

CITY OF NICOLLET
AN ORDINANCE REQUIRING TREE REMOVAL AND TRIMMING OF TREES
AND SHRUBS ALONG BOULEVARDS AND
PUBLIC EASEMENTS AND RIGHT-OF-WAYS

Ordinance #138

Be it ordained and enacted by the City of Nicollet, Minnesota:

Tree Boulevard, Public Right-of-way Regulation:

Tree's and shrubs in the Boulevard areas are property owner's responsibility, not the City's.

Prohibitive Obstructions. No tree or herbaceous plant or shrub shall be planted or allowed to grow so as to obstruct the view or passage of any vehicular traffic on streets, pathways, or alleyways or pedestrians on pathways or sidewalks.

Trimming of Trees. Private property trees, shrubs, and any other herbaceous plants must be trimmed so as not to cause a hazard to persons or property on abutting property. All trees shall be pruned to sufficient height to allow free passage to pedestrians and vehicular traffic 9 feet over sidewalks and pathways and 16 feet over streets, pathways and alleyways. Trees/shrubs growing in or next to buildings is not allowed. Storm damaged trees are to be cleaned-up and maintained by property owner after inclement weather/wind situations to avoid undue injury to person and property.

Tree and Stump Removal. Damaged/diseased/deceased trees need to be removed from boulevards and properties. Tree stumps also need to be removed from properties and boulevards for safety reasons. Tree and stump removal is the property owner's responsibility, not the City's.

Assessment. If the provisions of the foregoing sections are not complied with, the City shall send notice to the owner of record of the property and to any lessee or occupant or any person having control of any lot or parcel of land via first class mail, postage prepaid, demanding compliance with this ordinance. If the person to whom such notice has been sent fails, neglects, or refuses to comply with the provisions of this ordinance within 7 days after the mailing of such notice, the City shall cause such duties to be performed so as to bring the property into compliance, and the actual cost, plus fifteen (15%) per cent for inspection and other costs in connection therewith, shall be certified by the City Clerk to the owner of record of such lot or parcel. If payment for the performance of the duties are not received by the City Clerk within 30 days of such certification, such charges shall become a lien upon the affected property and shall be added to, and become part of, the taxes next assessed upon such lot or parcel of land and shall be collected in the manner of the other taxes and assessments.

Penalty. Any person who shall neglect, fail or refuse to comply with the provisions of this ordinance, or who shall resist, obstruct, or harass any person hired by the City to perform the duties necessary to comply, may be subject to penalty by criminal prosecution. Violators subject to criminal prosecution and subsequently found guilty shall be guilty of a petty misdemeanor.

Passed and adopted by the Nicollet City Council this 10th day of June, 2009. This ordinance is effective as of the date of publication.

ATTEST:



City Clerk/Treasurer



City Administrator