

City of Norton Shores, MI - Tree Trimming Ordinance

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Chapter 38 STREETS, SIDEWALKS AND RIGHTS-OF-WAY

ARTICLE V. - TREE TRIMMING

Sec. 38-152. - Purpose.

The purpose of this article is to preserve to the extent possible existing vegetation located in and planted within the public's right-of-way and to require those persons, firms or corporations which wish to remove or maintain such vegetation to obtain a permit. Requirements of this article shall not apply to trimming, pruning or removal during emergency conditions defined as the loss, or imminent threat of loss, of customer service, nor shall it apply to the activities of the city.

(Ord. No. 696, § 1, 5-15-2007)

Sec. 38-153. - 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:

Cleanup means the removal and restoration, including chips, brush and stump removal, resulting from line-clearing activities and the repair of any and all damage to the surrounding area created by the activities permitted, including post-emergency cleanup.

Public area means publicly owned parks and other grounds owned or used by federal, state or local government.

Public right-of-way means all of that portion of the property described, dedicated or created by use by the public for rights-of-way, or installation and maintenance of public utilities.

Terrace means that portion of a parcel of property lying between the edge of the improved portion of the right-of-way and the existing right-of-way.

(Ord. No. 696, § 1, 5-15-2007)

Sec. 38-154. - Permit required.

(a)

No person or public utility or any other entity shall apply any defoliant or herbicide to, nor plant, transplant, trim, prune or remove any **tree** upon or from any terrace, or from within the public right-of-way without first obtaining a permit from the director of public works in the form to be provided by that office. The application for a permit as required under this section shall contain the following:

(1)

Evidence of an interest in the property being affected;

(2)

A site plan depicting location of **trees** or shrubs trimmed, removed or poisoned;

- (3) A description of the action to be taken and when the activity will start and end, along with a name, address, telephone number and contact personnel of the individual firm or corporation actually performing the work;
 - (4) Performance bond, if any, in an amount to be determined by the director of public works in order to provide security for the removal and cleanup of any brush, debris, stump removal or other residual vegetation resulting from the permitted activities;
 - (5) Certification that there are no unresolved issues remaining from prior permits granted to the applicant;
 - (6) Certification that adjacent property owners have been notified; and
 - (7) An acknowledgement and affirmation of the applicant's ability and intent to adhere to the state Manual on Uniform Traffic Control Devices.
- (b) Any and all such trimming activity shall be in accordance with American National Standards Institute Standard A300, Part 1 and Part 2001, entitled "Pruning."

(Ord. No. 696, § 1, 5-15-2007)

Sec. 38-155. - Permit conditions.

- (a) The permitted activity is to be conducted between the hours of 7:00 a.m. and 7:00 p.m.
- (b) Cleanup, including chips, brush, debris and stump removal, if any, and removal of herbicidally killed vegetation resulting from line-clearing activities shall take place within ten business days following the date on which the activity took place, or within ten days of when affected, or herbicidally killed, vegetation is observed.
- (c) The applicant shall repair any and all damage to the surrounding area created by the permitted activities and shall clean and restore the work area.
- (d) Should the city perform or contract for the required cleanup, it shall bill the responsible entity for its costs.

(Ord. No. 696, § 1, 5-15-2007)

Sec. 38-156. - Penalty.

Violations of these regulations shall be deemed a municipal civil infraction.

(Ord. No. 696, § 1, 5-15-2007)
