

## ORDINANCE

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### AN ORDINANCE REGARDING THE PLANTING, CARE, TRIMMING AND REMOVAL OF TREES AND PROVIDING PENALITIES

BE IT ENACTED by the Council of the City of Farmington, Iowa:

**SECTION 1** Purpose The purpose of this Ordinance is to beautify and preserve the appearance of the City of Farmington, Iowa. The purpose is attained in two ways: First, by requiring trees planted on the streets to be uniformly located. Secondly, by requiring personal supervision by the City authorities of the trimming and cutting of trees except that adjoining property owners, agents, or occupants must trim branches so that they are at least twelve (12) feet above the street. The Council may order the removal of any tree for the reasons set forth in Section 3 hereof.

**SECTION 2** Trees Planted All trees shall be of hard-wood variety, trees shall be planted on a line three (3) feet from the outside edge of the sidewalk; provided, however, that no trees shall be planted outside of the outer line of the sidewalk without first procuring the permission and consent of the Council.

**SECTION 3** Removal of Trees On the order of the Council, any tree on the streets of this municipality which interferes with the making of improvements or with the travel thereon shall be removed by the adjoining property owner. If adjoining property owners, agents or occupants refuse to remove trees which have become dangerous to the public or which may have been declared a nuisance, the Council may order their removal and assess the cost thereof against the adjoining property.

**SECTION 4** Trimming of Trees Except as allowed in Section 4, no person shall trim or cut any tree in a street or public place without first giving twenty-four (24) hours notice thereof to the Mayor or a member of the City Council of his intention so to do so that the Mayor or Council may provide supervision if they so desire.

**SECTION 5** Definitions For the purposes of this ordinance: "Person" includes any individual, firm, corporation, trust, any other organized group, or any government. "Streets" includes the entire width between property lines or avenues or highways.

**SECTION 6** Penalty Anyone violating any of the provisions of this Ordinance shall, upon conviction, be subject to imprisonment not exceeding thirty (30) days, or a fine not exceeding one hundred dollars (\$100.00).

**SECTION 7** Repealer All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 8** Saving Clause If any section, provision, or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 9** When Effective This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed and Approved: October 1, 1956

Robert Hambright, Mayor  
Carrie E. Boyer, Clerk

Motion by Coffin, second by Medaris that the rule requiring an Ordinance to be read on three separate days be dispensed with. All voted aye. Horn absent.

Reviewed: 5/4/81

Reviewed: 11/9/15