

ORDINANCE NO. 1180-2021

AN ORDINANCE: OF THE VILLAGE OF ELIDA, OHIO SETTING REGULATIONS ON THE PRUNING OF TREES AND OTHER LIVE VEGETATION BORDERING RIGHT OF WAY AND DECLARING AN EMERGENCY

**Whereas**, the Council of the Village of Elida, Ohio met at a duly called and authorized meeting of the Council, such meeting being duly called pursuant to the rules of Council, with notice received by all Council members.

Vote	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>
Jon T. Jenkins	✓		
Larry Flick	✓		
Ken Hall	✓		
Rhonda McCoy	✓		
Darryl Nichols	✓		
Dan Kaseman	✓		
Claude Paxton, Mayor			
Total	6-0		

**Whereas**, it is desirable for the Village of Elida, Ohio to add specific requirements of the pruning of trees, bush, shrubs, and live vegetation that borders right of way of sidewalks and streets in the Village.

**Whereas**, it is necessary that such action be needed as an emergency in the betterment of the safety health and/or welfare of the public.

**Whereas**, the Council of the Village of Elida, by a three-fourths majority vote, approved Ordinance # 1180-2021 read under suspension of the rules

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ELIDA, OHIO, BY A THREE-FOURTHS MAJORITY THE MEMBERS ELECTED THERETO CONCURRING:**

**Section 1.** In addition to the requirements set forth in Chapter 909.03 of the Village code as adopted in Ordinance 1129-2018 said tree, shrub, live vegetation or otherwise shall be pruned so as to not obstructed a sidewalk by being no closer than twelve (12) feet from the ground of said sidewalk in way of height of plant growth to the lowest point of the vegetative growth in terms of height, and twelve (12) inches from the interior edge of said sidewalk closest to the private property structure.

**Section 2.** In addition to the requirements set forth in Chapter 909.03 of the Village code as adopted in Ordinance 1129-2018 said tree, shrub, live vegetation or otherwise shall be pruned so as to not obstruct a roadway or alley by being no closer seventeen (17) feet from the surface of the roadway or alley surface in terms of plant growth to the lowest point of the vegetative growth in terms of height, and two (2) feet from the edge of the road way or alley to beginning of said vegetative growth.

**Section 4.** That all other provisions, including enforcement provisions shall remain as stated in Ordinance 1129-2018 and Codified in Chapter 909.03 of the Village Code.

**Section 5.** That said ordinance was necessary to protect the health, safety, and/or well being of the residents of the Village of Elida, Ohio. As such, said ordinance is passed under suspension of the rules, and upon a vote of at least three-fourths of Council.

**Section 6.** That the Council of the Village of Elida, Ohio authorizes the Fiscal Officer to make publication and approval from the earliest period prescribed by law.

Adopted June 8, 2021,



Claude Paxton, Mayor

Attest:



Sandy L Langhals, Clerk and Fiscal Officer

Approved as to form:



Barry Schroeder, Village Solicitor