

CHAPTER 95: TREES ON PUBLIC PROPERTY

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§ 95.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

LARGE TREES. Mature height greater than 40 feet.

MEDIUM TREES. Mature height of 40 feet.

PRIVATE TREES. Herein defined as trees, shrubs, and bushes on a property owner's land.

SMALL TREES. Mature height of 30 feet.

STREET TREES. Herein defined as trees, shrubs, bushes on land lying between property lines on either side of all streets, or right-of-ways (33 feet from center line of street to property line within the village).

(Ord. 2016-11-13, passed 11-14-2016)

§ 95.02 THE SPECIES TO BE PLANTED.

(A) All species of trees must follow Consumers Energy Forestry Operations and Michigan Forestry and Park Association. (Right tree-Right Place principles).

(B) Hardiness should be a Zone 4 or higher.

(C) Only non-fruit bearing trees should be planted.

(Ord. 2016-11-13, passed 11-14-2016)

§ 95.03 SPACING.

The spacing of street trees will be in accordance with the tree size classes:

(A) Small - 30 feet apart.

(B) Medium - 50 feet apart.

(C) Large - 75 feet apart.

(Ord. 2016-11-13, passed 11-14-2016)

§ 95.04 DISTANCE FROM CURB AND SIDEWALK.

The distance trees may be planted from curbs or curb lines and sidewalks will be in accordance with tree size. No trees may be planted closer to any curb or sidewalk than the following; small and medium - 2 feet, large - 4 feet.

(Ord. 2016-11-13, passed 11-14-2016)

§ 95.05 DISTANCE FROM STREET CORNERS AND FIRE HYDRANTS.

No tree shall be planted closer than 35 feet to any corner, measured from the nearest intersecting curb lines. No tree shall be planted closer than 15 feet to any fire hydrant.

(Ord. 2016-11-13, passed 11-14-2016)

§ 95.06 UTILITIES.

No street trees other than small trees may be planted within ten feet of any overhead utility wire, or within four feet of any underground utility.

(Ord. 2016-11-13, passed 11-14-2016)

§ 95.07 PUBLIC TREE CARE.

The village shall have the right to plant, prune, maintain, and remove trees and shrubs within the lines of all streets, alleys, and public grounds, as may be necessary to insure public safety, or to preserve or enhance the symmetry and beauty of public grounds. The village will be responsible for the cutting, and cleanup of all village right-of-way tree maintenance. The village may remove or cause to be removed any tree or part thereof, which is in an unsafe condition or which by reason of its nature, is injurious to any utility or public improvements. The village reserves the right to select the replacement of any type of species of tree after the removal of a tree. All expenses for pruning, removing, purchasing and planting trees will be the responsibility of the village.

(Ord. 2016-11-13, passed 11-14-2016)

§ 95.08 PRUNING, CORNER CLEARANCE.

Any tree overhanging any street or right-of way. The village shall prune the branches so that such branches shall not obstruct the light from any street light, obstruct the view of any street intersection, or overgrow any sidewalk so that there is a clear space of 14 feet above the street and eight feet above the sidewalk. The village shall have the right to prune any tree or shrub on private property when it interferes with the spread of light from any street light or interferes with visibility of any traffic control device, sign or reduces vision at street intersections. All expense will be the responsibility of the village.

(Ord. 2016-11-13, passed 11-14-2016)

§ 95.09 DEAD OR DISEASED TREE REMOVAL ON PRIVATE PROPERTY.

Property owner will remove any tree on private property that is dead or diseased. Removal shall be done at the owner's expense.

(Ord. 2016-11-13, passed 11-14-2016)

§ 95.10 REMOVAL OF STUMPS.

All stumps in street right-of-way and parks shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground. This removal will be the responsibility of the village.

(Ord. 2016-11-13, passed 11-14-2016)

§ 95.11 REQUEST FOR TREE REMOVAL BY PROPERTY OWNER.

If a property owner requests that a tree in the village right-of-way be removed, the following procedure must take place.

(A) If the tree is deemed dead or a safety hazard and must be removed, the village will pay for the removal of the tree and stump.

(B) If the tree is not posing any conditions as stated above, the property owner is solely responsible for the cost of the tree and stump removal. After the tree removal, the stump must be removed within 30 days.

(C) The property owner must have the approval of the village prior to removal of said tree.

(D) Property owners will not plant any tree or shrub within the village right-of-way. The planting of new trees in the right-of-way will be the responsibility of the village.

(Ord. 2016-11-13, passed 11-14-2016)