

ORDINANCE NO. C-16-74

AN ORDINANCE TO AMEND CHAPTER 94 OF THE 1966 GROVE CITY CODE OF ORDINANCES BY REPEALING SECTIONS 94.35 through 94.39 AND ENACTING NEW SECTIONS 94.35 through 94.39.

WHEREAS, a situation exists in Grove City that is detrimental to the citizens of Grove City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT

SECTION 1. Sections 94.35 through 94.39 are hereby repealed and new Sections 94.35, 94.36, 94.37, 94.38 and 94.39 are enacted to read as follows:

Sec. 94.35 Trees Prohibited in Public Streets

It shall be unlawful for any person to plant any tree or shrub within any public street.

Sec. 94.36 Certain Trees Prohibited

It shall be unlawful for any person to plant any tree listed herein within 100 feet of any public utility line above and below the ground including sewers, drains, manholes, and inlets, or in any park or public place in the City.

Acer saccharinum (Silver Maple)
Acer Negundo (Box Elder)
Aesculus Hoppocastanum (Horse Chestnut)
Ailanthus glandulesa (Tree of Heaven)
Betula (All species and varieties)
Catalpa (All species and varieties)
Morus (All species and varieties)
Populus (All species and varieties)
Salix (All species and varieties)
Serbus Aucuparia (European Mountain Ash)
Ulmus pumila (Asiatic or Chinese Elm)

Sec. 94.37 Notice of Removal

The Director of Public Service shall examine all trees that appear to be within 100 feet of any public utility line as described in Section 94.36 and, if found to be dangerous or causing damage, he shall give to the tree owner or the person having charge or control of said tree, including administrator or executor, written notice of his findings and request the removal of said tree by the owner or person having charge or control of said tree within forty-five days. Proper service of such notice shall be by personal service, residence service, or by registered mail; provided, however, that such notice shall be deemed to be properly served upon such owner or person having charge or control of the tree, including an administrator or executor, if a copy thereof is sent by certified mail to his last known address.

Sec. 94.38 Procedure for Non-compliance with Removal Notice

Upon failure of the person (s) to comply with the notice to remove any tree in accordance with Section 94.38, the Director of Public Service shall cause the tree to be removed by use of City forces and equipment or by hiring of private individuals and equipment. Upon completion of such work as is required to remove the tree, the Director of Public Service shall cause the expenses and labor costs incurred to be determined and a statement therefor to be mailed to the affected person.

Section 94.39 Written Return to County Auditor; Amount of Lien Upon Property

If statements have not been paid within 60 days after mailing, the Director of Finance shall make a written return to the county auditor of the action under Sections 94.36, 94.37, and 94.38, with a statemnt of the charges and a proper description of the premises. Such amount, when allowed, shall be entered upon the tax duplicate and be a lien upon such lands from, and after, the date of entry and be collected as other taxes and returned to the municipality with the general fund.

SECTION 2. This ordinance shall take effect at the earliest opportunity allowed by law.

Submitted: 3/18/74

Passed: 4/1/74

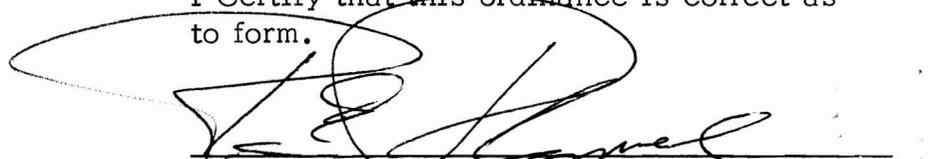
Effective: 5/1/74


Gerald L. Kingsmore, President of Council


Michael T. Brandt, Mayor


June A. Cook, Clerk of Council

I Certify that this ordinance is correct as to form.


Ronald E. Plymale, Director of Law