



VILLAGE OF WILLIAMS BAY

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NOTICE

BUILDING, ZONING & ORDINANCE (BZO) COMMITTEE MEETING WEDNESDAY, SEPTEMBER 25, 2024 AT 9:30 AM

**Village Hall Council Room
250 Williams Street
Williams Bay, WI 53191**

There may be a quorum of Village Trustees present, no board business will be conducted.

AGENDA

The following agenda items may be considered for Discussion, Consideration, or Action

- I.** Call to Order
- II.** Roll Call
- III.** Discussion and Possible Action on Draft Ordinance Amending 331-1 Tree Commissioner; Permitted and Prohibited Activities
- IV.** Adjourn

Adam Jaramillo
Building, Zoning and Ordinances Chair

Requests from persons with disabilities, who need assistance to participate in this meeting or hearing, should be made to the Village Clerk's office in advance so the appropriate accommodations can be made.

Posted: 09/24/2024 5:00 PM

Village of Williams Bay, WI
Monday, September 23, 2024

Chapter 331. Trees

§ 331-1. Tree Commissioner; permitted and prohibited activities.

A. Tree Commissioner.

- (1) Creation. There is hereby created a position of Tree Commissioner. The position of Tree Commissioner shall be by annual appointment and Board ratification.
- (2) Powers and duties. The Commissioner shall, subject to the supervision and control of the Village Board and except as herein provided, have jurisdiction, direction, authority, control and supervision over all trees, vines, hedges and other plants planted and growing in and upon Village-owned property and that part of every street, the grade of which has been established lying between the lot line and the curb; trees, vines, hedges and other plants on any property which may in any way affect public property or the public welfare; and for the planting, care, maintenance, protection and removal thereof. The Commissioner shall have the authority to make such rules and regulations as the Commissioner may deem applicable for carrying out the purposes of this section.

B. Trimming of branches. Trees standing in and upon any public street or place or upon any lot or land adjacent thereto and having branches projecting into the public street or place shall under the supervision of the Commissioner be kept trimmed by the owners or occupants of the property on or in front of which such trees are growing so that the lowest branches projecting over the public street or alley will provide a clearance of not less than 14 feet and over all other public places not less than 10 feet from the ground.

C. Planting of trees. No trees, except the types hereinafter named, shall be planted in or upon any public street or place. They shall be planted only after written permission has been received from the Commissioner, which permit shall state the name of the applicant, his address, the property on which the trees are to be planted and the type to be planted. No tree shall be planted where the distance between the outer line of the sidewalks and the curblin is less than five feet. The tree shall be planted equidistant between the curblin and the outer line of the sidewalk. The distance between trees shall be 25 feet and no tree shall be planted at the intersection of two or more streets within 12 1/2 feet of each intersection of the lot lines on any corner lot.

D. Permitted trees.

- (1) The following named trees and no others are recommended to be planted along the streets of the Village, namely: Schwedler maple (*Acer platanoides* Schwedleri), Norway maple (*Acer platanoides*), Sugar maple (*Acer saccharum*), Littleleaf linden (*Tillia cordata*), Ornamental pear (*Pyrus* spp.), Ornamental crab (*Malus* spp.), Honey locust (*Gleditsia trancanthos*, Skyline cultivar), European hornbeam, White ash (*Fraxinus americana*), Green ash cultivars, Ginkgo bicolor and Coffee tree (*Gymnocladus dioicus*).
- (2) In addition the following trees are also acceptable to be planted in the streets of the Village within the dedicated public right-of-way to include terraces: Red or scarlet maple (*Acer rubrum*), Scarlet oak (*Quercus coccinea*), Pin oak (*Quercus palustris*), Red oak (*Quercus rubra*), Swamp white oak (*Quercus bicolor*), disease-resistant elm (*Almus*) cultivars, Hackberry (*Celtis occidentalis*) and American beech (*Fagus grandifolia*), providing always, that the Commissioner shall have the right to allow planting of hybridized species or cultivars of the

aforenamed trees. All of the foregoing named trees shall have a diameter of not less than 1 1/4 inches at a point three feet above the ground when planted.

E. Treatment and removal of dangerous or infected trees.

- (1) Any tree, plant, shrub or part thereof, which the Commissioner, upon examination, shall find to be infected or hazardous so as to endanger the safety, health or welfare of the public or other tree, plant or shrub, or shall be damaging or likely to damage sewers, curbs, sidewalks or other public premises, shall be treated or removed by the owner or by the abutting property owner if such tree, plant, shrub or part thereof is located upon public right-of-way upon which such owner's property abuts. If the owner or abutting owner shall fail to remedy the situation upon receipt of a fourteen-day written notice, either personal or by publication from the Commissioner, the Village shall treat or remove such tree or part thereof. The Village official or employee shall keep a strict and accurate record of the labor and cost of treatment or removal of the tree or part thereof and report the same to the Clerk, who shall thereupon enter the cost of such treatment or removal of the tree or part thereof and charge the same against the owner or abutting property owner and the cost thereof shall be entered as a special charge against the property.
- (2) Any owner or abutting owner given a notice as provided above may, by a written notice to the Commissioner, postpone the treatment or removal of the tree or part thereof by the Village and such owner or abutting owner shall have the right to appeal the order in the notice he received at the next regular session of the Village Board. The determination of the Village Board upon appeal of the order in the notice to the owner or abutting property owner shall be final. No damage shall be awarded to any owner or abutting property owner for the destruction of a tree or part thereof under this section.

F. Interference with Commissioner prohibited. No person shall delay or interfere with the Commissioner or any of the Village employees following lawful directions of the Commissioner in compliance with orders previously stated.