

City of Laingsburg, MI Street Tree Ordinance – As of 2014
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ARTICLE II. - TREES, SHRUBS AND PLANTS

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Sec. 66-31. - 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:

Park means all public parks having individual names and all areas, whether owned by the city or not, to which the public has free access as a park.

Street means all the land lying between property lines on either side of all streets and boulevards in the city.

Tree means **trees**, shrubs, bushes and all other woody vegetation.

(Ord. No. 54, § 1, 11-4-96)

Cross reference— Definitions generally, § 1-2.

Sec. 66-32. - Applicability of article.

The provisions of this article, except as otherwise specifically stated in this article, shall apply only to public streets, parkways, parks and other land publicly owned or controlled by the city.

(Ord. No. 54, § 2, 11-4-96)

Sec. 66-33. - Enforcement officer.

(a)

DPW supervisor. The DPW supervisor shall be charged with the duty of enforcing the provisions of this article.

(b)

Duties. It shall be the duty of the DPW supervisor to superintend, regulate, promote and encourage the preservation, maintenance, culture, planting, treatment and care of shade, ornamental and other **trees**, shrubs and plants in the public streets, alleys, places and parks of the city; to direct the method and manner of trimming and caring for such **trees**, shrubs and plants; to designate the times for trimming and for treating; to advise private property owners without charge in regard to the kinds of **trees**, shrubs and plants, and the location and planting of such **trees**, shrubs and plants, on the public streets, alleys and places in the city, and as to their care, maintenance, preservation and treatment, and all other matters pertaining thereto; and to take such measures as he may deem necessary or advisable for the control and extermination of insects, pests and diseases, which may injuriously affect such **trees**, shrubs and plants.

(Ord. No. 54, §§ 3, 4, 11-4-96)

Sec. 66-34. - Permit to place on public property.

No **tree**, shrub or plant shall be placed in any public street, highway, alley, place or park until the DPW supervisor shall have first approved in writing the kind, type, variety, species and size thereof and the location therefor, and shall first have issued a permit. No person shall remove, trim, cut, break, deface, injure or destroy, or in any manner interfere with any **tree**, shrub or plant now or hereafter situated in any public street, alley, place or park without such permit. The permit shall specifically describe the work to be performed. Such permit shall be in writing, upon suitable uniform blank forms to be provided by the city and shall be signed by the DPW supervisor. No charge shall be made for the execution of the permit. The permit shall expire at the end of 30 days from the date of its issue, or upon written revocation thereof by the DPW supervisor for cause. The cause is a violation of the terms and intent of the permit by the applicant, or by his agents or employees, and service of such written revocation upon the applicant shall be certified mail, return receipt demanded, at his last known business address, or by personal service upon him of the revocation.

(Ord. No. 54, § 5, 11-4-96)

Sec. 66-35. - Street clearance.

Any **tree**, shrub or plant not situated upon a public street, alley, place or park, but so situated as to extend its branches over a public street, alley or place, excepting from this section a public park, shall be so trimmed at the expense of the city.

(Ord. No. 54, § 6, 11-4-96)

Sec. 66-36. - Removal by city an exception to article.

Nothing in this article shall be so construed as to apply to the removal by the city of any **tree**, shrub, plant, root or parts thereof, when such removal shall be necessary or advisable in the discretion of the DPW committee for the construction or maintenance of any sidewalk, sewer, public utility or public improvement.

(Ord. No. 54, § 7, 11-4-96)

Sec. 66-37. - Protection during construction or removal of buildings.

In the erection, removal, alteration or repair of any building or structure, the owner of the building or structure shall previously thereto place or cause to be placed adequate guards and protection around all nearby **trees**, shrubs and plants situated on public streets, alleys, places and parks as will effectually prevent injury to such vegetation.

(Ord. No. 54, § 8, 11-4-96)

Cross reference— Buildings and building regulations, ch. 14.

Secs. 66-38—66-65. - Reserved.