



Legislation Text

File #: Ord 21-47, **Version:** 1

Amending Chapter 177, Removal of Dangerous Trees, of the Legislative Code by deleting it in its entirety and combining its provisions into Chapter 175 of the Legislative Code.

WHEREAS, the city finds that Dutch Elm Disease falls within the more general category of Dangerous Trees; and

WHEREAS, similar procedures apply to the abatement of costs for removal of Dutch Elm or dangerous trees, including procedures for assessment of costs, and that the two categories can be combined into one ordinance;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Saint Paul does ordain:

SECTION 1

That Chapter 177 of the Legislative Code, is hereby amended to delete it in its entirety.

~~Chapter 177. -- Removal of Dangerous Trees~~

~~Sec. 177.01. -- Dangerous trees, order.~~

~~If the whole or any part of any tree shall, in the opinion of the director of the department of parks and recreation, be found, after proper investigation, to be dangerous or unsafe, the director shall issue an order in writing to the owner or owners, agent or occupant of the property upon which such dangerous or unsafe tree is located, to forthwith cause such dangerous or unsafe tree, or portion thereof if the removal of a portion will remove the danger, to be taken down and removed; and he shall cause such order to be mailed to the last known address of such owner, agent or occupant.~~

~~Sec. 177.02. -- Removal.~~

~~If within ten (10) days after said order has been mailed, as above provided for, the owner or owners, agent or occupant of the property upon which such unsafe or dangerous tree is located neglects or refuses to comply with said order, or has failed to file an appeal from said order with said director, then said director may enter upon said premises and take down or remove said tree or portion thereof declared by him to be dangerous or unsafe, and to do any and all things which in his opinion may be necessary for the protection of life, limb or property.~~

~~Sec. 177.03. -- Assessment of expense.~~

~~If, after the notice hereinbefore provided for has been given, the owner, agent or occupant has failed to remove such dangerous or unsafe tree or portion thereof, and it becomes necessary for the city to remove same, said director shall mail a statement of the expense of such removal to the owner, agent or occupant of the property from which such tree or portion thereof has been removed, and if within thirty (30) days therefrom the owner, agent or occupant has not remitted to the city for the expense incurred by the city in said removal, the director of the department of parks and recreation shall forthwith file a lien with the county recorder of the county in favor of the city and against the property from which such dangerous or unsafe tree or portion~~

thereof has been removed. The amount of such expense may be recovered by the city against the owner or owners of said property and the lien enforced, in any civil court of competent jurisdiction, in the manner provided by law.

SECTION 2

This Ordinance will take effect and be in force thirty (30) days following its passage, approval and publication.

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