

**VILLAGE OF FOREST VIEW**

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**ORDINANCE NO. 24-01**

**AN ORDINANCE CREATING THE VILLAGE OF FOREST VIEW  
PARKWAY TREE CARE AND MAINTENANCE POLICY**

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**PASSED AND APPROVED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF FOREST VIEW,  
COOK COUNTY, ILLINOIS, this 23<sup>rd</sup>  
day of January, 2024.**

**Published in pamphlet form  
by authority of the President  
and Board of Trustees of the  
Village of Forest View, Cook  
County, Illinois, this 23<sup>rd</sup> day  
of January, 2024.**

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BE IT ORDAINED by the President and Board of Trustees of the Village of Forest View, Illinois as follows:

**SECTION 1: Purpose.** To enhance the quality of life and the present and future health, safety, and welfare of all residents, to enhance property values, and to ensure proper planting and care of trees on public property, the Board of Trustees hereby establishes a Parkway Tree Care and Maintenance Policy governing the planting and care of trees on public property, and makes provision for the emergency removal of trees on private property under certain conditions.

**SECTION 2: Definitions.** As used in this Article, the following words and phrases shall have the meanings indicated:

**Damage** – any injury to or destruction of a tree, including but not limited to: uprooting; severance of all or part of the root system or main trunk; storage of material on or compaction of surrounding soil; a substantial change in the natural grade above a root system or around a trunk; surrounding the tree with impervious paving materials; or any trauma caused by accident or collision.

**Nuisance** – any tree, or limb thereof, that has an infectious disease or insect; is dead or dying; obstructs the view of traffic signs or the free passage of pedestrians or vehicles; or threatens public health, safety, and welfare.

**Parkway** – the area along a public street between the curb and the sidewalk; or if there is no curb or sidewalk, the unpaved portion of the area between the street right-of-way line and the paved portion of the street or alley.

**Public property** – all grounds and rights-of-way (ROWs) owned or maintained by the Village.

**Public tree** – any tree or woody vegetation on Village-owned or Village-maintained property or rights-of-way.

**Top or Topping** – the non-standard practice of cutting back of limbs to stubs within a tree’s crown to such a degree so as to remove the normal canopy and disfigure the tree.

**SECTION 3: Authority and Power.**

(a) **Delegation of authority and responsibility.** Under the supervision of the Village Administrator, the Director of Public Works (Director) shall have full authority and responsibility to plant, prune, maintain and remove trees and woody plants growing in or upon all municipal streets, rights-of-ways, village parks, and other public property. This shall include the removal of trees that may threaten electrical, telephone, gas, or any municipal water or sewer line, or any tree that is affected by fungus, insect, or other pest disease.

(b) **Coordination among city departments.** All Village departments will coordinate as necessary with the Director and will provide services as required to ensure compliance with this Ordinance as it relates to streets, alleys, rights-of-way, drainage, easements, and other public properties not under direct jurisdiction of the Director.

(c) **Interference.** No person shall hinder, prevent, delay, or interfere with the Director or his agents while engaged in carrying out the execution or enforcement of this Ordinance.

**SECTION 4: Tree Planting and Care Standards.**

(a) **Standards.** All planting and maintenance of public trees shall conform to the American National Standards Institute (ANSI) A-300 "Standards for Tree Care Operations" and shall follow all tree care Best Management Practices (BMPs) published by the International Society of Arboriculture.

(b) **Requirements of franchise utility companies.** The maintenance of public trees for utility clearance shall conform to all applicable utility industry standards.

(c) **Preferred species list.** The Director shall maintain an official list of desirable tree species for planting on public property in two size classes: Ornamental (20 feet or less in height at maturity) and Shade (greater than 20 feet at maturity). Trees from this approved list may be planted without special permission; other species may be planted with written approval from the Director.

(d) **Planting distances.** The Director shall develop and maintain an official set of spacing requirements for the planting of trees on public property. No tree may be planted within the visibility triangle of a street intersection or within 10 feet of a fire hydrant.

(e) **Planting trees under electric utility lines.** Only trees listed as Ornamental trees on the official Village tree species list may be planted under or within 15 lateral feet of any overhead utility wire.

**SECTION 6: Prohibition Against Harming Public Trees.**

(a) It shall be unlawful for any person, firm, or corporation to damage, remove, or cause the damage or removal of a tree on public property without permission from the Director.

(b) It shall be unlawful for any person, firm, or corporation to attach any cable, wire, sign, or any other object to any street, park, or public tree.

(c) It shall be unlawful for any person, firm, or corporation to “top” any public tree. Trees severely damaged by storms or other causes, where best pruning practices are impractical may be exempted from this provision at the determination of the Director.

(d) Any person, firm, corporation, or city department performing construction near any public tree(s) shall consult with the Director and shall employ appropriate measures to protect the tree(s), according to procedures contained in the Best Management Practices (BMPs) for “Managing Trees During Construction” published by the International Society of Arboriculture.

(e) Each violation of this section as determined and notified by the Director shall constitute a separate violation, punishable by fines and penalties under Section 10, in addition to mitigation values placed on the tree(s) removed or damaged in violation of this section.

**SECTION 7: Certain Trees Declared A Nuisance.**

(a) Any tree, or limb thereof, on private property determined by the Director to have contracted a lethal, communicable disease or insect; to be dead or dying; to obstruct the view of traffic signs or the free passage of pedestrians or vehicles; or that threatens public health, safety, and welfare is declared a nuisance and the Village may require its treatment or removal.

(b) Private property owners have the duty, at their own expense, to remove or treat nuisance trees on their property. The Village may remove such trees at the owner's expense if the owner does not comply with treatment and/or removal as specified by the Director within the written notification period.

**SECTION 8: Violation And Penalty.** Any person, firm or corporation violating any provision of this Ordinance shall be deemed guilty of a misdemeanor and shall be subject to a fine not to exceed five hundred dollars (\$500.00) for each offense.

**SECTION 9: Appeals.** Appeals from decisions by the Administrator or Director, or from penalties imposed after violations of this ordinance, shall be heard by Board of Trustees.

**SECTION 10: Savings And Repeal.** All ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of such conflict.

**SECTION 11: Severability.** Should any word, sentence, clause, paragraph, or provision of this Ordinance be held to be invalid or unconstitutional the remaining provisions of this Ordinance shall remain in full force and effect.

**SECTION 12: Effective Date.** This Ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

PASSED BY THE FOLLOWING ROLL CALL VOTE this 23<sup>rd</sup> day of January, 2024.

AYES: Trustees Grossi Liska, Ramirez, Nevarez, Sudkamp

NAYS: None

ABSENT: Trustee Hubacek

APPROVED this 23<sup>rd</sup> day of January, 2024.

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Nancy L. Miller  
Village President

ATTEST:

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Laura D. McGuffey  
Village Clerk