

AMENDMENT TO STREETS, SIDEWALKS AND PUBLIC WAYS
Chapter 33 Section 30.213
City of St. Clair Shores

The City of St. Clair Shores ordains that Section 30.213 of its Code Ordinances,
Shall be amended to read as follows:

30.213 Guidelines pertaining to construction of berms, installation of shrubbery or decorative landscaping within established building lines or rights-of-way.

Sec.13. This section is intended to regulate the construction of berms or other landscaping treatments within the building lines established in the Zoning Ordinance of the City of St. Clair Shores, code section 15.481 (o), or the road rights-of-way over which the Macomb County Road Commission has jurisdiction with the City of St. Clair Shores. Landscaping treatments shall include, but not be limited to trees, as well as shrubbery and plantings. Such treatments shall also include planter boxes, boulders, rocks or other devices or structures which are part of the landscaping, decorative or aesthetic plan including statues, sprinkling systems, lights or mailboxes. The following regulations shall apply to construction, installation or placement of such treatments, plantings, landscaping or above-described conditions on property within the building lines and rights-of-ways as referenced above:

- (a) Prior to construction ***or placement*** of a berm or any landscape treatment as described above, the property or the owner's representative shall submit a drawing to the Dept. of Community Development for review and approval. For rights-of-way under the jurisdiction of the Macomb County Road Commission, said drawing will be forward to the Road Commission as well for approval. ***(amend. eff. Oct. 8, 2009)***
- (b) A berm may be constructed with or without shrubbery and plantings. It may consist of a mound with shrubbery, but in no case may ~~be a~~ mound or shrubbery or the two combined exceed thirty (30) inches above curb level except for trees, the type of tree to be approved in accordance with subsection (d). Additionally, in the event the berm consists of a mound and shrubbery, the mound can be no higher than twenty (20) inches and the shrubbery no higher than ten (10) inches above curb level except for trees as indicated above. Positive drainage from the area must be maintained and must be adequately set forth in a plan for review by the engineering division to adequately set forth in a plan for review by the ***Department of Community Development*** to determine the existence of appropriate drainage. ***(amend. eff. Oct. 8, 2009)***
- (c) Planter boxes or any structure intended to contain plantings of any kind shall consist of wood, metal, plastic or other appropriate and approved materials. No such structure shall exceed the height of six (6) inches above adjacent ground. Any such raised delineations or structures shall be at least one (1) foot from any adjacent sidewalk or driveway.
- (d) All trees shall be planted by the Forestry Division of the Dept. of Public Works. Tree species shall also be approved by the Forestry Division of the Dept. of Public Works.
- (e) No fence ***or wall*** shall be permitted. ***(amend. eff. Oct. 8, 2009)***
- (f) Structures ***and/or objects*** such as statues, birdbaths, flagpoles or mailboxes, ***stones or boulders***, which are not intended primarily to contain plants, shall be reviewed on a case-by-case basis by the ***Department of Community Development*** to determine their propriety and appropriate locations, if any. Vehicular and pedestrian safety shall be the primary consideration, and the ***Department of Community Development*** shall have the authority to place any reasonable restriction, including prohibition of the structure ***or object***. ***(amend. eff. Oct. 8, 2009)***
- (g) Sprinkler systems may be installed. However, the property owner shall assume full responsibility for any repair to the system occasioned by the construction ~~of~~ ***by*** the Macomb County Road Commission, ***the City of St. Clair Shores, and/or by any other entity or person***. Prior to installation of any sprinkler system, the property owner shall secure a permit and execute ***and*** record ***a covenant*** with a deed to the property so as to ***inform*** successive owners, tenants or assigns of the permit conditions. ***(amend. eff. Oct. 8, 2009)***

