

AN ORDINANCE AMENDING PARKVILLE MUNICIPAL CODE SECTION 150.150, AND PARKVILLE PROPERTY MAINTENANCE CODE TO CREATE SECTION 302.4.1, REGARDING THE REMOVAL OF DEAD TREES ON CITY PROPERTY AND ON PRIVATE PROPERTY

WHEREAS, the City of Parkville adopted the Parkville Property Maintenance Code (PPMC) by Ordinance No. 2464 on January 20, 2009; and

WHEREAS, the City of Parkville adopted revisions to the PPMC by Ordinance No. 2794 on January 6, 2015, by Ordinance No. 2837 on February 2, 2016, and by Ordinance No. 2907 on August 1, 2017; and

WHEREAS, Parkville Municipal Code, Chapter 150 Community Land and Recreation Board outlines the establishment and purpose of CLARB as an appointed Board & Commission of the City, including a number of duties and responsibilities; and

WHEREAS, one such duty and responsibility included determining whether or not dead or diseased trees on private property constituted a hazard to life and property, or a potential threat to other trees within the City, and if so authorizing the removal of such trees; and

WHEREAS, per the request of CLARB and other City staff, this responsibility was changed to the Code Enforcement Officer via approval of Ordinance No. 2895 on March 21, 2017; and

WHEREAS, recognizing that the PPMC deals with dead or diseased tree issues on private property, and that CLARB deals with dead or diseased tree issues on City property, staff proposes amending the Parkville Municipal Code and PPMC to further clarify this.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PARKVILLE, MISSOURI AS FOLLOWS:

Section 1. Parkville Municipal Code, Section 150.150 is hereby amended to read as follows:

The City shall have the right to cause the removal of any dead or diseased trees on City property when such trees constitute a hazard to life and property or harbor insects or disease which constitute a potential threat to other trees within the City. Upon written statement from the certified arborist that any dead or diseased trees on City property constitute a hazard to life and property or harbor insects or disease which constitute a potential threat to other trees within the City, the Director of Public Works shall have the authority to remove such trees, with input from the Community Land and Recreation Board as needed.

Section 2. The Parkville Property Maintenance Code, Section 302.4.1 is hereby created to read as follows:

302.4.1 Dead or Diseased Tree Removal on Private Property. The City shall have the right to cause the removal of any dead or diseased trees on private property within the City when such trees constitute a hazard to life and property or harbor insects or disease which constitute a potential threat to other trees within the City. The Code Enforcement Officer (or the employee's fulfilling code enforcement duties) shall inspect the trees with a certified arborist. Upon written statement from the certified arborist that any dead or

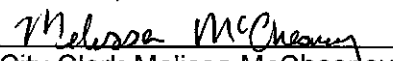
diseased trees on private property within the City constitute a hazard to life and property or harbor insects or disease which constitute a potential threat to other trees within the City, the Code Enforcement Officer (or the employee's fulfilling code enforcement duties) will notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within sixty (60) days after the date of service of notice. In the event of failure of owners to comply with such provisions, the City shall have the authority to remove such trees and charge the cost of removal on the owner's property tax notice.

Section 3. This ordinance shall be in effect immediately upon its passage and approval.

PASSED and APPROVED this 7th day of February 2023.


Mayor Dean Katerndahl

ATTESTED:


City Clerk Melissa McChesney

