

CITY OF HARRISVILLE TREE ORDINANCE NO. 05-01

Be it ordained by the City Council of the City of Harrisville, State of Michigan

Section 1: Definitions

Street trees: "Street trees" are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the City.

Park trees: "Park trees" are herein defined as trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the City, or to which the public has free access as a park.

Section 2: Creation and Establishment of a City Tree Board.

There is hereby created and established a City Tree Board for the City of Harrisville, State of Michigan which shall consist of three members, with at least two of the members who are citizens and residents of this city, who shall be appointed by the mayor with the approval of the Council.

Section 3: Term of Office

The term of the three persons to be appointed by the mayor shall be three years except that the term of one of the members appointed to the first board shall be for only one year and the term of one of the members of the first board shall be for two years. In the event that a vacancy shall occur during the term of any member, his successor shall be appointed for the unexpired portion of the term.

Section 4: Compensation

Members of the Board shall serve without compensation.

Section 5: Duties and Responsibilities

It shall be the responsibility of the Board to study, investigate, counsel and develop and/or update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas. Such plan will be presented annually to the City Council and upon their acceptance and approval shall constitute the official comprehensive city tree plan for the City of Harrisville, State of Michigan. The Board, when requested by the City Council, shall consider, investigate, make finding, report and recommend upon any special matter of question coming within the scope of its work.

Section 6. Operation

The Board shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business.

Section 7. Street Trees to be Planted

The following list constitutes the official Street Trees for City of Harrisville, State of Michigan. No species other than those included in this list may be planted as Street Trees without written permission of the City Tree Board.

Small Trees	Medium Trees	Large Trees
Apricot	Oak, English	Pin Oak
Crabapple	Oak Red	Crimson King Maple
Flowering	Honeylocust	Golden Maple
Golden Rain Tree	(thornless)	Maple, Sugar
Hawthorne	Linden or Basswood	Maple, Norway
Pear, Bradford	Mountain Ash	Variegated Maple
Redbud	Linden	Debra Maple
Soapberry		
Lilac, lap. Tree		
Peach, Flowering		
Plum, Purple leaf		
Serviceberry		

(Note: Small trees may only be planted in park areas and not along City Streets)

Section 8. Spacing

The spacing of Street Trees will be in accordance with the three species size classes list in Section 7 of this ordinance, and no trees may be planted closer together than the following: Small Trees, 20 feet; Medium Trees, 30 feet; and Large Trees, 35 feet; except in special plantings designed or approved by a landscape architect.

Section 9. Distance from Curb and Sidewalk

Medium or large trees may not be planted closer to any curb or sidewalk other than the following: Medium Trees, 3 feet; and Large Trees, 4 feet.

Section 10. Distance from Street Corners and Fireplugs

No Street Tree shall be planted closer than 35 feet of any street corner, measured from the point of nearest intersecting curbs or curblines. No Street Tree shall be planted closer than 10 feet from any fireplug or edge of pavement of cross street.

Section 11. Utilities

No Street Trees other than those species listed as Small Trees in Section 7 of this ordinance may be planted under or within 10 lateral feet of any overhead utility wire, or over or within 5 lateral feet of any underground water line, sewer line, transmission line or other utility.

Section 12. Public Tree Care

The City shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary for public safety or to preserve or enhance the symmetry and beauty of such public grounds.

The City Tree Board may remove or cause or order to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines or other public improvements, or is affected with any injurious fungus, insect or other pest. This Section does not prohibit the planting of Street Trees by adjacent property owners providing that the selection and location of said trees is in accordance with Section 7 through 11 of this ordinance.

Section 13. Tree Topping

It shall be unlawful as a normal practice for any person, firm, or city department to top any Street Tree, Park Tree, or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this ordinance at the determination of the City Tree Board.

Section 14. Pruning, Corner Clearance

Every owner of any tree overhanging any street or right-of-way within the City shall prune the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of eight feet (8') feet above the surface of the street or sidewalk. Said owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The City shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a street light or interferes with visibility of any traffic control device or sign.

Section 15. Removal of Stumps

All stumps of street and park trees shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground.

Section 16. Interference with City Tree Board

It shall be unlawful for any person to prevent delay or interfere with the City Tree Board, or any of its agents, while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any Street Trees or Park Trees, as authorized in this ordinance.