

ORDINANCE NO. 2015-17

AN ORDINANCE AMENDING CHAPTER 90, SECTION 90-61 OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS REGARDING TREE REMOVAL

WHEREAS, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") are committed to ensuring the health, safety and welfare of Village residents; and

WHEREAS, the removal of trees from both public and private property can cause damage to neighboring real and personal property; and

WHEREAS, the Municipal Code, Village Of Stickney, Illinois (the "Village Code") does not currently regulate the removal of trees from private property; and

WHEREAS, based upon the foregoing, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the Village and its residents to amend Chapter 90, Section 90-61 of the Village Code as set forth below;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:

**ARTICLE I.
IN GENERAL**

SECTION 1. INCORPORATION CLAUSE.

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

SECTION 2. PURPOSE.

The purpose of this Ordinance is to amend Chapter 90, Section 90-61 of the Village Code to regulate the removal of trees from both public and private property and to authorize the President or her designee to take all actions necessary to carry out the intent of this Ordinance.

ARTICLE II.

AMENDMENT OF CHAPTER 90, SECTION 90-61 OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS

SECTION 3.0. AMENDMENT OF CHAPTER 90, SECTION 90-61.

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 90, Section 90-61, which Section shall be amended as follows:

(a) It shall be unlawful to plant any tree or bush in any public street or parkway or other public place in the village without having first secured a permit therefor. Applications for such permits shall be made to the building department village clerk and shall be referred by him to the village supervisor board of trustees. All trees and shrubs so planted shall be placed subject to the directions and approval of the village supervisor board of trustees.

(b) It shall be unlawful to remove or cut down any tree or shrub or portion thereof in any street, parkway or other public place without having first secured a permit therefor. Applications for such permits shall be made to the building department village clerk and shall be referred by him to the village supervisor president and board of trustees before permission shall be granted. Any contractor or landscaping company contracted to perform tree removal services on public property shall be duly licensed and bonded.

(c) It shall be unlawful to remove or cut down any tree or shrub exceeding eight (8) feet in height on private property without having first secured a permit therefor. Applications for such permits shall be made to the building department and shall be referred to the village supervisor before permission shall be granted. Any contractor or landscaping company contracted to perform tree removal services on private property shall be duly licensed and bonded. Property owners shall be responsible for the disposal of trees or shrubs to be removed from private property.

SECTION 3.1. OTHER ACTIONS AUTHORIZED.

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and

disseminate any and all necessary forms or notices to be utilized in connection with the intent of this Ordinance.

**ARTICLE III.
HEADINGS, SAVINGS CLAUSES, PUBLICATION,
EFFECTIVE DATE**

SECTION 4. HEADINGS.

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

SECTION 5. SEVERABILITY.

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

SECTION 6. SUPERSEDER.

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

SECTION 7. PUBLICATION.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall be effective and in full force immediately after its passage and approval.

PASSED this 20th day of October 2015.

AYES: Trustees Fuentes, Hrejsa, Lazansky, Milenkovic, Savopoulos, White

NAYS:

ABSENT:

ABSTENTION:

APPROVED by me this 21st day of October 2015.

Deborah Morelli, President

**ATTESTED AND FILED in my
office this 21st day of October 2015.**

Audrey McAdams, Village Clerk