

City of Wyandotte – Tree Ordinance

Chapter 36 TREES AND VEGETATION

Sec. 36-1. Definition.

The word "trees" as used in this chapter includes shrubs which grow higher than fifteen (15) feet; "shrubs" under fifteen (15) feet in height may include vines and plants; the word "growth" includes any or all thereof unless the context otherwise requires.

(Code 1956, § 26-1)

Sec. 36-2. Authority of department of building and engineering.

The department of building and engineering 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 department may promulgate and adopt rules and regulations for the control of same.

(Code 1956, § 26-2)

Sec. 36-3. Permit applications.

An application for any permit required by the provisions of this chapter shall be made in accordance with the terms and provisions of this Code.

(Code 1956, § 26-7)

Sec. 36-4. Permit to plant certain trees.

No person except authorized city employee shall plant any poplar, box elder, basswood, cottonwood, willow, soft maple, common catalpa, horse chestnut, or "ailanthus glandulosa" tree without a permit from the department of building and engineering.

(Code 1956, § 26-3)

Sec. 36-5. Plants in public ways generally.

No person other than authorized city employees shall plant or destroy any ornamental shade tree or shrub located in any public way.

(Code 1956, § 26-30)

Sec. 36-6. Cutting, mutilating, etc., trees in public ways.

No person shall cut, mutilate, remove, saw or trim any tree within any public way in the city without a permit from the department of building and engineering.

(Code 1956, § 26-5)

State law references: Destruction of trees, MCL §§ 247.235, 247.241, 318.251, MSA §§ 9.355, 9.361, 13.1064(1).

Sec. 36-7. Attaching wire, signs, etc., to trees in public ways.

No person shall attach, place or fasten any wire, rope, chain, cable, signs, card, board, poster or other article or any animal to any tree located in a public way.

(Code 1956, § 26-5)

State law references: Attaching articles to trees, MCL § 247.241, MSA § 9.361.

Sec. 36-8. Tree trimming by public utilities.

No person owning or operating any bus lines 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, along any public way or park, without first having submitted to the department of building and engineering a plan of the work to be done and having procured a permit for such work; provided, however, that nothing in this section shall be construed to apply to the removal, under the direction of the department, of any stump, roots, tree, shrub, vine, plant or part thereof, wherever such removal shall be found necessary in the construction or repair of any street, sidewalk, sewer, pavement or other public improvement.

(Code 1956, § 26-6)

State law references: Removal of trees by public utilities, MCL § 560.190, MSA § 26.430(190).

Sec. 36-9. Protection during excavation.

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.

(Code 1956, § 26-9)

Sec. 36-10. Obstructions prohibited; trimming.

(a) No person shall maintain upon any land which he owns or occupies any tree which is so located as to extend its branches over a public alley or public street or public sidewalk unless the same shall be kept trimmed so that there shall be a clear height of not less than twelve (12) feet above that portion of the surface of said alley, street or sidewalk, unobstructed by branches. No such person shall fail to remove all dead branches or stubs on such trees which are or may become a menace to persons on any public alley, public street or public sidewalk.

(b) No person shall allow upon any corner lot which he owns or occupies any trees, bushes, shrubs or plants which bear foliage which would obstruct the view of a driver of a vehicle approaching a street intersection above a height of three (3) feet above the grade of the surface of the intersecting streets. No such person shall allow any trees, bushes, shrubs or plants located on any land which extends in front of the building setback line of the subdivision and which bears foliage that would obstruct the view of a driver of a vehicle approaching a public street from a public or private driveway to grow to a height of more than three (3) feet above the grade of the surface of the public street.

(c) No person shall plant any tree, bush, shrub or plant in the right-of-way of any street, between the sidewalk and curb of said right-of-way and within thirty (30) feet of the nearest sidewalk parallel to any intersecting street right-of-way.

(d) Any person who shall violate any of the provisions of subsections (a) or (b) or (c), shall be given a written notice of such violation, which notice shall allow seven (7) calendar days from the date of the notice in which a remedy the violation and to comply with this section. It shall be unlawful for any person to fail to comply with said notice.

(Code 1956, § 26-8)

Sec. 36-11. Protection from stones, bricks, sand, etc.

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 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 (4) feet in diameter around the same.

(Code 1956, § 26-10)

Sec. 36-12. Maintenance of vacant lots in central business district; penalty for violation.

(a) Any person or entity owning, leasing, occupying, or having charge or control of any vacant parcel of land located in the central business district of the City of Wyandotte shall be required to maintain a lawn on said parcel of land by either planting seed or laying sod in such a manner so as to avoid dusty and/or muddy conditions on said parcel of land. In addition, said grass or lawn shall be maintained so as to be in compliance with all city ordinances and to prevent the accumulation of litter on said parcel of land.

(b) Any person or entity who violates this section is guilty of a misdemeanor subject to a fine not exceeding five hundred dollars (\$500.00) and/or imprisonment not exceeding ninety (90) days in jail.

(c) Upon the failure of any person or entity to maintain a lawn of any vacant parcel of land in the central business district as set forth above, the city shall proceed to abate such condition and prepare a statement of cost incurred in the abatement thereof. Any and all costs incurred by the city in the abatement of this condition shall constitute a lien against the property on which such unlawful condition exists, which lien shall be filed, proven and collected as provided for by law and said lien shall bear interest at the legal rate thereafter until satisfied. Such costs may be collected as a special assessment pursuant to the city charter or any other means provided by law.

(Ord. No. 943, §§ 2--4, 6-22-92)

Editor's note: Nonamendatory Ord. No. 943, §§ 2--4, adopted July 22, 1992, has been included herein as § 36-12 at the discretion of the editor.

Charter references: Collection of expenses as a special assessment, § 222.

Cross references: Noxious weeds and tall grass, § 14-31 et seq.; nuisances, § 24-1 et seq.; zoning, central business district, App. A, Art. XI.