

**Chapter 12.32
Trees and Shrubs**

Sections:

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12.32.010 Tree trimming.

Trees and shrubs located along a public roadway, or adjacent to a public place, shall be trimmed by the owner or occupant of the property in the following manner: Trees abutting a roadway shall provide a clearance of not less than fourteen (14) vertical feet from the roadway surface, and not less than seven (7) vertical feet above any public place or sidewalk. Dead, broken, or otherwise hazardous limbs or branches shall be removed. Shrubs abutting a public roadway or sidewalk shall be trimmed so as not to impede movement or visibility on said roadway or sidewalk. For the purposes of this chapter, the terms shrub and bush are synonymous. (Ord. 2009-5)

12.32.020 Hazardous and infected trees.

Any tree, or part thereof, which is found to be infected, diseased, or hazardous to the public, the village infrastructure, or to other trees, plants, or shrubs shall be trimmed, treated, or removed by the property owner upon whose property the tree stands. The director of public works shall give written notice to the property owner, and said notice shall state the period of time in which action must be taken. That period shall not be less than twenty-four (24) hours nor more than fourteen (14) days, based on the seriousness of the tree's condition and the level of hazard, as determined by the director of public works. If the property owner fails to take the

specified action within the allotted time, the director of public works shall have the specified action performed and the village clerk shall impose a special charge against the property for the full cost of the action taken. (Ord. 2004-8)

12.32.030 Prohibited trees.

No person shall newly plant or transplant any tree of the species *Populus deltoides*, commonly called the Cottonwood, or any tree of the species *Acer negundo*, commonly called the Box Elder maple. Both species are considered a nuisance. (Ord. 2004-8)

12.32.040 Tree planting restrictions.

A. No person shall plant any catalpa, Chinese elm, white poplar, Lombardy poplar, or any fruit or nut tree adjacent to any public roadway or public place without securing written permission from the director of public works, who has the option of refusing permission if said tree would constitute a public nuisance or interfere with public safety or any water or sewer system. Any tree planted in violation of this section shall be removed at the property owner's expense.

B. No tree shall be planted within five (5) feet of any property line.

C. No tree or shrub shall be planted between the sidewalk and the traveled portion of any public roadway, an area commonly known as the terrace. (Ord. 2004-8)

12.32.050 Violations.

Any violation of this chapter shall be governed by Chapter 1.20, General Penalty. (Ord. 2004-8)