

RECORD OF ORDINANCES

Ordinance No.: 2024-05

Passed: March 11, 2024

AN ORDINANCE TO REGULATE TREES AND ESTABLISH OFFENSES RELATED TO TREES, REPEALING ORDINANCES IN CONFLICT THEREWITH

WHEREAS, there has been significant questions and issues regarding trees in the Village of West Lafayette; and

WHEREAS, the Village of West Lafayette has recognized the matter is one for regulation and clarification; now

NOW, THEREFORE, BE IT ORDAINED as follows by the Council for the Village of West Lafayette, Ohio:

SECTION I: The Village of West Lafayette has established rules and regulations concerning trees, tree maintenance and creating offenses herein.

SECTION II: Offenses Related to Trees

- a) No person shall knowingly fail to trim, cut, or remove within fourteen days, a tree, foliage, or plant, situated in and/or on the right of way of any highway, street, or alley, or in the area known as the curb strip between the highway, street, or alley and sidewalk upon notice in writing that said tree, foliage, or plant is determined to be a nuisance, hazard, or safety danger by the Village Administrator.
- b) Any person receiving a notice to trim, cut, or remove a tree, foliage or plant may file an appeal if they believe the tree, foliage, or plant is not a nuisance, hazard, or safety danger within seven days with the Public Works Committee. The matter will be heard at the next scheduled Public Works Committee meeting. The deadline for trimming, cutting, or removal of a tree, foliage, or plant will be extended to fourteen days after the person is notified of the Public Works Committee's decision. A vote of two of the three Public Works Committee members will decide the matter.
- c) No person shall plant any tree, foliage, or plant in or on the right of way of a highway, street, or alley or within the curb strip between the highway, street, or alley and the sidewalk without obtaining a permit from the Village Administrator. The permit will be issued at no cost to the person.
- d) No person shall permit the overhanging of limbs of trees, foliage, or plants to project over a sidewalk in the Village of West Lafayette without having a clear space between the overhanging limbs of trees, foliage, or plants and the sidewalk of not less than 7'6", (seven and one-half feet).
- e) The Village shall not permit the overhanging of limbs of trees, foliage, or plants to project over a highway, street, or alley in

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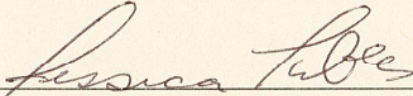
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the Village of West Lafayette without having a clear space between the overhanging of limbs of trees, foliage or plants and the highway, street, or alley of not less than 13'9" (thirteen feet nine inches).

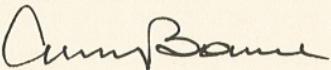
- f) The cutting or trimming of any tree, foliage, or other plant situated in the right of way of any highway, street, or alley or within the curb strip between the highway, street, alley, and sidewalk within the Village of West Lafayette shall be the responsibility of both the home owner of the tree and the Village. The homeowner shall maintain the trees in accordance with Section II(d) of this Ordinance and the Village shall maintain the trees in accordance with Section II(e) of this Ordinance. This Section does not apply to annual leaf collection programs conducted by the Village.
- g) Whoever violates any provisions of this ordinance shall be guilty of a minor misdemeanor. Any violation shall constitute a separate offense on each successive day the violation is not remedied.

PASSED IN COUNCIL THIS 11th DAY OF MARCH 2024.



Jessica Tubbs, Mayor

ATTEST:



Amy Bourne, Fiscal Officer