

CITY OF MOUNTAIN LAKE, MN

ORDINANCE #7-19

AN ORDINANCE OF THE CITY OF MOUNTAIN LAKE AMENDING CHAPTER 8:  
SECTION 8.16 SUBDIVISION 4: REGULATION OF TREES

The City Council of the City of Mountain Lake ordains that *Section 8.16, Subdivision 4.D – Fallen Trees, Branches, or Other Vegetation* be established as follows:

Added language is *italicized*.

**Subd. 4. Tree Removal on Public and Private Property**

**A. Reasons for Tree Removal** (Exceptions considered on an individual basis.)

1. Disease
2. Dead or declining health
3. Structurally hazardous/obstructs views
4. Undesirable species
5. Insufficient growing space
6. Threat to the health and well being of the public and/or urban forest.

**B. 1. City Action/Non-Utility:** The Tree Inspector, as appointed by the City Council, 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 lacks the minimum clearance over streets, alleys and sidewalks, is dead or is affected with any injurious fungus, insect, or other pest which constitutes a potential threat to the trees within the city. The Tree Inspector will notify in writing the owners of such trees. Removal shall be done by said 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 city shall have the authority to remove such trees and charge the cost of removal on the owner's property tax assessment.

**2. City Action/Utility:** Any tree or part thereof which is unsafe or injurious to sewers, electric power lines, water lines, and other public improvements shall be removed or trimmed as set forth in Ordinance 3.05 Subd. 5.

**C. 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. The waste material shall be cleaned up and the hole filled with soil.

**D. Removal of Fallen or Broken Trees, Branches, or Other Vegetation:** *All fallen or broken trees, branches, or other vegetation that falls and lays on the public right-of-way, boulevard, alleyway, or street is the responsibility of the homeowner from whose property the tree has fallen. Fallen or broken trees, branches, or other*

*vegetation on the public right-of-way, alleyway, or street must be removed by the property owner within 72 hours to ensure proper access to the public right-of-way, alleyway, or street. If not removed within 72 hours, the city has the right to remove the fallen or broken debris with its own equipment or hire a service to do so. Total costs will be billed to the property owner and if not paid, will be assessed to the property's taxes.*

Passed by the City Council of Mountain Lake, Minnesota this 17<sup>th</sup> day of December, 2019.

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Mike Nelson, Mayor

Attest:

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Michael Schulte, City Administrator