

ORDINANCE NO. 98

AN ORDINANCE OF THE CITY OF GLYNDON PROVIDING FOR THE REGULATION OF THE CARE AND PLANTING OF TREES AND PROVIDING FOR THE REGULATION AND REMOVAL OF CERTAIN TREES AND DISEASES AFFECTING TREES AND ESTABLISHING PROCEDURES FOR REMOVAL THEREOF AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

The City Council of the City of Glyndon, Minnesota, does hereby ordain and enact the following ordinance:

SECTION 1: The City Council does hereby adopt, by reference, Sections 1.0109 through 1.0111 of 3 Minnesota Code of Agency Rules, Department of Agriculture, Shade Tree Program (1978 Edition), together with amendments thereof which are hereby adopted by reference and made a part of this ordinance as if set out in full herein, except as the same may be expressly modified by the following terms of this ordinance.

SECTION 2: The stockpiling of bark bearing elm wood within the city limits of the City of Glyndon shall be permitted during the period from September 15 through April 1 of any year. Any such wood not utilized by April 1 of any year, must then be removed and disposed of by the owner or may be confiscated by the City.

SECTION 3: Any diseased or dead boulevard trees shall be removed by the City without cost to the adjoining landowner. Any planting of trees on any boulevard shall be done only with the consent of the City.

SECTION 4: Any tree, shrub or hedge, or part thereof, growing upon public or private property but overhanging or interfering with the use of any public walk, street or highway, park or public place which, in the opinion of the City Council of Glyndon, endangers the health, safety, or property of the public, shall be declared a public nuisance. In addition, any diseased tree occurring on either public or private property which, in the opinion of the City Council of Glyndon, may spread and infect other trees shall be declared a public nuisance. Property owners of trees, shrubs or hedges, declared to be a public nuisance shall be notified in writing of the existence of such nuisance and shall be provided a time period of twenty (20) days after mailing of such notification for the removal of such tree, shrub or hedge. All costs of removal of any tree, shrub or hedge declared to be a public nuisance which is located on private property shall be borne and paid for by the private property owner. In the event that the private property owner should fail to remove the tree, shrub or hedge declared to be a nuisance, then the City Council may hire or perform such removal service and

charges the fees and costs thereof to the property owner through the real estate tax rolls.

SECTION 5: No tree shall be planted closer than 35 feet of any street corner, measured from the point of nearest intersecting street lines, and no tree shall be planted closer than 10 feet of any fire plug or hydrant. In addition, no tree shall be planted under or within 10 lateral feet of any overhead utility wire or over or within 5 lateral feet of any underground water line, sewer line, transmission line or other utility except for small trees such as Red Splendor Crab and Red Leaf Chokecherry.

SECTION 6: The City of Glyndon shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares, and public grounds, as may be necessary to insure public safety or preserve or enhance the symmetry and beauty of such public grounds.

SECTION 7: The City Council of the City of Glyndon may remove or cause or order to be removed any tree or part thereof which is an unsafe condition or which, by reason of its nature, is injurious to sewers, power lines, gas lines, water lines or other public utilities or improvements, or is infected with any injurious fungus, insect or other pest.

SECTION 8: Any violation of any of the provisions of this ordinance shall, upon conviction thereof, be deemed guilty of a misdemeanor and shall be subject to a fine not to exceed \$500.00 or to imprisonment of not more than 90 days, or both.

SECTION 9: This ordinance shall become effective upon its passage by the City Council and publication according to law.

Passed and adopted this 19th day of September, 1983.

CITY OF GLYNDON

By: Dennis A. Wahl
Dennis Wahl, Mayor

ATTEST:

Dennis Johnson
Dennis Johnson, City Clerk