

**Chapter 90 VEGETATION\***

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**\*Cross reference(s)**--Buildings and building regulations, ch. 14; environment, ch. 34; noxious weeds, plants and trees, ? 34-56 et seq.; parks and recreation, ch. 54; streets, sidewalks and other public places, ch. 70; subdivisions and land division, ch. 74; street trees in subdivisions, ? 74-112; zoning, ch. 98; plant materials in green belts, ? 98-196.

**State law reference(s)**--Maliciously injuring or destroying trees, MCL 750.382, MSA 28.614; willful injury or destruction of trees on public property, MCL 19.142, MSA 4.202; obstruction or injury of trees on public highways, MCL 247.235, MSA 9.355; control and eradication of noxious weeds, MCL 247.61 et seq., MSA 9.631(1) et seq.; "tree" defined, MCL 259.440, MSA 10.510.  
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**Sec. 90-1. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Department* means the department of public works of the city.

*Tree* means trees, bushes, shrubs and plants.

(Code 1971, ? 3.15)

**Cross reference(s)**--Definitions generally, ? 1-2.

**Sec. 90-2. Control of trees.**

The department shall have control of and be responsible for the maintenance, care and removal of all trees planted or overhanging

the streets, parks or other public places of the city. The trimming or removal of any tree in or overhanging any street, necessary to accommodate utility lines or for any other purpose, shall be under the supervision of the department. The owner of land abutting on any street may plant trees in that part of the street abutting his land, not used for public travel, upon obtaining prior written permission of the department.

(Code 1971, ? 3.16)

#### **Sec. 90-3. Protection.**

No person shall remove, injure, deface or destroy any tree, in any street or public place, nor plant any poplar, box elder, basswood, willow, soft maple, horse chestnut tree or tree of heaven on any private property without first obtaining a written permit to do so from the department.

(Code 1971, ? 3.17)

#### **Sec. 90-4. Safeguards.**

No person in charge of the erection, repair, alteration or removal of any structure shall fail to guard or protect any tree in the vicinity of such structure in the public right-of-way or public place in such a manner as to prevent injury to any such tree.

(Code 1971, ? 3.18)

#### **Sec. 90-5. Signs.**

No person shall nail, tie or otherwise fasten cards, signs, posters, boards or other articles to any tree growing in any street, park or other public place in the city.

(Code 1971, ? 3.19)

#### **Sec. 90-6. Dead trees.**

Every abutting owner shall remove all dead, diseased or dangerous trees, or broken or decayed limbs of trees when the tree or any part of the tree overhangs a street, or grows so close to the street as to endanger persons using the street.

(Code 1971, ? 3.20)

#### **Sec. 90-7. Rules and regulations.**

The city manager is empowered, subject to approval by the council, to make any additional rules and regulations pertaining to the planting, removal, care, maintenance and protection of trees, shrubs and plants as are necessary to protect public property or the health or safety of the public; and no person shall fail to comply

with any such rule or regulation.

(Code 1971, ? 3.21)