

ORDINANCE NO. 34

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF PAULLINA, IOWA, BY AMENDING PROVISIONS PERTAINING TO TREES - PLANTING RESTRICTIONS.

Be it Enacted by the City Council of the City of Paullina, Iowa:

SECTION 1. TITLE VI, CHAPTER 5, ARTICLE 7, SECTION 7.03 PLANTING RESTRICTIONS is hereby amended as follows:

7.03 PLANTING RESTRICTIONS. No tree shall be planted in any street or parking except in accordance with the following:

1. Permit. A permit is required to be submitted and approved prior to planting a tree in the parking.
2. Size. Trees to be planted in the parking are required to have a trunk diameter that measures a minimum of 1.5” at a height of 5’ when planting.
3. Species. Trees requested should factor in diversity and not be of the same species as the adjacent tree(s).
4. Alignment. All trees hereafter planted in any street shall be planted in the parking midway between the outer line of the sidewalk and curb. In the event a curb line is not established, trees shall be planted on a line ten (10) feet from the property line.
5. Spacing. Trees shall not be planted on the parking if it is less than nine (9) feet in width or contains less than eighty-one (81) square feet of exposed soil surface per tree. Trees shall not be planted closer than twenty (20) feet to street intersections (of property lines extended) and ten (10) feet to driveways, fire hydrants, traffic signs, utility boxes, etc. No tree shall be planted closer to the next tree in the parking than the distance of their average mature spread. No tree shall be planted closer than the width of its average mature spread to a light or transmission pole. If it is at all possible, trees should be planted inside the property lines and not between the sidewalk and the curb.
6. Power Lines. Planting of trees in the parking area won’t be allowed if there are overhead power lines.
7. Prohibited Trees. No person shall hereinafter plant in any parking any species of tree whose mature height is expected to be higher than 50 feet, nor any fruit-bearing tree or any tree of the kinds commonly known as cottonwood, poplar, boxelder, Chinese elm, evergreen or ash.
8. The City reserves the right to remove any planting of any type in the parking.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be judged 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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and adopted by the Council of the City of Paullina, on this 6<sup>th</sup> day of November, 2023.

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Brenda Ebel Kruse, Mayor

ATTEST:

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Michelle Wilson, City Clerk

I certify that the forgoing was published as Ordinance No. 34 on the 16 day of November, 2023.

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Michelle Wilson, City Clerk