

A BILL FOR AN ORDINANCE REGULATING THE )  
PLANTING, MAINTENANCE, PROTECTION, CONTROL, )  
TRIMMING, AND REMOVAL OF TREES IN AND UPON )  
THE PUBLIC STREETS AND OTHER PUBLIC PLACES )  
IN THE CITY OF LEBANON AND PROVIDING A )  
PENALTY FOR VIOLATION THEREOF, REPEALING )  
ORDINANCE NO. 1958 AND ALL OTHER ORDINANCES )  
IN CONFLICT THEREWITH, AND DECLARING AN )  
EMERGENCY. )

ORDINANCE BILL NO. 3  
for 1987  
ORDINANCE NO. 2012

THE CITY OF LEBANON ORDAINS AS FOLLOWS:

Section 1. Repealing an Ordinance. This ordinance shall repeal Ordinance No. 1958 and all ordinances or parts thereof that are in conflict with this ordinance.

Section 2. Title of Ordinance. This ordinance shall hereafter be referred to and cited as the STREET TREE ORDINANCE of the City of Lebanon, Oregon.

Section 3. Enforcing Authority. The City Administrator or his duly authorized representative shall be charged with the enforcement of this ordinance.

Section 4. Permission to Plant Trees. No trees or shrubs shall hereafter be planted in or removed from any public parking strip or other public place in the city without permission from the City Administrator or his duly authorized representative.

Section 5. Street Tree Plan. All trees and shrubs hereafter planted in any public parking strip or other public place in this city shall conform as to species and location to the street tree plan which is hereby made a part of this ordinance.

Section 6. Prohibited Trees. It shall be unlawful to plant in any public parking strip the following trees:

- |           |             |
|-----------|-------------|
| Poplar    | Cottonwood  |
| Willow    | Fruit Trees |
| Conifer   | Nut Trees   |
| Elm       |             |
| Ailanthus |             |

It shall be unlawful to plant willow, cottonwood, or poplar trees anywhere in the city unless the City Administrator or his duly authorized representative approves the site as one where the tree roots will not interfere with a public sewer.

Section 7. Trimming and Removal of Trees. The City Administrator or his duly authorized representative may cause to be trimmed, or removed any trees, shrubs, plants or vegetation in any parking strip or other public place that overhangs any public street, alley, or sidewalk at a height of less than 10 feet above the street or alley surface or less than 8 feet above the sidewalk, or in any other way endangers or is likely to endanger the security or usefulness of any public street, sewer or sidewalk. The city may remove or trim such a tree, or may require the property owner to remove or trim such a tree. Failure of the property owner to remove or trim the tree, after 10 days' notice by the City Administrator or his duly authorized representative is a violation of this ordinance and the City Administrator or his duly authorized representative may then remove or trim the tree.

Section 8: Abuse or Mutilation of Trees. It shall be a violation of this ordinance to abuse, destroy, or mutilate any tree, shrub, or plant in a public parking strip or any other public place, or to attach or place 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 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 without permission from the City Administrator or his duly authorized representative.

Section 9. Violation of this Ordinance - Penalty.

Any person violating any of the provision of this ordinance or failing to comply with them shall upon conviction thereof be punished by a fine not to exceed fifty (50) dollars.

Section 10. Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 11. Validity. If any section of this ordinance is declared invalid by any court of competent jurisdiction such decision shall be deemed to apply to that section only and shall not affect the validity of the ordinance as a whole or any part thereof other than the part declared invalid.

Section 12. That inasmuch as the provisions of this ordinance are necessary for the immediate preservation of the peace, health and safety of the people of the City of Lebanon, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.