

CHAPTER 7: NUISANCES AND OFFENSES

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ORDINANCE 76 TREES

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Section 76.01: TREE REMOVAL ON CITY PROPERTY.

Subd. 1: Permit. It shall be a petty misdemeanor for any Person to remove, cut or destroy any tree on City-owned land. When a tree is in close proximity to a public utility, such as a power line, a telephone line or cable tv, the Person must notify the utility companies and cooperate with the companies before removing the tree.

Subd. 2: Indemnification. Any Person who removes, cuts, or destroys any tree on City-owned land shall indemnify and hold the City and its agents harmless from any and all liabilities, damages, and expenses arising out of any such tree removal.

Subd. 3: Damages. Any Person who removes, cuts, or destroys any tree on City-owned land shall pay the City for all damages suffered by the City as a result of any tree removal activity.

Section 76.02: DANGEROUS OR DISEASED TREES. All trees diagnosed by the City Clerk/Administrator or designated agent as being dangerous or diseased shall be disposed of by cutting the trunk of the tree off below ground level and burning the remaining trunk and branches.

Subd. 1: Disposal Site. All dangerous or diseased trees within the City limits shall be disposed of at the City demolition site. The property owner shall contact the custodian of the demolition site, the City Clerk/Administrator for specific instructions.

Subd. 2: Private Property. When a dangerous or diseased tree is on private property, the property owner must remove the tree from his or her property, at his or her own expense, within ten (10) days after official notification. If the property owner fails to comply within the specified time, the City Clerk/Administrator may direct City employees or agents to remove the tree and certify all costs incurred in the removal of the tree or trees to the County Auditor for collection as an assessment with the property taxes. If the City removes trees from private property, the City shall be held free from any obligations or damages that might arise from the removal

Subd. 3: Public Property. When a dangerous or diseased tree is on public property, the City Council shall direct removal of the tree at public expense. For the purposes of this Ordinance, all trees on boulevards shall be considered on public property.

Section 76.03: INTERFERENCE PROHIBITED. No Person shall threaten, intimidate or interfere with the activities of the City Forester or his or her agents under this Ordinance.

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Section 76.05: PENALTY. Any Person who violates the provisions of this Ordinance shall be guilty of a petty misdemeanor. Fines for violations are as established by the City Council in Appendix A.

Section 76.05 amended 1/4/06