

3/2/26

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ORDINANCE NO. 29-26

BY: **DEBORAH LIME, ALLAN DIVIS, KELLY ZACHARIAS**
(By Request - Service Director)

AN ORDINANCE TO AMEND SECTION 911.12
"PRESERVING AND REMOVING TREES ON PUBLIC
PROPERTY" OF THE CODIFIED ORDINANCES OF THE
CITY OF PARMA, AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That Section 911.12 "Preserving and Removing Trees on Public Property," within Chapter 911 "Trees," of the Codified Ordinances of the City of Parma, which presently reads as follows:

911.12 PRESERVING AND REMOVING TREES ON PUBLIC PROPERTY.

The Director of Public Service shall have the right to trim any tree existing on any public place, including tree lawns, in the City so as to insure the safety or preserve the symmetry of the beauty of the public place. He shall have the right to remove any tree or any part thereof which is in an unsafe condition or which, by reason of its location and nature, is injurious to other public improvements in the City or is infected with any injurious fungus, insect or other pest which cannot be otherwise controlled. However, the Director shall have no right to remove a tree existing on any public property unless he first finds and determines that:

- (a) The tree is diseased or permanently damaged, which condition is to be confirmed by the Service Director; or
- (b) The tree or any part thereof constitutes a hazard to public safety; or
- (c) The roots of the tree obstruct or interfere with any storm sewer or sanitary sewer.

Is hereby amended to read as follows, with additions shown in bold, underlined text, and deletions shown in crossed out text:

911.12 PRESERVING AND REMOVING TREES ON PUBLIC PROPERTY.

The Director of Public Service shall have the right to trim any tree existing on any public place, including tree lawns, in the City so as to insure the safety or preserve the symmetry of the beauty of the public place. He shall have the right to remove any tree or any part thereof which **the Service Director determines** is in an unsafe condition or which, by reason of its location and nature, is injurious to other public improvements in the City or is infected with any injurious fungus, insect or other pest which cannot be otherwise controlled. ~~However, the Director shall have no right to remove a tree existing on any public property unless he first finds and determines that:~~

- ~~(a) The tree is diseased or permanently damaged, which condition is to be confirmed by the Service Director; or~~
- ~~(b) The tree or any part thereof constitutes a hazard to public safety; or~~

~~(c) The roots of the tree obstruct or interfere with any storm sewer or sanitary sewer.~~

Section 2. That only that portion of Section 911.12 "Preserving and Removing Trees on Public Property" within Chapter 911 "Trees" of the Codified Ordinances of the City of Parma, as it existed heretofore, is hereby repealed and replaced.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Parma, and for the further reason that this measure is necessary for the management of tree assets on public property, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED: _____
CLERK OF COUNCIL

FILED WITH THE MAYOR: _____ MAYOR, CITY OF PARMA, OHIO