

VILLAGE OF FAIRGROVE
TUSCOLA COUNTY, MICHIGAN

ORDINANCE NO. 66

TRIMMING AND REMOVAL OF TREES ON PRIVATE PROPERTY

Section 1. Branches over Street Right Away

Any tree growing on private property and so located as to extend its branches over a public street, highway, park or other public place, or so located as to become a traffic hazard, shall be trimmed or removed by the property owner on whose property the tree stands, so as to remove the obstruction from the public street, highway, park, or public place and so as to eliminate the traffic hazard and the menace and the danger to the public, pursuant to written notice by the Village. All tree branches shall be trimmed to maintain a clear vision area for the vertical height of 14 feet above the street or right-of-way.

Section 2. Notice to Property Owner and Cost Recovery

When such notice is given, the property owner will be given a reasonable and definite time to comply with the order, but not less than ten days, unless immediate hazard exists. If the work is not satisfactorily completed within that time, then the village or their agents may enter upon the property, make the necessary trimming or removals, and properly dispose of the trimmings or removals, provided that all or part of the costs involved in the trimming or removal when done by the village or their agents shall be assessed against the property on the next tax roll of the village.

Section 3. Interference with Street Lighting

The village shall have the right to trim any tree or shrub on private property when it interferes with the proper spread of light along the street from a streetlight.

Section 4. Separability

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 5. Certification and Effective Date

The undersigned President and Clerk of the Village of Fairgrove hereby certify that this Ordinance was duly adopted by the Fairgrove Village Council at a meeting held on the 2nd day of October, 2017 and a copy thereof was published in the Tuscola County Advertiser on the 14 day of October, 2017. This Ordinance shall take effect twenty (20) days after said date of adoption, which is October 20, 2017.

Thomas S. Wassa, President

Heidi Stark, Clerk

October 2, 2017