

ARTICLE III. TREES

DIVISION 1. GENERALLY

Sec. 66-151. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City forester means the official (public employee) responsible for administration of the community forestry program.

Park trees means trees, shrubs, bushes, and all other woody vegetation in public parks.

Public community forest means all street and park trees, and trees owned by the city as a total resource.

Street trees means trees, shrubs, bushes, and all other woody vegetation on land lying between the property lines on either side of all streets, avenues, and rights-of-way.

(Code 1996, § 295.010; Ord. No. 95-137, § 1, 12-11-1995; Ord. No. 2002-015, 2-11-2002)

Cross references: Definitions generally, § 1-2.

Sec. 66-152. List of recommended trees.

The city shall maintain an extensive list of recommended trees for planting in public areas. The purpose of this listing will be to maintain diversity in the total tree population. This list shall be available to residents of the city upon request to aid in the selection of trees for private and public properties. The list of recommended trees shall be updated periodically to reflect new developments or species that will affect the population of the community forest.

(Code 1996, § 295.070; Ord. No. 95-137, § 7, 12-11-1995)

Sec. 66-153. Distances and clearances for planting street trees.

No street tree shall be planted within ten feet of any fireplug. No street tree shall be planted under or within ten feet of any overhead utility wire.

(Code 1996, § 295.080; Ord. No. 95-137, § 8, 12-11-1995)

Sec. 66-154. Public tree care.

(a) The city shall have the right to plant, prune, maintain and remove trees, plants, and shrubs within the right-of-way or bounds of all streets, alleys, lanes, squares, and public grounds, as may be necessary to ensure the public safety or to facilitate the tree management program.

(b) The city may remove, or cause or order to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to electric power lines or other public improvements, or is seriously affected with any fatal disease.

(Code 1996, § 295.090; Ord. No. 95-137, § 9, 12-11-1995; Ord. No. 2002-015, 2-11-2002)

Sec. 66-155. Damaging trees or shrubs in public place.

Any person who shall cut, deface, damage, drive nails in or nail signs on or to or in any manner damage or interfere with the growth of any tree or shrub in or on any street, alley, public place or park in the city shall be in violation of this section.

(Code 1996, § 295.100; Ord. No. 95-115, § 1, 9-25-1995)

Sec. 66-156. Removal of dead or hazardous trees.

The city shall have the right to remove any tree on city property, rights-of-way or parks that is dead or has been declared a hazard. Hazard trees are defined as trees with severe structural defects or splits. The city forester will notify in writing the owners of such trees. Removal is the responsibility of the owners of such trees and shall be accomplished within time limits set by the city forester.

(Code 1996, § 295.110; Ord. No. 95-137, § 11, 12-11-1995; Ord. No. 2002-015, 2-11-2002)

Sec. 66-157. Access to private property.

It shall be unlawful for any person to prevent, delay or interfere with access to private property by the city or its representative in the legal performance of any section of this article.

(Code 1996, § 295.130; Ord. No. 95-137, § 13, 12-11-1995)

Secs. 66-158--66-180. Reserved.