

**RESOLUTION 17-13
VILLAGE OF MORROW
TREE CODE**

STREET TREES, PARK TREES AND SHRUBS

SECTIONS

Definitions

Tree Board

Interference with Board prohibited

Review of Board decisions by Council

Street tree species to be planted

Tree topping

Pruning and maintenance of trees on private property

Removal of dead or diseased trees on private property

Removal of stumps

Cottonwood trees prohibited

Tree Management Plan

Penalty

DEFINITIONS

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PARK TREES: Trees, shrubs, bushes and all other woody vegetation in public parks or beautification areas owned by the Village of Morrow.

STREET TREES: Trees, shrubs, bushes and all other woody vegetation on land lying within a public right-of-way within the Village of Morrow.

TOPPING: The severe cutting-back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree as to remove the normal canopy and disfigure the tree.

TREE BOARD

(A) The Tree Board was established by Morrow Village Council on April 9, 2013, with the passage of Ordinance No. 5-13.

INTERFERENCE WITH BOARD PROHIBITED

It shall be unlawful for any person to prevent, delay or interfere with the Village Tree Board, or any of its agents, while they are engaging in and about the planting, cultivating, mulching, pruning, spraying or removing of any street trees, park trees or trees on private grounds, as authorized in this chapter.

REVIEW OF BOARD DECISIONS BY COUNCIL

Council shall have the right to review any conduct, acts and decisions of the Village Tree Board. Any person may appeal any ruling or order of the Board to the Council, which may hear the matter and make a final decision.

STREET TREE SPECIES TO BE PLANTED

The Village Tree Board shall develop and maintain a list of tree species. No species other than those included on the list may be planted as street trees without written permission of the Board. The Board shall also develop spacing intervals for the various species of trees.

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. 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 exempted from this section at the determination of the Village Tree Board.

PRUNING AND MAINTENANCE OF TREES ON PUBLIC PROPERTY

The Village of Morrow will adhere to current tree pruning and maintenance standards as adopted by the Ohio Department of Natural Resources Division of Forestry, Ohio Nursery and Landscape Association, and the National Arbor Day Foundation, as well as other standards.

PRUNING AND MAINTENANCE OF TREES ON PRIVATE PROPERTY

(A) Every owner of any tree overhanging any street or right-of-way within the village shall prune the branches so that the branches shall not obstruct the light from any street lamp and thus obstruct the view of any street intersection, and so that there shall be a clear space of eight feet above the surface of the sidewalk and 14 feet above the surface of the street. The owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs, which constitute a menace to the safety of the public.

(B) 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 visibility of any traffic control device or sign.

REMOVAL OF DEAD OR DISEASED TREES ON PRIVATE PROPERTY

(A) The village shall have the right to cause removal of any dead or diseased trees on private property within the village when the trees constitute a hazard to life or property, or harbor insects or disease which constitutes a potential threat to other trees within the village.

(B) The Village Tree Board will notify in writing the owners of such trees. Removal shall be done by the owners at their own expense within 60 days after the date of service of notice.

(C) In the event the owners fail to comply with the provisions of this section, the village shall have the authority to remove the trees and charge the cost of removal on the owner's property tax notice.

REMOVAL OF STUMPS

All stumps of street trees and park trees shall be removed or ground to at least six inches below the surface of the ground so that the top of the stump shall not project above the surface of the ground.

PROHIBITED STREET TREES AND PARK TREES

No person shall plant or cause to be planted trees of the ash or cottonwood varieties within the village. The Board may amend this list as necessary.

PENALTY

Whoever violates any provision of this chapter is guilty of a misdemeanor and shall be fined not more than \$100.

ADOPTED

This Resolution is hereby adopted by the Village of Morrow Tree Board, and recommended to Council for adoption, this 16th day of May, 2013.

This Resolution is hereby adopted by the Council of the Village of Morrow, Ohio, as Resolution No. 17-13, this 11th day of June, 2013.