

ORDINANCE NO. 518

An Ordinance To Create Section 1.18 Of Chapter One (1) Of The General Ordinances Of The Village Of River Hills Relating To Trees and the Duties and Responsibilities of the Tree Commission.

The Village Board of the Village of River Hills, Milwaukee County, Wisconsin, does ordain as follows:

Section I. Section 1.18 of Chapter One (1) of the General Ordinances of the Village of River Hills is hereby created to read as follows:

"Section 1.18. TREE COMMISSION.

(1) Definitions.

(a) Street Trees: "Street Trees" are herein defined as trees, shrubs, bushes, and all other woody vegetation on all Village owned land or Rights of Way within the Village limits.

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

(2) Term, Compensation, Operation and Duties of Tree Commission. The Tree Commission was created by Resolution 2013-14 of the Village Board on January 16, 2013 which appointed the members of the Committee on the Environment as the members of the Tree Commission whose terms of office on the Tree Commission shall run concurrently with their terms of office on the Committee on the Environment. The members of the Tree Commission shall serve without compensation. The Tree Commission shall choose its own officers and keep minutes of its proceedings. A majority of the members shall be a quorum for the transaction of business and it shall meet as it determines necessary. It shall be the responsibility of the Tree Commission to review the efforts of the Village staff to preserve, prune, plant, replant, remove or dispose of trees and shrubs in parks, along streets and in other public areas. The Tree Commission when requested by the Village Manager may make recommendations to the Village Board on matters coming within the scope of its responsibilities.

(3) Spacing, Distance and Type of Street Tree Species to be Planted.

(a) Spacing. The spacing of Street Trees will be generally in accordance with the tree species size classes listed below in (c).

(b) Distance. The distance trees may be planted from the edge of road pavement or curbs or curb lines and sidewalks will be in accordance with the tree species size classes listed below in (c).

(c) List of permitted Tree Species. The following list of small, medium and large trees constitute the official Street Tree species for River Hills, WI. No species other than those included in this list may be planted as Street Trees without written permission of the Village Tree Commission.

<u>Small Trees</u>	<u>Medium Trees</u>	<u>Large Trees</u>
Apricot	Ash, Green	Maple, Silver
Crabapple, Flowering	Hackberry	Maple, Sugar
Hawthorne	Honey locust (thorn less)	Oak, Burr
Pear, Bradford	Linden or Basswood	Sycamore
Redbud	Oak, English	
Soapberry	Oak, Red	
Lilac, Japanese	Pagoda tree, Japanese	
Peach, Flowering	Pecan	
Plum, Purple leaf	Birch, River	
Serviceberry	Persimmon	
	Poplar, White	
	Sassafras	

(4) Utilities. No Street Trees other than those species listed as Small Trees in (3)(c) above should be planted under or within 10 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.

(5) Public Tree Care. The Village may plant, prune, maintain and remove street or public area trees, plants and shrubs, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds.

(6) Pruning and Corner Clearance. The owner of any tree overhanging any street or right-of-way within the Village shall prune the branches so that such branches shall not obstruct the light from any street lamp or obstruct the light from any street intersection and so that there shall be a clear space of eight feet (8') above the surface of the street or sidewalk and if such branches obstruct traffic control devices or signs or the sight lines or visibility for users of the street at corners or intersections. Said owner shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a hazard or danger to the safety of the public. 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 street light or interferes with visibility of any traffic control device or sign or the visibility for users of the street at any corners or intersections.

(7) Review by Village Board. The Village Board shall have the right to review the conduct, acts and decisions of the Tree Commission. Any person may appeal from any action of the Tree Commission to the Village Board who may hear the matter and make a final decision.

(8) Penalties. The penalty and enforcement provisions of Sections 2.15 of Chapter Two (2) of the General Ordinances of the Village of River Hills are hereby made applicable to any violations of this section.

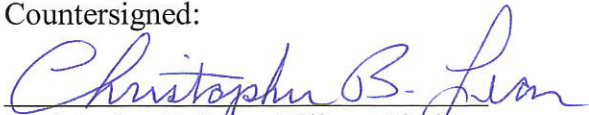
Section II. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby to such extent repealed.

Section III. This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law.

PASSED AND ADOPTED by the Village Board of the Village of River Hills this 13th day of March, 2013.


Robert C. Brunner, Village President

Countersigned:


Christopher B. Lear, Village Clerk