

VILLAGE OF PLEASANT HILL OHIO

ORDINANCE 1053

**AN ORDINANCE TO DEFINE THE LOCATION AND SIZE OF TREES PLANTED WITHIN
THE STREET RIGHT OF WAY WITHIN THE VILLAGE LIMITS AND REPEAL
ORDINANCE 1041**

Whereas, the Village of Pleasant Hill has in the past forbid planting trees in all curb lawns due to utility constraints, the Village will now permit only the planting of trees in the curb lawns based on the following rules.

SECTION ONE:

Tree size

Small trees have a mature height of 25 feet.

Medium trees have a height of 40 feet.

Large trees have a height over 40 feet.

Spacing

Small trees 25 feet

Medium trees 35 feet

Large trees 50 feet

Size of trees allowable in curb lawns

Curb lawn of 2 feet ----- small trees

Curb lawn of 3 feet ----- small and medium trees

Curb lawn of 4 feet ----- small, medium, and large trees

Distance from street corners and fireplugs

No street tree shall be planted closer than 20 feet of any street corner, measured from the point of the nearest intersecting curbs or curb lines. No street trees shall be planted closer than 10 feet of any fireplug. No street trees shall be planted closer than 25 feet of any street light.

Utilities

No street tree may be planted under overhead utility lines that will grow to a height to interfere with the utility lines, or within 4 lateral feet of any underground water line, sewer line, transmission line or other utility as any such trees will be removed at the owners expense.

SECTION TWO:

Public tree care

The Village may remove or cause or order to be removed at the property owners expense, 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, water lines or other public improvements or is affected with any injurious fungus, insect or other pest.

Trimming; corner 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 light from any street lamp or obstruct the view of any street intersection and so

that there shall be a clear space of 10 feet above the sidewalk and 12 feet above the street surface. 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 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 the visibility of any traffic control device or signs, such pruning to be confined to the area immediately above the right-of-way and will be at the property owners expense.

SECTION THREE:

Dead or diseased tree removal on private property

The Village 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 shall be done by said owners at their expense within sixty days after the date of service notice. In the event of failure of owners to comply with such provisions, the Village shall have the authority to remove such trees and charge the cost of removal on the owner's tax notice.

SECTION FOUR:

See the attached list of prohibited trees for right- of- way planting.

SECTION FIVE:

Penalty

Any person failing to comply with any section of this ordinance is guilty of a minor misdemeanor for each day of violation.

SECTION SIX:

That this ordinance be and is hereby declared to be an emergency measure for the immediate preservation of the health, welfare, and safety of the citizens of

the Village of Pleasant Hill, Ohio and therefore, shall take effect immediately upon its passage

SECTION SEVEN

Severability

Should any part or provision of this ordinance be declared by court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

Passed this 14th day of December, 2009

Approved as to form:

Solicitor_____

Mayor_____

Fiscal Officer_____