

KALKASKA CODE-GENERAL REGULATIONS

CHAPTER 98: TREES

Section

98.01 Authority

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Cross-reference:

Service of notice for abating nuisances, see § 10.19

§ 98.01 AUTHORITY

(A) *Control.* The Department of Public Works shall have control over all trees, shrubs, and plants planted or to be planted in the public highways, parks, or other public places of the village. The Department of Public Works shall have power to plant, prune, spray, and otherwise maintain such trees, plants, and shrubs and to determine the type or kind of trees to be planted.

(B) *Definition.* For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning. **PUBLIC HIGHWAY.** All of the land lying between property lines on either side of all the public streets, boulevards, and alleys in the village.

('67 Code, § 6.56)

§ 98.02 DESTRUCTION

(A) No person shall cut down, deface, destroy, damage, or injure any tree, shrub, or plant upon the public highway right of way or parks or other public places of the village without first obtaining permission from the Department of Public Works.

(B) No person shall fasten any wire, rope, chain, or cable to any tree or shrub for the purpose of anchorage without a written permit from the Department of Public Works.

(C) No person shall nail, tie, or in any other manner fasten any cards, signs, posters, boards, or other article to any tree, shrub, or plant growing upon any public highway, park, or other public place in the village.

('67 Code, § 6.57) Penalty, see § 10.99

§ 98.03 OVERHANGING TREES

(A) Every owner of any tree, shrub, or plant overhanging the streets or highways within the village shall trim 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 12 feet above the surface of the street or highway.

(B) The owner shall remove all dead, diseased, or dangerous trees, or broken or decayed limbs of trees that constitute a menace to the safety of the public.

('67 Code, § 6.58) Penalty, see § 10.99

§ 98.04 CORNER LOTS

All bushes, shrubs, or plants located on any corner lot within the Village shall not be permitted to grow to a height of more than three feet above the surface of the roadway, in order that the view of the driver of a vehicle approaching the street intersection shall not be obstructed.

('67 Code, § 6.59) Penalty, see § 10.99

§ 98.05 FAILURE TO TRIM

(A) *Notice.* In all cases of violations of § 98.03 and 98.04, the Department of Public Works shall by written notice, given in accordance with § 10.19, order the owner of any tree, shrub, or plant to trim or cut it so as to comply with the provisions of this chapter. Such order shall be complied with within a period of ten days.

(B) *Failure to comply.* Should the owner refuse or neglect to comply with an order within the ten-day period, the Department of Public Works shall perform the necessary work. In these cases, the village shall have an action at law against the owner of the premises for the cost and expense incident to the work and shall be entitled to a judgment for the same.

§ 98.06 PLANTING OF TREES

(A) No tree, shrub, or plant shall be placed in any public street, park, or public place except under the supervision of the Department of Public Works and in accordance with the provisions of this chapter.

(B) No poplar, box elder, or willow tree shall hereafter be planted in the public highways, parks, or other public places of the village.

('67 Code, § 6.61) Penalty, see § 10.99

§ 98.08 PENALTY

Any person, firm or corporation that violates any section of this chapter is responsible for a Municipal Civil Infraction as prescribed in Section 10.99 (A).