

Chapter 360

TREES AND SHRUBS

[HISTORY: Adopted by the Village Board of the Village of Spring Green as § 5.18 of the Village Code. Amendments noted where applicable.]

GENERAL REFERENCES

Nuisances — See Ch. 278.

Property maintenance — See Ch. 300.

Solid waste — See Ch. 334.

§ 360-1. Declaration of policy; applicability.

It is hereby declared to be the policy of the Village of Spring Green, Wisconsin, to regulate and control the planting, transplanting, removal, maintenance, pruning and protection of trees and shrubs in the Village in order to eliminate and guard against dangerous conditions which may result in injury to persons using the streets, alleys, sidewalks or property of the Village; to prevent damage to any public sewer or water main, street, sidewalk or other public property; to protect trees and shrubs located in public areas from undesirable and unsafe planting, removal, treatment and maintenance practices; and to guard all trees and shrubs within the Village against the spread of disease or pests. It is the intent of the Village Board that the provisions of this chapter shall apply to all trees, shrubs or plants growing or hereafter planted in or upon any public right-of-way or other premises owned or controlled by the Village and also to all trees or shrubs growing or to be planted in or upon any private premises which shall threaten the lives, health, safety or welfare of the public or of the property owned or controlled by the Village.

§ 360-2. Definitions.

Whenever the following words or terms are used in this chapter, they shall be construed to have the following meaning:

PERSON — Person, firm, association or corporation.

PUBLIC TREES, SHRUBS AND VEGETATION — All trees, shrubs or other plant materials located or to be planted on any park, playground or other property owned or controlled by the Village or any public street, alley, sidewalk or highway within the public right-of-way.

§ 360-3. Tree Commissioner.

- A. Appointment. The Village of Spring Green Street, Sidewalk and Tree Committee shall appoint a Village Tree Commissioner. The Village Tree Commissioner shall serve for an indefinite term at the pleasure of the Committee. The Village Board of the Village of Spring Green shall be notified of such appointment (or dismissal) within 15 days of such action.
- B. Duties and powers. The Village Tree Commissioner shall direct, regulate and control the

planting, care and removal of all public trees, shrubs and other plant materials within the Village and shall cause the provisions of this chapter to be enforced.

§ 360-4. Master Tree Plan.

The Village Tree Commissioner is hereby authorized to develop a Master Tree Plan showing the location and varieties of species of all public trees and shrubs growing or to be planted in the public right-of-way of all streets within the Village, and said plan shall be submitted to the Village Board for adoption. After said plan has been adopted no person shall thereafter plan, transplant, or move any public tree or shrub on any street or alley of the Village except to the location shown on said plan unless it is of the species or variety therein designated. The Village Tree Commissioner may waive the requirements of this section in cases of extreme hardship where such waiver is in the public interest or necessitated by the physical characteristics of the tree or shrub.

§ 360-5. Planting, care and removal of public trees and shrubs.

- A. Permit required. No person, except upon order of the Village Tree Commissioner, shall plant, transplant, move, spray, brace, trim, prune, cut above or below ground, disturb, alter or do surgery on a public tree or shrub within the Village or cause such acts to be done by others without first obtaining a written permit for such work from the Village Tree Commissioner, as herein provided.
- B. Exceptions. No permit shall be required to cultivate, fertilize or water public trees or shrubs. The Village Tree Commissioner may authorize any person to do any work or act described in Subsection A above without written permit whenever he determines that such work or act will not be detrimental to the public interest and will be in accord with the spirit and other requirements of this chapter.

§ 360-6. Violations and penalties. ¹

Any person who shall violate the provisions of this chapter shall, upon conviction thereof, forfeit not less than \$20 nor more than \$300 together with the costs, fees and surcharges imposed under Ch. 814, Wis. Stats., and, in addition, the penalty surcharge provided under § 757.05, Wis. Stats.

1. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I).