

City of Wayne – Tree Ordinance

# CHAPTER 1026

## Trees and Shrubs

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### CROSS REFERENCES

Trimming of trees by electric utilities - see B.R. & T. 818.03(d)

Right of way defined - see S.U. & P.S. 1020.01

Vegetation in parks - see S.U. & P.S. 1062.15

Vegetation in cemeteries - see S.U. & P.S. 1066.16

## **1026.01 AUTHORITY OF DIRECTOR OF PUBLIC WORKS AND DIRECTOR OF PARKS AND RECREATION.**

The Director of Public Works shall have control over all trees, vines, shrubs and plants planted or to be planted in any public right of way in the City. The Director shall have the power to plant, prune, spray and otherwise maintain such trees, vines, plants and shrubs and to determine the type of trees to be planted. The Director of Parks and Recreation shall have similar authority with regard to trees, vines, shrubs and plants located in the public parks of the City.

(Ord. 65. Passed 3-20-84.)

## **1026.02 PLANTING, INJURING, ETC., VEGETATION IN RIGHTS OF WAY.**

No person shall plant, transplant, trim, spray, remove, cut down, injure, destroy, break, deface or disturb a tree, vine, shrub or plant in any public right of way, except upon written permission of the Director of Public Works.

(Ord. 65. Passed 3-20-84.)

## **1026.03 ATTACHING WIRES, SIGNS, ETC.**

No person shall attach a guy wire or rope or other rope, wire or cable, or a sign, electrical connection or insulator, to a tree in a public right of way, except upon written permission by the Director of Public Works.

(Ord. 65. Passed 3-20-84.)

## **1026.04 TRIMMING OF BRANCHES OVERHANGING RIGHTS OF WAY.**

No person shall maintain upon a lot owned by him or her, either individually or as one of two or more tenants in common, joint tenants, or tenants by the entireties, a tree which is so located that the branches thereof extend over a public right of way, unless the same is kept trimmed so that there is height clearance of not less than eight feet above that portion of the surface of the sidewalk unobstructed by branches. No such person shall fail to remove all dead branches, stubs or stumps of a tree which are, or may become, a hazard to persons using the right of way.

(Ord. 1990-08. Passed 4-3-90.)

## **1026.05 INTERFERENCE WITH PEDESTRIAN AND VEHICULAR TRAFFIC AND OVERHEAD UTILITY LINES.**

No person shall plant or maintain a tree, shrub, hedge or plant of any kind, on either public or private property, which is so located or is of such a height as to constitute a hazard to the safety of vehicular or pedestrian traffic in or on a right of way. The Director of Public Works shall grant permission to public utilities to trim and keep trimmed all trees within public rights of way in the City in such a manner as shall keep the overhead lines of such public utilities safe and accessible. Such trimming shall be done in

accordance with a schedule of permitted practices under the general direction of the Director.

(Ord. 65. Passed 3-20-84.)

## **1026.99 PENALTY.**

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)

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