

# City of Bloomfield Hills – Tree Ordinance

## ARTICLE II. TREE REGULATIONS

### DIVISION 1. GENERALLY

#### Sec. 22-16. Definitions.

The following definitions shall apply in the interpretation of this article:

*Prohibited species* shall mean any tree of the species of poplar (*Populus Sp.*), willow (*Salix Sp.*) and box elder (*Acer Negundo*).

*Public utility* shall mean any person, owning or operating any pole, line, pipe or conduit located in any public street or over or along any public easement or right-of-way for the transmission of electricity, gas, telephone service or telegraph service.

*Street* shall mean all the land lying between property lines on either side of all streets, highways and boulevards in the city.

*Tree*, unless the context clearly indicates otherwise, means trees, shrubs, bushes and all other woody vegetation.

(Code 1971, § 3.31)

**Cross references:** Definitions and rules of construction generally, § 1-2.

#### Sec. 22-17. Applicability.

The provisions of this article, except as otherwise specifically stated in this article, shall apply only to public streets, parkways and other land publicly owned or controlled by the city.

(Code 1971, § 3.31)

#### Sec. 22-18. Enforcement.

The superintendent of the department of public works shall be charged with the duty of enforcing the provisions of this article.

(Code 1971, § 3.32)

#### Sec. 22-19. Dutch elm disease.

Every elm tree, regardless of species or variety, infected with the fungus *Ceratostomella ulmi*, popularly called Dutch elm disease, shall be cut and burned; if on public property, within ten (10) days after the superintendent of the department of public works shall learn of the condition and, if on private property, within ten (10) days after notice as specified in section 22-49. No person shall possess, sell, give away or transport any elm tree afflicted with the fungus *ceratostomella ulmi* nor any wood from, or parts of, any tree so afflicted, except that wood, branches and roots of any tree so afflicted may be transported to a place for burning if first sprayed thoroughly with a one (1) percent DDT solution in a manner approved by the superintendent of the department of public works. Elm trees or parts thereof in a dead condition, whether standing or cut wood, that may serve as breeding places for any carrier of the fungus are hereby declared a public nuisance. The city manager may direct the city attorney to prosecute appropriate action in a court having jurisdiction to abate any nuisance created by a violation of this chapter.

(Code 1971, § 3.43)

**State law references:** Dutch elm disease, MCL 41.681, MSA 12.264.

Secs. 22-20--22-30. Reserved.