

CHAPTER 17
FORESTRY: TREES & SHRUBS
VILLAGE OF SLINGER, WASHINGTON COUNTY, WISCONSIN

Article 17.00 FORESTRY: TREES & SHRUBS

17.01 PURPOSE

It is the policy of the Village of Slinger to regulate and control the planting, pruning, removal, maintenance and protection of trees and shrubs in or upon all public and terrace areas of the Village of Slinger, to eliminate and guard against dangerous conditions which may result in injury to persons using the streets, sidewalks or other public areas; to promote and enhance the beauty and general welfare of the Village; to prohibit the undesirable and unsafe planting, removal, treatment and maintenance of trees and shrubs located in public areas; and to guard all trees and shrubs, both public and private, within the Village against the spread of disease, insects and pests.

17.02 AUTHORITY AND POWER

(A) Control over Public Property:

1. The Parks & Forestry Supervisor, under the control of the Park and Recreation Board, shall direct the purchase, planting, maintenance, trimming, pruning and removal of all trees and shrubs in any public area of the Village of Slinger. No person shall plant, maintain, prune or remove any tree or shrub on or from any public land without permission from the Village.

2. The terms "public property", "public area" and "public land" shall include all land within the Village of Slinger and not privately owned or not controlled by any other political subdivision.

3. The Parks & Forestry Department shall make due various species of trees and shrubs, with consideration given to length of life, beauty, freedom from disease, care requirements, growth habits, utility future effect of roots on adjacent sidewalks and structures, cleanliness and other pertinent characteristics. Only such species as are approved by the Forestry Department shall be planted on public lands.

(B) Control over Private Property:

1. Any tree or shrub which overhangs any public land of the Village, and which, in the opinion of the Village Parks & Forestry Supervisor and the Parks, Recreation & Forestry Department, endangers the life, health, safety or property of the public, shall be declared a public nuisance. The owner shall be notified in writing of the existence of the nuisance and given a reasonable time for its correction or removal. If not corrected, action shall be taken by the Village to abate the nuisance, and the cost assessed to the owner.

2. The owner of property abutting upon any street or sidewalk shall trim branches of all trees standing along such street or sidewalk so that the branches shall not obstruct the passage of light from any street light to the adjacent street or sidewalk, and he shall also trim all branches which overhang any street, alley or sidewalk so that there shall be a clear height of fifteen feet (15') above the street and a clear height of ten feet (10') above the sidewalk. The owner shall remove all dead, decayed or broken trees, limbs or branches which overhang any street or sidewalk.

17.03 PLANTING

- (A) Purpose - The planting, care and protection of the trees within the Village of Slinger is desirable for the purposes of beauty, shade, comfort, noise abatement and economic betterment.
- (B) Tree Planting Program - The Village Parks & Forestry Supervisor shall recommend to the Board a program for tree planting, care and protection of trees and shrubs on public areas within the Village.
- (C) Planting -
 - (1) Any person proposing to plant trees or shrubs in public areas shall first have the size and species and variety of trees and shrubs, and the manner of planting submitted to the Village for approval before beginning such work.
 - (2) There shall be a recommended distance of thirty (30) to fifty (50) feet between terrace area trees depending upon the size of the tree and other factors, as determined by the Village Parks & Forestry Supervisor. Parkway trees shall be planted equal distance between the sidewalk and back of the curb or proposed back of curb. In terrace areas less than three (3) feet wide, planting will not be permitted. Terrace area trees shall be a minimum of thirty-five (35) feet from an intersection.
 - (3) Evergreen trees shall not be planted in a terrace area.
- (D) Unlawfully Planted Trees
 - (1) No trees, plants or shrubs shall be planted within any terrace or public area without the authorization and approval of the Village Parks & Forestry Supervisor & Village Board.
 - (2) The Parks & Forestry Supervisor shall notify the abutting owner, in writing, listing the unlawfully planted trees, plants or shrubs, ordering their removal, and establishing a reasonable time within which such removal shall be accomplished. In the event that removal is not accomplished within the time specified, the Village may remove such trees, plants or shrubs and assess the costs thereof to the owner.

17.04 PRUNING

- (A) Trees and shrubs standing in or upon any terrace, public area or upon any private premises adjacent to any public right-of-way or public areas shall be kept pruned so that the lowest branches projecting over the public street provide a clearance of not less than fifteen (15') feet. The Village Parks & Forestry Supervisor may waive the provision of this section for newly planted trees if he determines that they do not interfere with public travel, obstruct the light of any street light or endanger public safety.
- (B) The necessity of the pruning may be determined by the Village Parks & Forestry Supervisor.
- (C) Clearance from sidewalk to lower branches of any tree shall not be less than ten feet (10'). No tree shall be permitted to grow in such a manner as to obstruct the proper diffusion of light from any public lamp. All trees and shrubs shall be pruned to prevent their branches from encroaching on any public sidewalk.

17.05 REMOVAL

- (A) No person shall cut down or in any manner destroy or injure any living shade tree upon any public street, terrace, highway or other public ground in the Village of Slinger.
- (B) Hazardous, Obstructive and Infected Trees - Any tree or part thereof, whether alive or dead, which the Village Parks & Forestry Supervisor shall find to be infected with Dutch Elm Disease, Emerald Ash Borer or found to be hazardous so as to endanger the public or other trees growing within the Village of Slinger, or to be injurious to sidewalks or other public improvements, shall be removed.
- (C) Public utilities, under the supervision and direction of the Village Parks & Forestry Supervisor or Department of Public Works Superintendent, are authorized to prune trees upon and overhanging the streets, avenues, highways, sidewalks and other public lands in the Village of Slinger, to prevent the branches of such trees from coming in contact with wires and cables. Such utilities are authorized to cut roots of trees and shrubs under the streets, avenues, highways, sidewalks and other public lands in the Village of Slinger, in order to construct, maintain and operate their facilities in and about the Village.