

ORDINANCE NO. 926

AN ORDINANCE AMENDING THE JOHNSTON REVISED ORDINANCES OF 2007 BY AMENDING CHAPTER 150 DEALING WITH TREES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JOHNSTON, IOWA, that:

Section 1. PURPOSE. The purpose of this ordinance is to amend the Johnston Revised Ordinances of 2007, Chapter 150 to modify locations where trees can be planted in right-of-way

Section 2. AMENDMENT. Section 150.02, Street Tree Planting Standards is hereby deleted in its entirety and replaced with the following language:

150.02 STREET TREE PLANTING STANDARDS. The following standards shall govern the planting of street trees and other landscaping materials. These standards are established by the National Arbor Day Foundation and recommended by the Johnston Tree Board.

1. No landscaping material may be planted which would cause a public danger or nuisance.
2. No tree shall be planted nearer than three feet to the sidewalk line or other impervious surface such as the curb and gutter line of the street.
3. No street tree or shrub that will grow above 30 inches in height shall be planted on a corner lot where two streets intersect for a distance of 25 feet in any direction from the point of intersection at the curb line.
4. No street tree shall be planted within 15 lateral feet of an overhead utility line, three lateral feet from any buried utility, ten feet of a fire hydrant, five feet from a driveway or 25 feet from a traffic control sign.
5. A permit must be obtained prior to planting any street tree or landscape material in the public right-of-way (please refer to chapter 141 for more information on right-of-way work). City staff will assist with the selection of tree species if the site meets all requirements. This permit can be obtained at the Public Works office.
6. In cases of damaged or non-working utilities, any tree or landscape material planted in the right-of-way may be trimmed or even removed to repair the utility.

Section 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 5. WHEN EFFECTIVE. This ordinance shall be in full effect from and after its final passage, approval, and publication as provided by law.

Passed and approved by the City Council this 6th day of April, 2015.

PAULA DIERENFELD, MAYOR

ATTEST:

CYNDEE RHAMES, CITY CLERK

1st Reading: March 2nd, 2015
2nd Reading: March 16th, 2015
3rd Reading: April 6, 2015
Publication Date:

ROLL CALL VOTE: 2nd Reading

	Aye	Nay
Brown	_____	_____
Clabaugh	_____	_____
Cope	_____	_____
Lindeman	_____	_____
Temple	_____	_____