

## CHAPTER 95: TREES AND SHRUBS

### Section

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### **§ 95.01 REGULATIONS; ENFORCEMENT AUTHORITY.**

The Common Council or the Board of Public Works and Safety shall have the power from time to time to adopt and enforce rules, regulations and specifications for the trimming, removal, planting and protection of all trees, shrubs, vines, hedges, flowers and plants within the limits of any public street, alley, thoroughfare or lawn in the city, and shall have the power to regulate and prescribe terms and conditions upon which permits to trim, remove or plant any such trees, shrubs, vines, flowers or plants within the city shall be granted.

(Prior Code, § 22-1) (Ord. 455, § 1)

### **§ 95.02 TRIMMING, PLANTING; PERMISSION REQUIRED.**

It is unlawful for any person to trim, remove, plant, injure or destroy any trees, shrubs, vines, flowers or plants within the limits of any public street, alley, thoroughfare, lawn, park, parkway or boulevard, without first obtaining written permission from the Board of Public Works and Safety.

(Prior Code, § 22-2) (Ord. 455, § 2) Penalty, see [§ 10.99](#)

### **§ 95.03 REMOVAL; NOTICE.**

The Common Council or the Board of Public Works and Safety of the city may require the owner or occupant of property abutting any street or alley to remove or trim any tree, shrub, vine, flower or plant, or any part thereof, in front of the property of any such owner or occupant thereof which may be dead or in an unsightly or dangerous condition or which may project over the street beyond the property line of the occupant to a height of 10 feet or less, according to size, or any tree obstructing the free passage of pedestrians on the sidewalk, by first causing notice to be served on the owner or occupant of the premises adjoining the street or alley 10 days prior to the time designated for the removal or trimming of any such tree, shrub, vine, flower or plant.

(Prior Code, § 22-3) (Ord. 455, § 3)

**§ 95.04 APPEAL REGARDING DEAD TREES.**

(A) Any property owner or occupant of property receiving a notice under [§ 95.03](#) or who has been denied written permission required in [§ 95.02](#) may appeal to the Board of Public Works and Safety.

(B) For the purpose of appeal, an affidavit from a forest ranger from the Department of Natural Resources of the National Park Service or from a professional who is fully licensed and employed in the business of tree removal shall be competent evidence as to whether a tree, brush, or shrub is “dead or in a dangerous condition”.

(Prior Code, § 22-3.1) (Ord. 94-05, § 1)

**§ 95.05 TRIMMING SERVICES; LICENSE REQUIRED; FEE; LICENSE REVOCATION.**

(A) It is unlawful for any person to engage in the business of planting, cutting, removing or spraying trees, shrubs, vines and similar planting in the city without first procuring from the city’s Clerk-Treasurer on an application approved by the Board of Public Works and Safety, a license each year authorizing any such person to engage in such business. The Board of Public Works and Safety shall not approve any such application without first being satisfied of the competency of the applicant to engage in such business. Upon the issuance of license by the city’s Clerk-Treasurer, the applicant shall pay a license fee as set out in the Fee Schedule of this code, which shall entitle him or her to conduct any such business during the calendar year within which the license is issued.

(Prior Code, § 22-4)

(B) The Board of Public Works and Safety shall have the power to revoke any license issued under the provisions of this chapter, whenever it shall appear to the Board that the licensee has violated any of the rules of the Board which may be adopted in accordance with the provisions of this chapter or has violated any provision of this code or other ordinance of the city or any law of the state, pertaining to the care, preservation, trimming or removal of trees or similar planting in the city.

(Prior Code, § 22-5)

(Ord. 455, § 5) Penalty, see [§ 10.99](#)

**§ 95.06 COMPLIANCE WITH AUTHORITY REQUIRED.**

No person shall fail or refuse to carry out any of the directives of the Common Council or the Board of Public Works and Safety, relative to the trimming of trees and shrubs or their removal, where the trees, shrubs and other plants are growing on property dedicated to the city for streets and parkways where the owners of the property abut the streets, alleys or parkways.

(Prior Code, § 22-6) (Ord. 455, § 6) Penalty, see [§ 10.99](#)