

Sec. 26-16. Removal of obstructions from streets, etc.

(a) The owner of any building, fence, porch, steps, gallery or other obstruction which may be erected or placed upon any street, avenue, alley or sidewalk or other public ground of the city shall remove the same, upon written notice of the director of public works, within a reasonable time.

(b) Whenever the owner of any building, fence or other obstruction upon any street avenue, alley, sidewalk or public ground in the city shall refuse or neglect to remove the same for a period of ten days, after notice, as prescribed in subsection (a) of this section, such obstruction shall be deemed a nuisance, and it shall be lawful for the director of public works, and it is hereby made his duty, to remove, or cause the same to be removed or taken down, at his discretion, and the expense thereof shall be recoverable of the owner. No person shall oppose or resist the execution of the orders of the director of public works in such regard. If the owner cannot be readily found for the purpose of such notice, such obstruction shall be deemed a nuisance and shall be removed as herein provided.

(c) It shall be unlawful to place large items of personal property, excluding motor vehicles and including but not limited to portable basketball hoops, on the streets and rights-of-way of the City of Peoria. Large items of personal property, excluding motor vehicles and including but not limited to portable basketball hoops, which are found on city streets and rights-of-way and which items do not have identification as to ownership of those items, shall be considered abandoned and subject to removal by the police department and/or the public works department. Items which identify their owner are also not allowed on the streets and rights-of-way of the city, but the city shall give such notice as may be reasonable to said owner prior to removing the object as abandoned. The city shall be entitled to move said personal property onto the property of the indicated owner. A person who violates this subsection shall be subject to a fine of not less than \$75.00 and no more than as provided in section 1-5 of this Code for each offense.

(d) Abandoned personal property confiscated by the city may be redeemed by the rightful owner upon payment of a fee of \$100.00, said fee calculated to cover the city's cost in removing and storing the item. Any citizen who desires may request a hearing before a designee of the city manager to contest whether the item of personal property was properly removed as abandoned property. Said hearing shall be held within 21 days of the request for a hearing.

(Code 1957, § 36-16; Ord. No. 15806, § 1, 7-5-05)