

CHAPTER 1022
Trees, Plants and Shrubs

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CROSS REFERENCES

Box elder trees, female, as nuisance - see M.C.L.A.
Sec. 124.151
Cutting or destroying trees - see M.C.L.A. Secs.
247.235, 247.241, 752.701 et seq.
Malicious destruction - see M.C.L.A. Sec. 750.382
Noxious weeds - see GEN. OFF. 678.01
Yard waste collection - see S.U. & P.S. Ch. 1080

1 1022.0 JURISDICTION OF COUNCIL.

Council shall have exclusive jurisdiction, authority, control and supervision of all trees, plants and shrubs planted or growing in the City, and of the planning, removal, care, maintenance and protection thereof.

(Ord. 61. Passed 2-16-59.)

2 1022.0 TRIMMING AND REMOVAL.

Trees standing in or upon any public highway or public place, and on any lot or land adjacent to any public highway or public place, and having branches projecting into the public highway or place endangering public safety or property, shall be kept trimmed or removed by the owner or occupant of the property on or in front of which such trees are growing. If the owner or occupant neglects or refuses to trim such trees, on being notified in writing to do so, Council may do the necessary work and the cost shall be assessed against the property owner.

(Ord. 61. Passed 2-16-59.)

3 1022.0 ATTACHMENTS; INJURING.

No person shall attach any rope, wire, cable, sign, card, poster or other article or do any damage to a tree or its guard in a public highway without first obtaining a written permit therefor from Council. No person shall pour or deposit salt, brine or other injurious material upon any public highway in such manner as to injure any shrub planted or growing thereon.

(Ord. 61. Passed 2-16-59.)

4 1022.0 PROJECTION DURING BUILDING CONSTRUCTION.

In the erection, alteration, repair or removal of any building or structure, the owner thereof shall place or cause to be placed such guards around all nearby trees on the public highways as will effectually prevent injury to such trees.

(Ord. 61. Passed 2-16-59.)

5 1022.0 BOXELDER TREES.

(a) Any female Boxelder tree which is or could be the breeding place for boxelder bugs (*Leptocoris Trivittas*) is hereby declared to be a public nuisance. No person shall maintain the same on his or her property after notification as herein provided.

(b) Any such tree located on public lands in the City shall be removed at City expense under the direction of the Superintendent of Public Works.

(c) The Superintendent or any person designated by him or her may enter upon private property to make field inspections of Boxelder trees. This shall include the right to remove specimens for analysis.

(d) After inspection of the tree, the Superintendent may require, by written notice addressed either to the owner of the premises on which the tree is located or to the occupant of such premises, the removal of such tree. Such notice shall give the person so notified a definite time in which to comply with such notice, which time shall be at least fifteen days following the date of such notice. If such tree is not removed within the time given in the notice, the Superintendent shall report the failure to remove such tree to Council. Council may thereafter, without further notice, cause such tree to be removed. All costs involved in the cutting and removal of such tree shall be assessed against the property upon which such tree is located on the next general tax assessment roll of the City.

(e) No damages shall be awarded for the destruction of any tree or for any injury to the same in carrying out this section.
(Ord. 84. Passed 5-4-65.)

1022.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)