

ORDINANCE No. 52

AN ORDINANCE REGULATING THE PLANTING, CARE, AND MAINTENANCE OF TREES AND SHRUBBERY UPON AND ADJOINING PUBLIC PROPERTY IN THE TOWN OF UNIVERSITY HEIGHTS, JOHNSON COUNTY, IOWA.

Be it enacted by the Council of the Town of University Heights, Iowa:

Section 1. Definitions. For the purpose of this ordinance, certain terms and words used herein shall be interpreted or defined as follows:

1. The word "public property" means any property owned by the Town of University Heights, and shall specifically include that portion of street rights-of-way located between the private property lines and streets or sidewalk(s).
2. "Trees and shrubs" shall mean all wood vegetation.
3. "Parking" shall mean that part of the street right-of-way lying between the private lot line and the curb line of the improved streets, and on unimproved streets it shall mean that portion of the public right-of-way lying between the lot lines and that portion of the street usually traveled by vehicular traffic.

Section 2. No person, firm or corporation shall plant or remove any tree or shrub on public property without specific approval of the Town Council of the Town of University Heights, Iowa.

Section 3. That the owners of private property shall be responsible for the proper care and maintenance of all trees and shrubs located in the parking adjoining said private property.

Section 4. That all trees and shrubs on public or private property bordering on any street shall be trimmed to a sufficient height to allow free passage of pedestrians and vehicular traffic and so that they will not obstruct or shade street lights, the vision of traffic signs, or the view of any street intersection. The minimum clearance of any overhanging portion of such trees or shrubs shall be eight (8) feet over sidewalks and thirteen (13) feet over all streets.

Section 5. That if the owner of any property fails to maintain trees and shrubs in compliance with the provisions of this ordinance, the Town Council shall cause written notice to be served upon the property owner, requiring compliance with this ordinance within Thirty (30) days after receipt of said notice. The notice required herein shall be served by mailing a copy of said notice to the last known address of the property owner by

Certified Mail. If the Town Clerk is unable to secure a notice on the property owner, said written notice may be served on the occupant or person in charge of the property in the same manner as set out herein. If this ordinance is not complied with by said property owner within the date specified in the written notice the Town Council shall cause such work to be done as is necessary to bring said property owner within compliance with the provisions of this ordinance and the exact cost of such work shall be certified by the Town Clerk to the County Auditor of Johnson County Iowa to be collected with and in the same manner as general property taxes.

Section 6. Violation of this ordinance shall constitute a misdemeanor and shall be punishable by a fine not to exceed \$100.00.

Section 7. That this ordinance shall be in full force and effect from and after its passage and posting as provided by law.

Passed by the Town Council on the 10th day of December, 1974, and approved this 10th day of December, 1974.