

## ARTICLE V - Trees

## Sec. 7-111. - Tree planting and maintenance.

It shall be the duty of every owner or agent of any premises within the City, at his or her own expense, to:

- (1) Plant trees under the supervision of the City Forester upon that portion of streets, avenues or public grounds abutting such premises when so ordered by resolution of the City Council.
- (2) Trim, care for and maintain all tree branches so that they do not extend over or hang over any alley, sidewalk, corner sight triangle or public right-of-way lower than twelve (12) feet from ground level so as not to block pedestrian use or the vision of drivers or scrape vehicles driving on any street or alley.
- (3) Remove all dead trees and boughs and spray all trees afflicted with scale or insects detrimental to the growth, life and health of such trees in the City, when so directed by the City Forester.

(Prior code 2-243-3; Ord. 98-719)

## Sec. 7-112. - Correction by City upon noncompliance.

If any such owner or agent shall fail or refuse to correct such condition or conditions described above, within a reasonable time after directed so to do by the City Forester, the City Forester shall proceed to correct such condition, trim, spray, remove or destroy such trees and boughs, or cause the same to be done, all at the expense of such property owner or agent and, if necessary, shall recover the reasonable and necessary expense of the same by suit of law.

(Prior code 2-243-3; Ord. 645 §1, 1993)

## Sec. 7-113. - Refusal to comply.

Every owner or agent who shall fail to comply with the orders of the City Forester in his or her administration of this Article shall be prima facie in violation of this Article and, upon conviction hereof, shall be fined or imprisoned as provided for in Section 1-72 of this Code.

(Prior code 2-243-3; Ord. 645 §1, 1993)

## Sec. 7-114. - Permit required for sale of trees.

Every person shipping or bringing into the City, for sale, ornamental or shade trees shall forthwith notify the City Forester thereof, and shall not sell, offer for sale, distribute or plant the same or any part thereof without having first obtained from the City Forester a permit therefor. No permit therefor shall be granted

if, in the opinion of the City Forester, any of such trees is infected or in such condition as to be dangerous to itself or other trees in the City.

(Prior code 2-243-4)

Sec. 7-115. - Permit required to plant, remove trees.

No person shall plant, remove, destroy, deface or injure any tree in any of the streets, avenues or public grounds in the City without first obtaining a permit therefor from the City Forester.

(Prior code 2-243-5; Ord. 645 §1, 1993)

Sec. 7-116. - Spraying, trimming and removing business; license required.

No person shall engage in the business of spraying, trimming or removing trees from any street, avenue, public grounds or private property within the City without first having a license therefor. Application for such license shall be made to the City Clerk and the fee therefor shall be either two dollars (\$2.00) for any one-day period or five dollars (\$5.00) for any calendar year period. Any person so licensed may spray, trim and remove trees, boughs or dead wood from any street, avenue, public ground or private property within the City in accordance with the terms of this Article and after obtaining an inspection or permit from the City Forester applicable thereto. Before spraying any such trees, the licensee shall have his or her equipment and spraying solution inspected and approved by the City Forester.

(Prior code 2-243-5)

Sec. 7-117. - Fees.

The City Forester shall receive and collect from every person requesting permits and inspections provided herein, the following fees:

- (1) For issuing a permit under Section 7-114, the sum of twenty-five cents (\$.25) per tree;
- (2) For issuing a permit under Section 7-115, the sum of twenty-five cents (\$.25) per tree;
- (3) For making inspection of spraying equipment and spraying solution under Section 7-116, the sum of one dollar (\$1.00) for each unit of spraying equipment inspected.

(Prior code 2-243-6; Ord. 645 §1, 1993)

Secs. 7-118—7-130. - Reserved.