

ORDINANCE NO. 243

ORDINANCE REPEALING, AMENDING, AND REPLACING SECTIONS OF CHAPTER 151 TREES OF THE CODE OF ORDINANCES OF THE CITY OF ROLFE, IOWA, 2008”

BE IT ENACTED By the City Council of the City of Rolfe, Iowa.

SECTION 1. SECTION MODIFIED. Section 151.02 Planting Restrictions of the Code of Ordinances of the City of Rolfe, Iowa is amended to read as:

151.02 PLANTING RESTRICTIONS. To preclude potential damage to City utilities, the following applies:

1. Notification shall be made to the statewide Notifications Center to provide notice of the planned excavation, prior to planting any tree/shrub.
(Code of Iowa, Sec. 380.04)
2. No tree or shrub shall be planted by property-owners or residents in any parking or street within the City’s corporate boundary.
3. Existing trees or shrubs within the parking or street shall be allowed to remain unless bound by the City Council to be:
 - A. Unhealthy, diseased, or substantially weather damaged.
 - B. Located within twenty-five (25) feet of any Storm Water Utility intake or drainage tile.
 - C. Where location interferes with underground communications (cable/telephone/fiberoptics), electric, or City natural gas, sanitary sewer, water service and storm water utilities.
4. Public parks and Green Spaces, and Private Property: Trees shall be planted in accordance with the following:
 - A. No closer than thirty (30) feet from street intersections (property lines extended), ten (10) feet from driveways, and within ten (10) feet inside the property lines
 - B. No closer than half the distance of a mature height of the tree to any overhead electric line.
 - C. No closer than one fourth of the mature height of the tree to any underground electric or City natural gas line.
 - D. No fruit, nut or seed-pod bearing trees within twenty (20) feet of any public sidewalk, street or alley.
5. Prohibited Trees/Shrubs: Any commonly known as cottonwood, box elder or Chinese elm, or any species known to be invasive, or of-nuisance.

SECTION 2. 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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Motion to approve first reading of above ordinance amendment made by Dan Allen seconded by Lana Pratt.

Ayes: Lana Pratt, Aaron Cox, Rob Jackson, Al Minkler, and Dan Allen

Nays:

Absent:

Motion: Carried

Motion made by Dan Allen seconded by Aaron Cox to approve the second reading.

Ayes: Dan Allen, Aaron Cox, Al Minkler, and Lana Pratt

Nays:

Absent: Rob Jackson

Motion: Carried

Motion made by Dan Allen seconded by Aaron Cox to suspend the third and final reading.

Ayes: Dan Allen, Aaron Cox, Al Minkler, and Lana Pratt

Nays:

Absent: Rob Jackson

Motion: Carried

Mayor Pentico declared Ordinance passed, approved and adopted this 22nd day of August, 2024.

Jim Pentico, Mayor

ATTEST:

DeAnn Sindergard, Acting City Clerk