

City of Cheboygan – Tree Ordinance

CHAPTER 99: TREES

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§ 99.01 DEFINITIONS.

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

GROWTH. Any or all trees or shrubs unless the context otherwise requires.

SHRUBS. Under 15 feet in height may include vines and plants.

TREES. Includes shrubs which grow higher than 15 feet.

(’73 Code, 30.101, § 4.91) (Am. Ord. passed 8-24-99)

§ 99.02 AUTHORITY OVER TREES ON PUBLIC PROPERTY.

The Department of Public Works 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 may promulgate and adopt rules and regulations for the control of same.

(73 Code, 30.102, § 4.92) (Am. Ord. passed 8-24-99)

§ 99.03 PROHIBITED VARIETIES.

No person, except an authorized city employee, shall plant, remove or destroy any ornamental shade tree or shrub in any public way; or plant any poplar, box elder, basswood, cotton wood, willow, soft maple, common catalpa, horse chestnut, or “ailanthus glandulosa” tree anywhere within the city, without first procuring a permit from the Department of Public Works.

(73 Code, 30.103, § 4.93) (Am. Ord. passed 8-24-99) Penalty see § 10.99

§ 99.04 GAS PIPES AND MAINS TO BE MAINTAINED.

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. The city may repair any leak not stopped within 24 hours and the owner of the pipe or main causing the leak shall be charged with the cost of repair and the damage caused thereby.

(73 Code, 30.104, § 4.94) (Am. Ord. passed 8-24-99) Penalty see § 10.99

§ 99.05 MUTILATING TREES PROHIBITED.

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 Department of Public Works. 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.

(73 Code, 30.105, § 4.95) (Am. Ord. passed 8-24-99) Penalty see § 10.99

§ 99.06 TRIMMING BY PUBLIC UTILITIES.

No person owning or operating any public utility lines upon, above or below the surface of any street, shall trim, cut or cause to be trimmed or cut any tree along any public way or park, without first having submitted to the Department of Public Works 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 Department

of Public Works, of any stump, roots, tree, shrub, vine, plant or part thereof whenever such removal shall be found necessary in the construction or repair of any street sidewalk, sewer, pavement or other public improvement.

(73 Code, 30.106, § 4.96) (Am. Ord. passed 8-24-99) Penalty see § 10.99

§ 99.07 OBSTRUCTIONS PROHIBITED.

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 to do so 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.

(73 Code, 30.107, § 4.97) (Am. Ord. passed 8-24-99) Penalty see § 10.99

§ 99.08 EXCAVATIONS.

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.

(73 Code, 30.108, § 4.98) (Am. Ord. passed 8-24-99) Penalty see § 10.99

§ 99.09 COVERING SURFACE NEAR TREE.

No person shall place or maintain upon the ground in any public way or place of the city any stone, brick, sand, concrete or other material or article which may injure or 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.

(73 Code, 30.109, § 4.99) (Am. Ord. passed 8-24-99) Penalty see § 10.99