ORDINANCE OF THE COMMON COUNCIL

An ordinance amending subsection c of Section 82-61, City Forester, and subsections 7 and 13 of Section 82-63, Trees in lawn parks and public right-of-way, Article III, Forestry, Chapter 83, Vegetation, of the City of Lake Geneva Municipal Code; as it relates to the update of responsibilities of the City Forester

Committee	Board of Park Commissioners recommended approval on June 20, 2023						
Fiscal Impact:	N/A						
File Number:	23-05	First Reading : Second Reading :	July 10, 2023 July 10, 2023				

The Common Council of the City of Lake Geneva, Wisconsin, does hereby ordain as follows:

Section 82-61. City Forester

(c) Plan. The eCity fForester, under the direction of the Delirector of pPublic wWorks and utilities, shall prepare a forestry plan which shall include one or more of the following programs: A city lawn park beautification program to provide for tree plantings, and replacement in lawn parks, and public right-of-ways. The program shall provide for the cost of tree planting. to be borne jointly by the abutting property owner and the city, as determined by the board. After review by the Tree Board, the Park Board shall make a recommendation of the plan to the City Council. This plan shall be reviewed and updated as necessary.

Section 82-63. Trees in lawn parks and public right-of-way.

(7) Tree removal. The park board or director of public works and utilities, on approval from the board, shall approve all The City Forester shall submit to the Director of Public Works and the Tree Board, a list of non-emergency trees removals to be removed along with a brief description of the location, species, and need/cause for removal. This list shall be compiled when necessary. Trees which are cut down shall be removed with the root stump grubbed or ground out to a depth at least nine inches below grade. Surface roots beyond the main stump are to be removed to a depth at least five inches below grade. All wood and debris shall be removed from the site and no wood or debris shall be permitted to remain on the street or sidewalk when work on any day is concluded. Holes must be safeguarded by a barricade if not immediately filled. The city will fill holes as soon as practicable practical, which shallbe topped with a minimum of two inches of topsoil and seeded with organic fill and dressed with top soil and grass seeded.. The site shall be barricaded to protect the public at any time work is in progress. A permit may be issued to an abutting property owner to remove a lawn park/terrace tree, upon approval by the City Forester and the Tree Boar, or the Director of Public Works in concurrence with the Park Board. The reason shall be included in the permit application. The permit shall be conditioned upon proof of liability insurance covering death, personal injury, and property loss or damage in the amount of \$250,000. Trees shall be removed without damage to the neighboring trees, asphalt, or curb and gutter. Property owners who removed terrace trees without a permit may be subject to fines including replacement costs. Private removals shall abide by the same rules listed in article (7). Apermit may be issued by the board or the director, with concurrence of the board chairman, to anabutting property owner to remove a lawn park tree having a diameter in excess of six inches measured-54 inches from grade, shall also be conditioned upon proof of liability insurance covering death and

personal injury and property loss or damage in the amount of \$250,000. Trees shall be dropped awayfrom the parkway or street to protect all other public trees. A permit may be issued by the city foresterwithout proof of insurance for removal of trees less than six inches in diameter.

(13) Notice of planting and removal. Whenever the eCity Forester proposes the planting or removal_ (except emergency removals) of any tree, he shall give two weeks advance written notice shall be given by way of door hanger flyer with address, tree identification of the planted/removed tree, and the reason for the removal. White paint marks on the tree to be removed or on the ground where the tree id proposed to be planted will also be used. to the owner of record or person in charge of the lot or parcel of land adjacent to the land on which such tree stands or will stand. The written noticeshall advise that written, detailed objections may be sent or served upon the city forester within the two-week period. The notice shall specify in detail the street, avenue or boulevard from which trees are proposed to be planted or removed and the general nature and character of the changes and improvement contemplated. After reviewing any written objections which may be submitted, the cityforester may modify planting plan or forward objections to removals to the board for final decision. The notice shall include a phone number and email address for the City Forester. Ouestions concerning the work must be submitted to the City Forester within two weeks of the date the notice served. After reviewing any questions submitted, the City Forester may modify the planting plan or forward objections of removals to the Tree Board or Director of Public Works for final review. No prior notices by the city forester are required for the trimming of living trees or for the emergency removal of dead or dangerous trees. The absence of a timely notice shall not render any work performed invalid.

Approved by the City of Lake Geneva Common Council on this 10th day of July, 2023.

Council Action:	Adopted	Failed	Vote _		
Mayoral Action:	Accept	Veto			
Charlene Klein, May Attest:	yor	Date			
Lana Kropf, City Cl	erk	Date		-	