

## TITLE V - BUILDING AND PROPERTY REGULATIONS

CHAPTER 140  
TREES – GENERAL PROVISIONS**140.01 Purpose****140.02 Definitions****140.03 Planting Restrictions****140.04 Duty to Trim Trees****140.05 Assessment****140.06 Trimming Trees to be Supervised****140.07 Removal of Trees**

**140.01 PURPOSE.** The purpose of the chapters in this Code of Ordinances pertaining to Trees is to beautify and preserve the appearance of the City by regulating and providing for the planting, care and removal of trees.

**140.02 DEFINITIONS.** For use in these chapters, the following terms are defined:

1. “Parking” means that part of the street, avenue or highway in the City not covered by sidewalk and lying between the lot line and the curb line; or, on unpaved streets, that part of the street, avenue or highway lying between the lot line and that portion of the street usually traveled by vehicular traffic.
2. “Superintendent” means the superintendent of streets or such other person as may be designated by the Council.

**140.03 PLANTING RESTRICTIONS.** No tree shall be planted in any street or parking except in accordance with the following:

1. Alignment. All trees hereafter planted in any street shall be planted in the parking midway between the outer line of the sidewalk and the curb. In the event a curb line is not established, trees shall be planted on a line ten (10) feet from the property line.
2. Spacing. Trees shall not be planted on any parking which is less than nine (9) feet in width, or contains less than eighty-one (81) square feet of exposed soil surface per tree. Trees shall not be planted closer than twenty (20) feet from street intersections (property lines extended) and ten (10) feet from driveways. If it is at all possible trees should be planted inside the property lines and not between the sidewalk and the curb.
3. Prohibited Trees. No person shall plant in any street any fruit-bearing tree or any tree of the kinds commonly known as cottonwood, poplar, boxelder, Chinese elm, or evergreens.

**140.04 DUTY TO TRIM TREES.** The owner or agent of the abutting property shall keep the trees on, or overhanging the street, trimmed so that all branches will be at least fifteen (15) feet above the surface of the street and eight (8) feet above the sidewalks.

(Code of Iowa, Sec. 364.12[2c])

140.05 ASSESSMENT. If the abutting property owner fails to trim the trees as required in this chapter, the City may serve notice on the abutting property owner requiring that such action be taken within (5) days. If such action is not taken within that time, the City may perform the required action and assess the costs against the abutting property for collection in the same manner as a property tax.

(Code of Iowa, Sec. 364.12[2d&e])

140.06 TRIMMING TREES TO BE SUPERVISED. It shall be unlawful for any person to trim or cut any tree in a street or public place unless the work is done under the supervision of the City.

140.07 REMOVAL OF TREES. The superintendent shall remove, on order of the Council, any tree on the streets of the City which interferes with the making of improvements or with the travel thereon. The superintendent shall additionally remove any trees on the street, not on private property, which are dead or have become diseased, or which constitute a danger to the public, or which may otherwise be declared a nuisance.

(Code of Iowa, Sec. 364.12[2c] & 372.13[4])