

ORDINANCE NO. 1505

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF GRINNELL, IOWA, BY AMENDING PROVISIONS PERTAINING TO TRIMMING, CARE AND MAINTENANCE OF TREES.

BE IT ENACTED by the City Council of the City of Grinnell, Iowa:

SECTION 1. SECTION MODIFIED. Section 151.05 of the Code of Ordinances of the City of Grinnell, Iowa, is repealed and the following adopted in lieu thereof:

151.05 TRIMMING, CARE AND MAINTENANCE OF TREES.

1. The supervisor of public services shall have jurisdiction over trees and other plantings on public property within the City in order to protect the health of all trees from disease and to require trees and plantings to be maintained so they are not dangerous to public safety. Maintenance of trees within street rights-of-way shall be the responsibility of the City.
2. The supervisor of public services shall supervise all work by City employees or contractors in the trimming, preservation, planting or removal of trees or other plantings within the right-of-way and all other City property. The supervisor of public services shall have the authority to order private persons to comply with duties placed upon them by this section.
3. The duties of any person growing a tree or other plantings on private property are:
 - A. To trim trees or plantings so that they shall not cause a hazard to the public or block public walks or ways or interfere with proper lighting of public streets or places. The minimum clearance of any overhanging portion shall be eight (8) feet over walks and sixteen (16) feet above the surface of the traveled portion of the street.
 - B. To treat in an accepted manner, or remove any tree or plant that is diseased, insect-ridden, and/or dead.
4. Utility companies may operate under an annual or semiannual permit issued by the Director of Building and Planning with programmed trimming under conditions agreed upon by the supervisor of public services. Exception: If the utility company hires an outside contractor to perform work on trees within the right-of-way, the provisions of Section 151.06 must be met by the contractor.
5. No person shall willfully damage, cut, carve, or injure the bark of any tree or plant on the streets or public places of the City. Tree trimming shall be done in accordance with good practices and regulations of the City. Topping of any tree on the right-of-way shall not be a normal practice for any person, firm, or City department. Topping is defined as the severe cutting back of limbs to stubs 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 exempt from the requirements of this section at the determination of the supervisor of public services.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council the ___ day of _____, ____, and approved this ___ day of _____, ____.

Mayor

ATTEST:

City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the ___ day of _____, ____.

City Clerk