

GENERAL ORDINANCE NO. 1067**AN ORDINANCE REGULATING THE PLANTING, MAINTENANCE, PROTECTION, CONTROL, AND REMOVAL OF TREES IN AND UPON THE PUBLIC STREETS AND OTHER PUBLIC PLACES IN THE CITY OF THE DALLES; AND PROVIDING A PENALTY FOR VIOLATION THEREOF; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH**

The people of The Dalles do ordain as follows:

Section 1. No trees or shrubs shall hereafter be planted in or removed from any public parking strip, parkway, or other public place without permission of the Director of the Department of Public Works.

Section 2. It shall be unlawful to plant in any public parking strip, parkway, or other public place any of the following trees: poplar, willow, conifer, cottonwood, fruit trees, nut trees, ailanthus, Chinese elm, walnut, European white birch, cutleaf birch, black locust, or sycamore.

Section 3. All trees growing near or on either the inside or the outside line of any sidewalk, street, or alley, shall be trimmed so that the limbs and branches from such trees shall be not less than nine feet above the sidewalk and 14 feet above the street or alley. The owner or occupant of any property shall trim all trees and shrubs so as to comply with this section and shall be guilty of a violation for failure to do so.

Section 4. It shall be a violation of this ordinance to abuse, destroy, or mutilate any tree, shrub, or plant in a public parking strip, parkway, or any other public place, or to attach any rope or wire (other than one used to support a young or broken tree), sign, poster, handbill, or other thing to or on any tree growing in a public place, or to cause, allow, or permit any wire charged with electricity to come in contact with any such tree, or to allow any gaseous, liquid or solid substance which is harmful to such trees to come in contact with their roots or leaves.

Section 5. The Director of the Department of Public Works or his duly authorized representative may cause to be trimmed, pruned, or removed any trees, shrubs, plants, or vegetation, in any parking strip or other public place, or may require any property owner to trim, prune, or remove any trees, shrubs, plants, or vegetation in a parking strip or parkway abutting upon said owner's property when he shall find such action necessary to public safety, or in the public interest, or to prevent the spread of such disease or insects to public trees and places. The Director of the Department of Public Works may direct the owner or occupant of any property to trim trees or shrubs so as to comply with Section 3 of this Ordinance or Section 20 of Ordinance 80-986 defining clear vision areas, by a written notice sent by ordinary mail. If the owner or occupant does not comply with such direction after 15 days written notice, the Director shall cause the trees or shrubs to be trimmed, and all costs incurred by the City shall be charged against the

owner or occupant of the property and may be collected by the City in any manner, action, or proceeding authorized by law. This procedure is cumulative to and in addition to the liability of the property owner to be cited and charged with a violation of Section 3 hereof or a violation of Ordinance 80-986 in Municipal Court.

Section 6. Any person violating any of the provisions of this ordinance is guilty of a violation and upon conviction thereof shall be punished by a fine not to exceed \$250. Each day of a continuing violation may be treated as a separate offense.

Section 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 8. If any provision, section, sentence, or phrase of this ordinance shall for any reason be adjudged or declared by any court of competent jurisdiction to be unconstitutional or invalid, such judgement or decision shall not affect the validity of the remaining portions of this ordinance.

Section 9. Ordinance No. 725 of the City of The Dalles is hereby repealed.

Passed by the Council and approved by the Mayor November 18, 1985.