

CHAPTER 8-3 TREE CARE

8-3-1 RIGHT TO PRUNE, TRIM, OR REMOVE TREES, PLANTS, AND SHRUBS

The City shall have the right to prune, trim, or remove trees, plants, and shrubs within the public right of ways of all street, alley, avenue, and land as may be necessary to eliminate traffic hazards, insure public safety, and to prevent any injury to sewers, water lines, or other public improvements.

Authority: SDCL 9-38-2; See Also SDCL 9-38-34

8-3-2 RESPONSIBILITY OF TREE BOARD

The Platte City Tree Board is hereby designated as the responsible committee for determining which trees, plants, or shrubs should be removed as provided by this section. The Tree Board shall periodically observe the streets, alleys, and intersections, and submit a list of the location of trees or shrubs that should be pruned or removed to the City Council for further action.

Authority: SDCL 9-38-8; See Also: SDCL 9-38-24

8-3-3 REMOVAL OF DEAD OR DISEASED TREE PROCESS

The City shall have the right to cause the removal of any dead or diseased tree or any tree, plant, or shrub obstructing public safety, health, or welfare on private property within the City. The City will notify in writing by registered or certified letter the owners of the real estate where such tree, plant, or shrub is located and removal shall be done by said owners at their own expense within sixty (60) days after the date of notification. In the event of failure of said owners to cause the removal of tree, plant, or shrub, the City shall have the authority to cause the removal of said tree, plant, or shrub and charge the cost of removal of such tree, plant, or shrub to the owners of the property by special assessment on the property tax notice. The City also may require the removal of dead branches from trees that are partially dead in the same manner as set out above.

Authority: SDCL 9-38-25; See Also: SDCL 9-38-24

8-3-4 FAILURE TO COMPLY

If any owner of real estate fails to comply with the provisions of this section after being served notice and the City elects to cause the removal of said tree, plant, or shrub, it shall be unlawful for any person to prevent, delay, or interfere with the City removal of said tree, plant, or shrub and any person convicted of violating this provision of this ordinance shall be fined in an amount not to exceed five hundred dollars (\$500.00).

Authority: SDCL 9-38-25

8-3-5 EASEMENT, DUTIES OF LANDOWNER

That any trees located upon any real estate owned by any person or entity which real estate is subject to any easement by the City for street, sewer, or any other public improvements, shall be liable under the provisions of this ordinance for the removal of any dead tree or partially dead tree, and it shall not be the responsibility of the City to remove said tree or partially dead tree, unless the trees are located upon real estate owned by the City.