

CHAPTER 93: TREES

Section

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§ 93.01 DEFINITIONS.

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

GROWTH. Includes any or all thereof unless the context otherwise requires.

SHRUBS. "Shrubs" under fifteen feet in height may include vines and plants.

TREES. Includes shrubs which grow higher than 15 feet.

('88 Code, Title III, Ch. 32, § 3.21)

§ 93.02 PUBLIC WAYS; TREES; CONTROL.

The Park Board shall have complete charge and control over the planting, cutting, trimming and removal of trees and other growth upon all public highways and places and the Park Board may promulgate and adopt rules and regulations for the control of same.

('88 Code, Title III, Ch. 32, § 3.22)

§ 93.03 PROHIBITED VARIETIES.

No person except the City, shall plant, remove or destroy any ornamental shade tree or shrub in any public way; or plant any poplar, box elder, basswood, cottonwood, willow, soft maple, common catalpa, horse chestnut, or "ailanthus glandulosa" tree anywhere within the City without first procuring a permit from the Park Board or person designated by the Board to issue such permits.

('88 Code, Title III, C h. 32, § 3.23) Penalty, see § 93.99

§ 93.04 MAINS; LEAKS.

Gas pipes or mains within or beneath any public way shall be so maintained as to avoid any leakage therefrom. If any leak exists or occurs, it shall be reported to the owner of such pipe and main, and the leak shall be repaired within 24 hours.

('88 Code, Title III, Ch. 32, § 3.24) Penalty, see § 93.99

§ 93.05 INJURY TO TREES.

No person shall cut, mutilate, remove, saw or trim any tree within any public way in the City to make room for any telegraph, telephone or electric lines, moving buildings or machinery or other things or for repairing sidewalks without first procuring a permit from the Park Board. No person shall attach, tack, or in any manner fasten, to any tree in any public way any wire, rope, chain, cable, sign, card, board, poster or other article, nor hitch any animal thereto.

('88 Code, Title III, C h. 32, § 3.25) Penalty, see § 93.99

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§ 93.06 TRIMMING BY PUBLIC UTILITIES; PERMIT REQUIRED.

No person owning or operating any bus line or other motor transportation over the City streets, or any public utility lines upon, above, or below the surface, shall trim, cut, or cause it to be trimmed or cut, any tree in any public way or park, without first having submitted to the Park Board a plan of the work to be done and having procured a permit for such work. Nothing in this section shall be construed to apply to the removal, under the direction of the Park Board, of any stump, roots, tree, shrub, vine, plant, or part there-of, wherever such removal shall be found necessary in the construction, or repair of any street, sidewalk, sewer, pavement, or other public improvement.

('88 Code, Title III, Ch. 32, § 3.26) Penalty, see § 93.99

§ 93.07 APPLICATION FOR PERMIT.

Application for any permit required by the provisions of this chapter shall be made in accordance with the terms and provisions of Chapter 94.

('88 Code, Title III, Ch. 32, § 3.27)

§ 93.08 OBSTRUCTIONS PROHIBITED; TRIMMING.

The owner, or person in charge or control of any lot or parcel of land within the City, upon which any tree, shrub, vine or plant may be standing adjacent to any public way, shall trim or cause to be trimmed, either at the property line, or to a clear height of at least eight feet above the surface of such public way, all branches thereof which overhang any portion of such public way, or which obstruct or interfere with the passage of light from any street lighting system, and shall not plant or maintain any thereof so close to any property line as to obstruct thereby the vision of travelers along the streets. The City may enter upon any such private premises to do such trimming as it determines necessary, or to remove such obstructions herein prohibited upon the failure of the owner so to do after notice to him in writing. The owner shall, or the City may, remove from such tree, shrub, plant or vine, all dead, decayed, unsightly, broken or dangerous limbs and branches that overhang, or are close to the public way; and when any such tree, shrub, plant or vine is dead, the owner shall remove the same, or after notice of such intention to the owner, the City may do so and charge the cost thereof to such owner.

('88 Code, Title III, Ch. 32, § 3.28) Penalty, see § 93.99

§ 93.09 EXCAVATIONS; GUARDS REQUIRED.

In any excavation, or the erection, alteration, or repair of any building or structure, or other work, the owner thereof, or someone for him, shall place or cause to be placed such guards around all nearby trees, shrubs and plants in the public way as will effectually prevent injury to them.

('88 Code, Title III, Ch. 32, § 3.29) Penalty, see § 93.99

§ 93.10 COVERING PLANTING STRIP.

No person shall place or maintain on any planting strip or lawn extensions in any public way or place of the City, any stone, brick, sand, concrete or other material or article, which may injure or which may in any way impede the full and free passage of water, air or fertilizer to the roots of any tree, shrub, vine, or plant, without leaving an open space of ground not less than four feet in diameter around the same.

('88 Code, Title III, Ch. 32, § 3.30) Penalty, see § 93.99

§ 93.99 PENALTY.

Any person who violates any ordinance within Title IX, Chapter 93, shall be responsible for a municipal civil infraction and shall be penalized as provided in § 10.97.

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