

City of Swartz Creek – Tree Ordinance

Chapter 20 VEGETATION*

***Charter references:** Power to provide for planting and general care and protection of trees and shrubbery, § 3.1(b)(3)(m).

Cross references: Protection of flowers, trees, shrubs, etc., in cemeteries, § 5-62.

State law references: Care of trees and shrubs, MCL 247.241 et seq., MSA 9.361 et seq.

Art. I. In General, §§ 20-1--20-20

Art. II. Grass, Brush and Weeds, §§ 20-21--20-30

Art. III. Leaves, §§ 20-31, 20-32

State law reference-- Permissible that Charter provide for plan of streets and alleys within three miles of city, MCL 117.4h(3), MSA 5.2081(3).

(c) Requiring the owners of real property to build and maintain public sidewalks in the area of streets immediately adjacent to such property, and, upon the failure of any owner to do so, constructing and maintaining such sidewalks and assessing the cost thereof against such property as a special assessment;

(d) Compelling all persons to care for the untraveled portions of streets lying between the curbs and property line which abut upon premises owned, controlled, or occupied by them, and to keep the same free from weeds and from objects which are offensive or hazardous to public health and safety, and, upon the failure to do so, cutting and removing such weeds and removing such objects and assessing the cost thereof against such property as a special assessment;

(e) Compelling all persons to keep sidewalks which are in the area of streets immediately adjacent to the premises owned, controlled, or occupied by them, free from snow, ice, dirt, wood, weeds, shrubbery, or any other object which obstructs such sidewalks, or which makes the same offensive or hazardous to the public health or safety, and upon failure to do so, to cutting and removing such weeds and remove such objects and assessing the cost thereof against such property as a special assessment;

(f) Providing for the grade of streets and requiring public utility users of the streets to conform thereto with respect to their tracks or facilities located on, above, or under the streets, requiring railroads to keep their tracks and the street surface between their tracks, and for a distance of one and one half feet on each side of them, in reasonable repair at all times;

(g) Regulating the speed of vehicles, trains, and locomotives upon or across the streets within the provisions and limitations of law, and the stopping and parking of the same upon the streets and at street crossings;

(h) Providing for and regulating the lighting of streets and alleys, whether such lights be located on public or private property;

- (i) Preventing and abating the encumbering of streets and alleys or any part thereof;
- (j) Regulating the location of buildings and structures and of **trees** and shrubbery at and near street corners and street intersections with alleys, so as to provide for the public safety and welfare in the use of streets and alleys;
- (k) Providing for and regulating the numbering of buildings upon property abutting the streets and alleys and compelling the owners and occupants thereof to affix numbers thereto;
- (l) Providing for the use by other than the owner, of property located on, above, or under the streets, alleys, and public places, in the operation of a utility, upon the payment of a reasonable compensation therefor to the owner thereof;

State law reference-- Permissible that Charter provide for joint use of public property, MCL 117.4h(2), MSA 5.2081(2).

(m) Providing for the planting and general care and protection of **trees** and shrubbery within the streets and public places of the city and preventing the cutting of limbs and branches for the placing and maintenance of utility wires without the consent of the designated officer or agency of the city.

(4) To undertake any public work or make any public improvement or any repair or replacement thereof, either directly or by contract with public bodies or private persons; and to participate in any public work or public improvement under any lawful plan by which the whole or partial support of such work or improvement is provided by another governmental unit or agency;

(5) To construct, provide, maintain, extend, operate, and improve:

(a) Within the city: a city hall; city office buildings; community buildings; police stations; fire stations; civic auditoriums; public libraries; and polling places; and,

(b) Either within or without the corporate limits of the city or Genesee County: public parks; recreation grounds and stadiums; municipal camps; public grounds; zoological gardens; museums; airports and landing fields; cemeteries; levees, embankments, and structures for flood control and other purposes related to the public health, safety, and welfare; electric light and power plants and systems; gas plants and systems; public heating plants and system[s]; waterworks and water treatment plants and systems; sewage disposal plants and systems; storm sewers; garbage collection and disposal facilities; refuse and rubbish collection and disposal facilities; market house and market places; facilities for the storage and parking of vehicles; hospitals; facilities for the landing of helicopters and air vehicles having like landing characteristics; and any other structure or facility which is devoted to or intended for public purposes within the scope of the powers of the city;

(6) To acquire by purchase, gift, condemnation, lease, or otherwise, real and personal property, and interests in property, either within or without the corporate limits of the city or of Genesee County, for any public use or purpose within the scope of its powers, including, but not by way of limitation, the uses and purposes set forth in this section;

State law reference-- Permissible that Charter provide for condemnation, MCL 117.4e(2), MSA 5.2078(2).

(7) To join with any municipal corporation or with any other unit or agency of government, or with any number or combination thereof, by contract, or otherwise, as may be permitted by law, in the ownership, operation, or performance, jointly or by one or more on behalf of all, of any property, facility, or service which each would have the power to own, operate, or perform separately.