

Chapter 33 - TREES, SHRUBS, ETC. [140] Sec. 33-1. - Supervision and control.

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The department of parks and community services shall have jurisdiction, authority, control and supervision over all trees, plants and shrubs planted or growing in or upon the public highways and public places in the city, and the planting, removal, care, maintenance and protection thereof.

(Code 1964, § 36-1; Ord. No. 11541, § 1(c), 4-12-94)

Sec. 33-2. - Jurisdiction over public and private property.

The department of parks and community services shall have the power to plant, preserve, spray, trim, cable or remove any tree, shrub or plant on any street, alley, avenue, land, lane, public ground or square belonging to the city. If any tree or any part thereof is in an unsafe condition, or is injurious to the common good, or to sewer pipes, pavements or improvements, or is infested and dangerous to other trees, power is hereby given to the department of parks and community services to remove such trees or part thereof, or spray such tree, or order such tree or part thereof removed. If any tree or shrub on any private property is infested and, in the opinion of the city forester, is infectious and liable to spread any disease, or if any tree or shrub is dangerous to the public, power is hereby given to the department of parks and community services to enter such property and spray such tree or shrub, or remove same or any part thereof.

(Code 1964, § 36-2; Ord. No. 11541, § 1(c), 4-12-94)

Sec. 33-3. - Use of protective guards during construction work.

Whenever any person plans to do any sort of construction work around any public tree, plant or shrub, proper guards, to be approved by the city forester, shall be placed around such tree, plant or shrub.

(Code 1964, § 36-6)

Sec. 33-4. - Contact with electrical wires; insulation; pruning.

Any person having any electrically charged wire which is in contact with any tree, plant or shrub and which, in the opinion of the city forester, is injurious to such tree, plant or shrub, shall remove such wire or shall place proper insulation about such wire. If such tree, plant or shrub is to be pruned, notice shall be served on the owner of such wires and current shall be discontinued within forty-eight (48) hours after notified, for the period necessary for pruning or repairing such tree, plant or shrub.

(Code 1964, § 36-7)

Sec. 33-5. - Permit required to attach wire, sign, etc., to trees.

It shall be unlawful for any person to attach any cable, wire, rope, sign or any other thing to any public tree without a permit from the department of parks and recreation.

(Code 1964, § 36-9)

Cross reference— Licenses and miscellaneous business regulations, Ch. 20.

Sec. 33-6. - Permit required to plant, prune, etc., trees located on public property.

- (a) It shall be unlawful for any person to plant, prune, remove, paint or spray any tree, plant or shrub on any public highway or public place without first securing a permit from the city forester.
- (b) If more than one (1) tree, plant or shrub is to be planted on the street, the department of parks and community services shall require the applicant to fill in the necessary form showing his intentions.

(Code 1964, § 36-10; Ord. No. 11541, § 1(c), 4-12-94)

Cross reference— Licenses and miscellaneous business regulations, Ch. 20.

Sec. 33-7. - Ownership of trees, etc., between sidewalks and curbs.

All trees, plants and shrubs growing between the sidewalk and the curb are the property of the city, and shall be under the control of the department of parks and community services.

(Code 1964, § 36-11; Ord. No. 11541, § 1(c), 4-12-94)