

Sec. 2-78. - Tree species to be planted.

Subject to section 2.03.00 of the Town of Dundee Land Development Code, the Dundee Tree Board shall develop and maintain a list of desirable trees for planting along streets in three size classes based on mature height: Small (under ten feet), medium (ten to 20 feet) and large (over 20 feet).

This list shall be reviewed annually and recommended for approval by resolution of the Dundee Tree Board. Lists of trees not suitable for planting will also be created by the Dundee Tree Board. Any list adopted by resolution of the Dundee Tree Board shall not be the exclusive list of desirable trees for planting within the town and shall be considered complimentary to the list of trees and/or shrubs set forth in Tables 2.03(A)—(C) of the Town of Dundee Land Development Code.

( Ord. No. 18-08, § 2(8), 12-11-18)

Sec. 2-79. - Spacing and species.

Spacing and species of street trees shall be in accordance with applicable tree spacing and species provisions prescribed in the Town of Dundee Land Development Code. To the extent that the Town of Dundee Land Development Code does not specifically address the spacing and/or species of street trees, then the spacing of street trees will be in accordance with the three species size classes listed in section 8 of this article, and no trees may be planted closer together than the following: small trees, 15 feet; medium trees, 20 feet; and large trees, 30 feet, except in special plantings, designed or approved by a landscape architect or as otherwise authorized by the Town of Dundee Land Development Code or the town's development director.

( Ord. No. 18-08, § 2(9), 12-11-18)

Sec. 2-80. - Distance from curb and sidewalk.

Distance from curb and sidewalk of street trees shall be in accordance with applicable provisions prescribed in the Town of Dundee Land Development Code. To the extent that the Town of Dundee Land Development Code does not specifically address the distance from curb and sidewalk of street trees, then the distance street trees may be planted from curbs or curb lines and sidewalks will be in accordance with the three species size classes listed in section 2-78 of this division, and no street trees may be planted closer to any curb or sidewalk than the following: Small trees, one foot; medium trees, two feet; and large trees, three feet.

( Ord. No. 18-08, § 2(10), 12-11-18)

Sec. 2-81. - Distance from street corners and fire hydrants.

Distance from street corners and fire hydrants of street trees shall be in accordance with applicable provisions prescribed in the Town of Dundee Land Development Code. To the extent that the Town of Dundee Land Development Code does not specifically address the distance from street corners and fire hydrants of street trees, then no street tree shall be planted within 25 feet of any street corner, measured from the point of nearest intersecting curbs or curblines. No street tree shall be planted within ten feet of any fire hydrant.

( Ord. No. 18-08, § 2(11), 12-11-18)

#### Sec. 2-82. - Utilities.

Street trees shall not be placed so as to interfere with overhead utility wire(s) in accordance with requirements of applicable law including, but not to be limited to, the Town of Dundee Land Development Code. However, in the absence of any applicable law, no street trees other than those species listed as small trees in section 2-78 of this division may be planted under or within ten feet of any overhead utility wire.

( Ord. No. 18-08, § 2(12), 12-11-18)

#### Sec. 2-83. - Public tree care.

The town shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds.

The Dundee Tree Board may remove or cause or order to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is affected with an injurious fungus, insect, or other pest. This section does not prohibit the planting of street trees by adjacent property owners, providing that the selection and location of said trees is in accordance with sections 2-78 through 2-82 of this division.

( Ord. No. 18-08, § 2(13), 12-11-18)

#### Sec. 2-84. - Tree topping.

It shall be unlawful as a normal practice for any person, firm, or town department to top any street tree, park tree, or any other tree located on public property. "Topping" is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or obstructions where other pruning practices are impractical may be exempted from this division as determined by the Dundee Tree Board.

( Ord. No. 18-08, § 2(14), 12-11-18)

Sec. 2-85. - Pruning, corner clearance.

Every owner of any tree overhanging any street or right-of-way within the town shall prune the branches so that such branches shall not severely obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of 13 feet above street surfaces or eight feet above the sidewalk surface. Said owners shall remove all dead, diseased, or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The town 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 the visibility of any traffic control device or sign or sight triangle at intersections. Tree limbs that grow near high voltage electrical conductors shall be maintained clear of such conductors by the electric utility company in compliance with any applicable franchise agreements. A utility tree trimming policy must be reviewed by the utility company and Dundee Tree Board prior to any trimming by the utility company.

( Ord. No. 18-08, § 2(15), 12-11-18)

Sec. 2-86. - Dead or diseased tree removal on private property.

Subject to applicable law, the town shall have the right to cause the removal of any dead or diseased trees on private property within the town, 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 town. The Dundee Tree Board shall furnish written notice to the owners of such trees advising them that such trees must be removed by the owners at their own expense within 60 days after the date of service of notice. In the event of failure of owners to comply with such provisions, the town shall have the authority to cite such violator to appear before the special magistrate for code enforcement to show cause why such person should not be held in violation of this division.

( Ord. No. 18-08, § 2(16), 12-11-18)

Sec. 2-87. - 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.

( Ord. No. 18-08, § 2(17), 12-11-18)