

## TITLE 4 SAFETY

### CHAPTER 8 TREES

- 4-8-1 Dead Trees as a Nuisance
- 4-8-2 Nuisance Trees are Unlawful
- 4-8-3 Enforcement
- 4-8-4 Penalties

#### SECTION 4-8-1 DEAD TREES AS A NUISANCE

Trees which are dead and which are of sufficient size or are so located that the dead tree could fall on neighboring property or on the public right of way are hereby declared a nuisance.

#### SECTION 4-8-2 NUISANCE TREES ARE UNLAWFUL

It shall be unlawful for any owner of property to keep or allow to remain on his/her property any dead tree which is a nuisance as defined in Section 1 above.

#### SECTION 4-8-3 ENFORCEMENT

- A. Whenever the Corporate Authorities determine that any property owner is keeping or allowing to remain any dead tree which is a nuisance, the Corporate Authorities shall issue and mail a notice thereof upon all owners of record or persons having an interest therein as shown by documents recorded in the office of the County Recorder of Deeds and upon persons in possession of the premises. The notice shall be personally served or sent by certified mail, return receipt requested. If delivery cannot be obtained and the owner not found within 30 days, notice can be served by posting a notice on the property.
- B. The notice shall specify that the owners shall remove the tree at the owners cost within 15 days of receipt of such notice.

#### SECTION 4-8-4 PENALTIES

In the event the owner fails to comply within the time period, the City shall have the right to compel removal and to levy a fine of not less than \$50.00 not to exceed \$500.00 for each offense, plus attorney's fees and costs. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

SOURCE 94-28