

ORDINANCE NO. 373

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EARLHAM, IOWA, 2007, BY AMENDING PROVISIONS PERTAINING TO THE TIME IN WHICH TO TRIM TREES.

Be It Enacted by the City Council of the City of Earlham, Iowa:

SECTION 1. SECTION AMENDED. Section 151.03 of the Code of Ordinances of the City of Earlham, Iowa, 2007, pertaining to the time in which to maintain trees is amended to read as follows:

151.03 DUTY TO TRIM TREES. The owner or agent of the abutting property shall keep the trees on, or overhanging the street, trimmed so that all branches will be at least fifteen (15) feet above the surface of the streets and eight (8) feet above the sidewalks. If the abutting property owner fails to trim the trees, the City may serve notice on the abutting property owner requiring that such action be taken within fifteen (15) days. If such action is not taken within that time, the City may perform the required action and assess the costs against the abutting property for collection in the same manner as property tax.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not effect 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 approved by the City Council of Earlham, Iowa.

Passed First Reading: 8th day of September, 2014.

Passed Second Reading: ____ day of _____, 2014.

Third Reading, final passage and adoption: ____ day of _____, 2014.

Mayor

ATTEST:

City Clerk

I certify that the foregoing Ordinance was published as Ordinance No. 373 on the _____ day of _____, 2014.

City Clerk

<u>Member</u>	<u>1st Reading</u>	<u>2nd Reading</u>	<u>3rd Reading and Final Passage</u>
Lillie	aye		
Petersen	aye		
Royster	aye		
Stancil	aye		
Swalla	aye		