

### **Sec. 13-43. - Definitions**

The following words, terms, and phrases, when used in this article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning. Words not specifically defined shall have the meanings given in Webster's Ninth New Collegiate Dictionary, as revised.

*Public trees* shall mean any trees, shrubs, bushes and all woody vegetation on city parks or city-owned property and right-of-ways.

*Park trees* shall mean any trees, shrubs, bushes and all woody vegetation in city parks, and in all areas owned by the city and to which the public has access.

(Ord. No. 2008-368, § 1, 11-11-08)

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### **Sec. 13-44. - Establishment of a tree care advisory committee**

- (a) *Committee membership.* The city council hereby creates an advisory committee known as the "tree care advisory committee," hereinafter referred to as the "committee." The committee shall consist of three (3) members from the parks board approved by the city council. Members of the tree care advisory committee will serve without compensation and at the pleasure of the city council.
- (b) *Term of office.* Committee members shall be appointed for one-year terms.
- (c) *Meetings.* The committee shall meet a minimum of four (4) times each year. The parks and recreation director or his designee, or the chair of the committee may schedule additional meetings as needed.
- (d) *Officers.* The committee shall annually select one of the members to serve as chair, and may appoint a second member to serve as vice-chair.
- (e) *Duties.* The duties of the committee shall include:
  - (1) Coordinating and promoting Arbor Day activities;
  - (2) Developing and updating a five-year plan to plant trees on city property;
  - (3) Developing public awareness and education programs relating to trees;
  - (4) Reviewing parks and recreation department concerns relating to tree care;
  - (5) Submitting an annual report of its activities to the city council;
  - (6) Submitting the annual application to renew the tree city USA designation; and
  - (7) Other duties that may be assigned by the city council.

(Ord. No. 2008-368, § 1, 11-11-08)

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### **Sec. 13-45. - Tree protection plan option**

- (a) The parks and recreation director and/or his designees shall have the responsibility to plant, prune, maintain and remove trees and woody plants on all city streets, rights-of-way, and city parks. The parks and recreation director and/or his designee in appropriate cases, and upon consultation with a property owner, may remove or prune a tree on private property which threatens the safety of those who may use a city street or city park.
- (b) The parks and recreation director and/or his/her designee may recommend the removal of any tree or part thereof that threatens the safety of any person or by which by reason of its location or nature threatens any electric line, telephone line, gas line or any municipal water or sewer line or any public improvement, or any tree which is affected by any injurious fungus, insect or other pest disease.
- (c) No person shall remove, destroy, or cause the removal or destruction of a tree on city property or in any city park without first having obtained written permission for such removal or destruction from the parks and recreation director.
- (d) It shall be unlawful for any person, firm or corporation to attach any cable, wire, rope, sign or any other object to any city tree, plant or shrub without the written permission from the parks and recreation director.

(Ord. No. 2008-368, § 1, 11-11-08)

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### **Sec. 13-46. - Penalty**

Any person who shall violate any provision of this article shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed the maximum amount allowed by law. Each day of violation shall constitute a separate offense.

(Ord. No. 2008-368, § 1, 11-11-08)

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