

COPY

PAMPHLET CONTAINING

ORDINANCE NO. 2021-06

AN ORDINANCE AMENDING THE CODE OF THE VILLAGE OF WILLIAMSVILLE
BY THE ADDITION OF CHAPTER 280
TREE POLICIES

This pamphlet published and made available to the general public on
Oct. 25, 2021, by authority of the Board of Trustees, Village of
Williamsville, Illinois.

Karen Winger, Village Clerk

AN ORDINANCE AMENDING THE CODE OF THE VILLAGE OF WILLIAMSVILLE
BY THE ADDITION OF CHAPTER 280
TREE POLICIES

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and that protect the public health, safety and welfare of its citizens; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Village of Williamsville as follows:

SECTION 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION 2. Tree Ordinance. The Code of the Village of Williamsville shall be amended by the addition of Chapter 280 that will read as follows:

CHAPTER 280. Tree Policies.

1. Definitions. The following words and phrases shall, for the purposes of this Chapter, have the meanings respectively ascribed to them by this section, as follows:

§ 280-1. Definitions

Street Trees: "Street Trees" are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or right of ways within the Village.

Park Trees: "Park Trees" are herein defined as trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the Village, or to which the public has free access as a park.

§ 280-2. Tree Board

The Tree Board will consist of members of the Village of Williamsville's Parks Committee that are members of the Village Board and run in conjunction with their term on the Village Board. The Tree Board will also have an advisor.

§ 280-3. Duties and Responsibilities

It shall be the responsibility of the Committee to review planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas such as right of way on Village owned property. Such plan will be presented as needed to the Village Board.

§ 280-4. Street Tree Species to be Planted

The Parks Committee will present to the Village Board the type of tree that will be planted. Trees that will not be permitted are:

Catalpa, Cottonwood, Kentucky Coffee Tree, Linden, Serviceberry, Silver Maple, Soapberry, Sweet Gum, Sycamore, Walnut.

§ 280-5. Spacing

The spacing of Street Trees will be determined by the Tree Board and be in accordance with the size classes.

§ 280-6. Distance from Curb & Sidewalk

The distance trees may be planted from curbs or curb lines & sidewalks will be based on mature size of the tree and to be at least 12 feet from any sidewalk or curb.

§ 280-7. Distance from Street Corners & Fire Hydrants

No Street Tree shall be planted closer than 25 feet of any street corner, measured from the point of nearest intersecting curbs or curb lines. No Street Tree shall be planted closer than 10 feet of any fire hydrant.

§ 280-8. Utilities

No Street Tree that has been approved shall be planted under or within 12 lateral feet of any overhead utility wire, or over or within 5 lateral feet of any underground water line, sewer line, transmission line or other utility.

§ 280-9. Pruning, Corner Clearance

The Village shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a streetlight or interference with visibility of any traffic control device or sign. The Village shall have the right to prune any tree or shrub on private property that interferes with pedestrian ways or sidewalks.

§ 280-10. Dead or Diseased Tree Removal on Private Property

The Village shall have the right to cause the removal of any dead or diseased trees on private property within the Village, when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the Village. The Village Tree Board will notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within ninety days after the date of service of notice. In the event of failure of owners to comply with such provisions, the Village shall have the authority to remove such trees and charge the cost of removal to the property owner and place a lien for the costs of said removal against the private property.

§ 280-11. Removal of Stumps

All stumps of street and park trees shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground.

§ 280-12. Interference with Village Tree Board

It shall be unlawful for any person to prevent, delay or interfere with the Village Tree Board, or any of its agents, while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any Street Trees, Park Trees, as authorized in this ordinance.

§ 280-13. Penalties

Any person violating any provision of this ordinance shall be, upon conviction or a plea of guilty, subject to a fine not to exceed \$200.00 for each violation. Each day a violation remains shall constitute a separate offense.

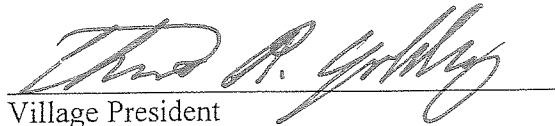
5. Severability. If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

6. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

ADOPTED THIS 25 day of OCTOBER, 2021.

AYES: 6
NAYS: —
ABSTENTIONS: —
ABSENT: —

APPROVED THIS 25 day of OCTOBER, 2021.


Village President

ATTEST:


Village Clerk