

PROPOSED ORDINANCE NO. 1423

AN ORDINANCE AMENDING TITLE IX: GENERAL REGULATIONS; CHAPTER 90 HEALTH & SAFETY NUISANCES; AMENDING THE DEFINITION OF NUISANCE TREE IN SECTION 90.71 DEFINITIONS, AND ADDING PROTOCOL LANGUAGE TO SECTIONS 90.78 TREE CARE AND 90.81 TREE REMOVAL TO MITIGATE THE RISK OF AN EMERALD ASH BORER INFESTATION OR ANY OTHER HARMFUL INVASIVE SPECIES.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that the Code of Ordinances Title IX be amended to amend a definition in Section 90.71 and add language to Sections 90.78 and 90.81 follows:

§ 90.71 DEFINITIONS.

The following definition shall be amended and have the meaning set forth below:

NUISANCE TREE. Any tree that is not valued where it is growing and is usually of vigorous growth; especially one that tends to overgrow or choke out more desirable plants or dead, diseased, or insect-infected trees or other woody plants identified by the City Tree Specialist or City designee.

§ 90.78 TREE CARE.

(F) Citizens wishing to treat insect infested street trees must follow procedures which may include an application outlined by the City Tree Specialist or City designee. Individuals that do not follow these procedures may be subject to penalties. See § 10.99

§ 90.81 TREE REMOVAL.

(D) No person shall transport raw wood from any variation of *Genus Fraxinus*, commonly known as ash, from Memorial Day to Labor Day without a permit from the City Tree Specialist or designee.

Dated at Vermillion, South Dakota this XX day of XX, 202X.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
Kelsey Collier-Wise, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

First Reading: October 19, 2020
Second Reading: To be determined
Published: To be determined

Effective: To be determined

DRAFT