

TOWN OF PIERCE, COLORADO

ORDINANCE NO. 2026-05

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF PIERCE, COLORADO, AMENDING SECTION 7-6-100 OF THE PIERCE MUNICIPAL CODE REGARDING THE REQUIRED VERTICAL CLEARANCE FOR TREE BRANCHES OVERHANGING SIDEWALKS.

WHEREAS, the Town of Pierce ("Town") is a statutory municipality governed by its Board of Trustees ("Board"); and

WHEREAS, Section 7-6-100(b) of the Pierce Municipal Code currently requires a clear space of thirteen (13) feet above the surface of the street or sidewalk for branches of trees overhanging a street or right-of-way; and

WHEREAS, the Board finds that the vertical clearance required over sidewalks should be established separately from the clearance required over streets in order to promote safe and unobstructed pedestrian passage; and

WHEREAS, the Board finds that enacting this Ordinance is in the best interest of the public health, safety and welfare of the residents of the Town of Pierce.

NOW, THEREFORE BE IT ORDAINED by the Board of Trustees of the Town of Pierce, Colorado as follows:

Section 1. Amendment. Section 7-6-100(b) of the Pierce Municipal Code is hereby amended to read in its entirety as follows:

(b) The owner of any tree that overhangs into a street or right-of-way within the Town shall prune the branches so that these branches do not obstruct the light from a municipal street lamp or obstruct the view of the street at an intersection. There shall be a clear space of thirteen (13) feet above the surface of the street and a clear space of eight (8) feet above the surface of any sidewalk. Owners of trees shall remove all dead, diseased or dangerous trees and broken or decayed limbs that constitute a menace to public safety. 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 interferes with the visibility of a traffic control device or sign.

Section 2. Severability. If any provision of this Ordinance or its application to any person or circumstance is held to be invalid, the remainder of this Ordinance and its application shall not be affected. The provisions of this Ordinance are declared to be severable, and the Board of Trustees affirms that it would have enacted each part of this Ordinance independently of any portion deemed invalid.

Section 3. Safety Clause. The Board of Trustees finds and declares that this Ordinance is enacted under the general police powers of the Town and is necessary for the preservation of public health, safety, and welfare. It is further determined that this Ordinance bears a rational relationship to the proper legislative purpose intended to be achieved.

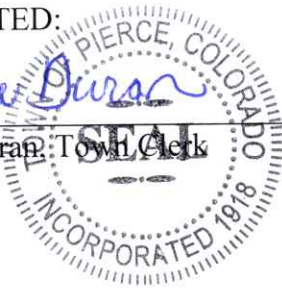
Section 4. Repeal. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed, but such repeal shall not affect or revive any previously repealed provisions.

Section 5. Effective Date. This Ordinance shall become effective thirty (30) days after publication as required by law.

PASSED, ADOPTED, SIGNED AND APPROVED this 13th day of July, 2026.

ATTESTED:


Tina Duran, Town Clerk



TOWN OF PIERCE, COLORADO


Larry Van Why, Mayor