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## Chapter 3-6

# Tree Management Program

### § 3-6-1 Definitions.

#### **PARK TREES**

Trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the Village, or to which the public has free access as a park.

#### **PARKWAY**

A strip of land situated within the dedicated street right-of-way and (1) located between the roadway and right-of-way line or (2) a median located between the roadways.

#### **STREET TREES**

Trees, shrubs, bushes and all other woody vegetation on land lying within the right-of-way lines on the parkway on either side of all streets, avenues, or ways within the Village.

### § 3-6-2 Responsibilities and Duties.

- A. The Village Recreation Advisory Board shall be responsible for making recommendations to the Village President and Board of Trustees for the development, maintenance and administration of the Village Tree Program.
- B. More specifically, it shall be the responsibility of the Board to study, investigate, counsel and develop and/or update annually, and to make recommendations regarding 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. The President and Board of Trustees may request annual study from the Board. When the President and Board of Trustees request an annual plan, such plan will be presented to the President and Board of Trustees and upon acceptance and approval of the corporate authorities, shall constitute the official Comprehensive Village Tree Plan for the Village. The Board, when requested by the President and Board of Trustees shall consider, investigate, make finding, report and recommend upon any special matter or question coming within the scope of its work.

### § 3-6-3 Street Tree Species.

**[Amended by Ord. 5103, 6-6-2016]**

The "List of Recommended Plant Species" for the Village is found in the landscaping section of the Land Development Code. No species other than those included in this list may be planted as street trees without written permission of the Director of Code Enforcement or his designee, or the President and Board of Trustees.

### § 3-6-4 Spacing.

**[Amended by Ord. 5103, 6-6-2016]**

A minimum of one parkway tree shall be planted per 40 feet or 30 feet of frontage, as determined by Section 6-305 Landscape and Tree Preservation of the Land Development Code.

### § 3-6-5 Distance from Curb and Sidewalk and Overhead Wires.

Trees shall be located so as not to interfere with overhead wires or traffic or pedestrian safety.

**§ 3-6-6 Distance from Street Corners and Fire Plugs.**

No tree or bush with a mature height of more than two feet shall be planted within a distance of 33 feet of any street corner, measured from the point of the nearest intersecting curbs or curblines as extended. No tree shall be planted closer than six feet of any fire hydrant.

**§ 3-6-7 Public Tree Care.**

- A. The Village shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the parkways of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds. However, such parkway shall be maintained by the adjacent property owner unless an agreement for maintenance has been reached with the Village.
- B. The Recreation Advisory Board may recommend to the President and Board of Trustees the removal of 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 the official street tree species list.

**§ 3-6-8 Tree Topping.**

It shall be unlawful as a normal practice for any person, firm or Village 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. Street, park or trees located on public property which are 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 chapter at the determination of the President and Board of Trustees.

**§ 3-6-9 Pruning, Right of Way Clearance.**

Every owner of any tree overhanging any street or right of way within the Village shall prune the branches so that such branches shall not obstruct the view of any street intersection and so that there shall be a clear space of eight 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 Village, in accordance with the law, 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.

**§ 3-6-10 Dead or Diseased Tree Removal on Private Property.**

The Village, in accordance with the law, shall have the right to cause the removal of any dead or diseased trees on private property within the Village, when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the Village. The Village will notify in writing the owners of such trees. Removal is the responsibility of said owners and shall be done by the owners at their own expense within 60 days after the date of service of notice or such other time as may be agreed upon by the Village and the property owner. In the event of failure of owners to comply with such provisions, the Village shall have the authority to remove such trees and file a lien against the property for the amount of the costs of removal.

**§ 3-6-11 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.

**§ 3-6-12 Interference with the Village.**

It shall be unlawful for any person to prevent, delay or interfere with the Village or any of its agents, while

engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any street trees, park trees, or dead or diseased trees on private grounds.