

## City of Oxford – Tree Ordinance

### ARTICLE II. TREES

#### Sec. 74-31. Public tree removal.

The village shall have the right to plant, trim, spray, preserve and remove trees, plants, and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to ensure safety or to preserve the symmetry and beauty of such public grounds. The village manager may remove or cause or order to be removed any tree or part thereof which is in an unsafe condition or which is a prohibited species, such as poplar, willow, box elder, walnut, mulberry or catalpa, or is affected with any injurious disease, fungus, insect or other pest. Whenever the village shall remove any tree, plant or shrub solely for the purpose of constructing any public work, the village manager shall, if practicable, replace such tree, plant or shrub at public expense, at some nearby location, by planting another tree, plant or shrub, not necessarily of the same type. (Ord. No. 202, § 11(A), 10-14-1969)

#### Sec. 74-32. Spacing of shade trees.

Plantings of shade and ornamental trees in the streets, parks and public places of the village may be done by the village upon payment of certain fees and charges and in accordance with such rules and regulations as may be established by the village council insofar as such rules and regulations do not conflict with any other provisions of this article. No future planting of shade and ornamental trees or shrubs in the streets, parks and public places by owners or anyone employed by them shall be permitted without the approval of the village manager and in compliance with the following rules as to spacing: Elm trees shall be spaced not less than 35 feet, oak trees not less than 30 feet, and other shade trees and ornamental trees not less than 25 feet. Provided, however, that any owner of a single lot may in order to provide a shade or ornamental tree in front of his lot, secure special permission from the village to plant a shade or ornamental tree within a lesser distance from an existing tree than the spacing required by this section, but shall in no case make a special planting within 20 feet of an existing shade or ornamental tree located in the street or other public place. No tree shall be planted in the parkways between the curb and sidewalks less than 3 1/2 feet from the curblines, nor less than three feet from the curblines, nor less than three feet from the sidewalks; provided, however, that the trees when planted therein shall be located not less than two feet six inches from the curb and as near midway between the curb and sidewalk as possible. No trees shall be planted nearer to the intersection of any streets than 20 feet from the corner of such intersection.

(Ord. No. 202, § 11(B), 10-14-1969)

#### Sec. 74-33. Tree protection.

No person shall break, injure, mutilate, kill or destroy any tree or shrub; or set any fire within ten feet of any tree; or permit any fire or the heat thereof to injure any portion of any tree. No toxic chemicals or other injurious materials shall be allowed to seep, drain or

be emptied on, near or about any trees. No electric wires or any other lines or wires shall be permitted to come into contact with any tree or shrub in any manner that shall cause damage thereto, and no person shall attach any electric insulation to any tree. No person shall use any tree as an anchor except by special written permit from the village manager, and no material shall be fastened to or hung on any tree. All persons having under their care, custody or control, facilities which may interfere with the trimming or removal of any tree, shall after notice thereof by the village manager promptly abate such interference in such a manner as shall permit the trimming or removal of such tree by the village.

(Ord. No. 202, § 11(C), 10-14-1969)

Sec. 74-34. Excavations near trees.

Excavations and driveways shall not be placed within five feet of any tree without written permit from the village manager. Any person making such excavation or construction shall guard any tree within six feet thereof and all building material or other debris shall be kept at least four feet from any tree.

(Ord. No. 202, § 11(D), 10-14-1969)

Sec. 74-35. Covering surface near trees.

No person shall place within the street right-of-way any stone, brick, sand, concrete or other material which will in any way impede the full free passage of water, air or fertilizer to the roots of any tree, except for a sidewalk of authorized width and location.

(Ord. No. 202, § 11(E), 10-14-1969)

Sec. 74-36. Private trees; clearance.

Every owner of any tree on private property overhanging any street right-of-way within the village shall trim the branches so that such branches shall not obstruct the light from any streetlamp or obstruct the view of any street intersection and so that there shall be a clear space above the surfaces of the street or right-of-way. Such owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The village shall have the right to trim any tree or shrub on private property when it interferes with the proper spread of light along the street from a streetlight, or interferes with visibility of any traffic control device or sign, such trimming to be confined to the area immediately above the right-of-way.

(Ord. No. 202, § 11(F), 10-14-1969)

Sec. 74-37. Corner clearance.

All shrubs and bushes located on the triangle formed by two right-of-way lines at the intersection of two streets, and extending for a distance of 20 feet each way from the intersection of the right-of-way lines on any corner lot within the village shall not be permitted to grow to a height of more than 30 inches in height from top of curb at street level, in order that the view of a driver of a vehicle approaching a street intersection shall not be obstructed. Trees may be planted and maintained on private property in such area, provided that all branches are trimmed to maintain a clear vision for a vertical height of

ten feet above the roadway surface. Any owner of any property failing to trim any trees, shrubs or bushes in conformity with this section shall be notified by the village manager to do so and such notice shall require trimming in conformity with this section within ten days after the date of such notice. Upon the expiration of such period, the manager may cause the trimming to be done and the cost thereof may be collected from the owner of such property as a single lot assessment in accordance with the Village Charter.

(Ord. No. 202, § 11(G), 10-14-1969)

Secs. 74-38--74-60. Reserved.