, 2023

APPROVED AS TO FORM:

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YASMINA GIBBONS, Deputy City Attorney