

Kingsford, MI - Tree Ordinance

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ARTICLE II. PLANTING OF VEGETATION NEAR RIGHTS-OF-WAY

Sec. 34-31. 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:

Bush or bushes means a low, treelike or thickly branching shrub, a clump of shrubs, thicket or undergrowth.

Right-of-way means the strip of land upon which a public street or alley is built. A right-of-way involving a public street is generally 40 feet to 85 feet in width and includes the curb, terrace and sidewalk areas and is as registered with the state department of transportation as a certified street. An alley is generally 20 feet in width and is generally located between streets.

Shrub or shrubbery means a woody perennial plant of low stature, characterized by persistent stems and branches arising from the base; shrubs collectively treated.

Streets and *alleys* mean public ways in the city which are open to vehicular travel by the public.

Tree means a perennial woody plant having usually a single self-supporting trunk of considerable height, with branches and foliage growing at some distance above the ground; any shrub or plant that assumes treelike shape or dimensions.
(Ord. No. 223, § 1, 2-19-1996)

Sec. 34-32. Distance from right-of-way.

No owner or occupier of land within the city shall plant or allow or permit another to plant any bush, shrub or **tree** upon or within five feet of any right-of-way located within the city.

(Ord. No. 223, § 2, 2-19-1996)

Sec. 34-33. Applicability exception.

This article shall not apply to any **tree**, shrub or bush within a right-of-way located within the city that existed or was planted prior to the effective date of the ordinance from which this article is derived. However, it will be incumbent upon said owner or occupier of land to establish that any **tree**, shrub or bush located within any right-of-way within the city was planted or existed prior to the effective date of the ordinance from which this article is derived.

(Ord. No. 223, § 3, 2-19-1996)

Sec. 34-34. Assessment of cost of prosecution and removal.

In addition to any fine for violating the provisions of this article, the violator shall be assessed the cost of prosecution and any and all costs associated with removing the **tree**, shrub or bush.

(Ord. No. 223, § 4, 2-19-1996)