

ORDINANCE NO. 8-34

By Mr. W. H. Schneider.

Providing for the management, protection and control of trees, shrubbery and plants on public streets in the City of Bexley, Ohio.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, STATE OF OHIO:

Section 1. It shall be unlawful for any person, without a written permit from the Superintendent of Parks, to cut, break, injure or spray any tree, shrubbery or plant, planted or growing in any public street, avenue or highway within the City of Bexley, or cause, authorize or procure any person to cut, break, injure or spray any such tree, shrubbery or plant; or to injure or remove, or cause, authorize or procure any person to injure or remove any device set for the protection of any tree, shrubbery or plant in any public street, avenue or highway of said city.

Any person desiring for any lawful purpose to cut, prune, or treat, with view to its preservation from disease or insect, or to trim or spray any tree, shrubbery or plant in any public street, avenue or highway of the city, must apply to the Superintendent of Parks, and if in the judgment of said Superintendent of Parks the desired cutting, pruning, treatment or trimming shall appear necessary and proper, and the proposed method and workmanship thereof such as said Superintendent of Parks shall approve, said Superintendent may thereupon issue a written permit for such work; and any work done under such written permit must be performed in strict accordance with the terms thereof.

Section 2. No person shall, without the written permit of the Mayor, attach or keep attached to a tree in any public place, street, avenue or highway, or to the guard or stake intended for the protection of such tree, a rope, wire, sign, or any device.

Section 3. In the erection, construction or repair of any building or structure, the contractor, or if there be no contractor, the owner thereof, shall place such guards around all nearby trees on the public streets, avenues or highways, as shall

effectually prevent any injury to them.

Section 4. No person shall, without the written permit of the Mayor, place or hereafter maintain, upon the ground in or on any public street, avenue or highway, stone, cement or other substance which would impede the free entrance of water and air to the roots of any tree in such street, avenue or highway, without leaving outside the base of the trunk of such tree an open space of ground, not less in area than nine square feet.

Section 5. Every person, firm or corporation, having or maintaining an electrically charged wire or other wire running through or over a public street, avenue or highway, shall securely fasten such wire or insulate the same, or otherwise provide and maintain protection so that it will not come in contact with or injure any trees therein. No person, firm or corporation shall, without notifying and securing a permit from the Mayor, dig any trench to lay any kind of a pipe or conduit nearer than one and one-half feet to any tree on any street, avenue or highway.

Section 6. The trimming, removing, spraying, replacing and surgery work on trees and shrubbery on the streets, avenues and in the parks shall be done by the Superintendent of Parks without direct cost to the property owners.

Section 7. The Mayor shall have the power to condemn, remove or cause to be removed any tree, trees or shrubbery located upon or near any public street, avenue or highway that are dead or in a condition dangerous to the public; and to remove or cause to be removed from any street, avenue or highway any tree, trees or shrubbery which are so located as to interfere with any existing or proposed public or municipal project, or which by reason of the location thereof either impedes traffic or creates a situation dangerous to traffic upon any such street, avenue or highway.

Section 8. It shall be unlawful for any person to plant or set out any Carolina poplar or any catalpa tree or trees, or

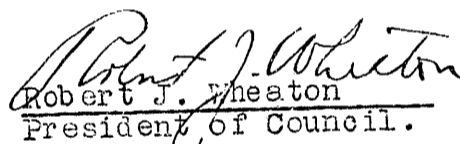
any low growing shrubbery, in any part of any public street, avenue or highway.

Section 9. No person shall set or plant any tree or shrubbery within the limits of any street, avenue or highway without first obtaining a permit therefor in writing from the Mayor, which permit shall also indicate the distance said plantings shall be from the curb line and from other trees or plantings.

Section 10. Any person violating any of the provisions or requirements of Sections 1, 2, 3, 4, 5, 8 or 9 shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not to exceed \$25.00, and the costs of prosecution.

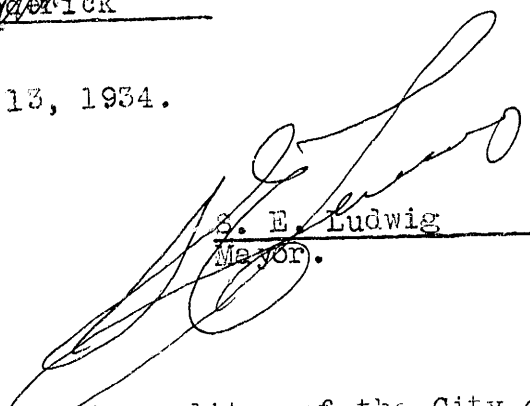
Section 11. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Approved March 13, 1934.

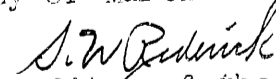

Robert J. Wheaton
President of Council.

Attest: 
S. W. Roderick
Clerk.

Approved: March 13, 1934.


S. E. Ludwig
Mayor.

I, S. W. Roderick, Auditor of the City of Bexley, State of Ohio, do hereby certify that there is no newspaper published in said municipality and that publication of the foregoing ordinance was duly made by posting true copies thereof at five the most public places in said corporation as determined by the council as follows: Main Street and Parkview Avenue; Main Street and College Avenue; Main Street and Drexel Avenue; Broad Street and Drexel Avenue and Parkview Avenue and Clifton Avenue, each for a period of fifteen days commencing on the 14th day of March 1934.


S. W. Roderick
Auditor of the City of Bexley, Ohio.

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