

VILLAGE OF TIMBERLAKE

ORDINANCE NO. 32-2021

AN ORDINANCE AMENDING CHAPTER 1026 TREES, AND RENAMING SECTION 1026.02, RESPONSIBILITY OF HOMEOWNER OF THE CODIFIED ORDINANCES OF THE VILLAGE OF TIMBERLAKE AND DECLARING AN EMERGENCY

WHEREAS, the Village of Timberlake passed a Tree Conservation Program and Tree Ordinance on December 13, 1983 and revised on April 11, 2006.

WHEREAS, since the inception of the Tree Conservation Program, the Village of Timberlake has maintained the beautiful trees in the Village of Timberlake at great financial cost to the Village.

WHEREAS, in recent years the costs associated with the maintenance and removal of trees within the right-of-way with the Village of Timberlake has become cost prohibitive

WHEREAS, the Village of Timberlake Council now desires to revise the ordinance to shift the cost of removal to the homeowner and establish a financial aid program to assist homeowners with a financial hardship.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Timberlake, County of Lake, and State of Ohio that:

Section 1.

Section 1026,02, Responsibility of Village is hereby renamed and amended to read as

1026.02 RESPONSIBILITY OF HOMEOWNER.

(a) Each Homeowner (i.e. Titled owner) shall assume complete responsibility for the purchase, planting, maintaining, trimming and removing shade trees in and along the streets of the Village, with the approval of the Tree Conservation Committee or Village Council, growing now or hereafter, and on public property/area of the Village.

(b) The Village, as part of its Tree Conservation Program, for purposes of controlling the blight and disease of shade trees within public right-of-ways and on public property, shall be responsible for monitoring the purchase, planting, maintaining, trimming and removing shade trees in and along the streets of the Village, growing now or hereafter, and on public property/area of the Village.

(c) The Village, as part of its Tree Conservation Program, shall maintain a fund to assist homeowners with a financial hardship in maintaining shade trees within public right-of-ways and on public property within the Village.

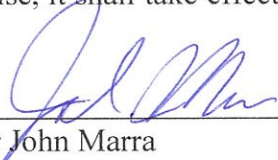
(d) The Village Tree Conservation Committee or Village Council shall be solely responsible for reviewing hardship requests on a case-by-case basis. The determination of Village Tree Conservation Committee or Village Council to provide financial assistance for the maintenance or removal of a tree with the public right-of-way shall be final.

Section 2.

It is found and determined that all actions of Council concerning and relating to the adoption of this Ordinance were so adopted in meetings open to the public and Council and its committees acted in full compliance with Section 121.22 of the Ohio Revised Code.

Section 3.

This Ordinance is hereby declared to be an emergency measure necessary to the immediate preservation of the public peace, property, health and safety of the citizens of the Village of Timberlake, and therefore, provided that the Ordinance receives the requisite vote, it shall take effect and be in force after its passage; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.



Mayor John Marra

Adopted: January 18, 2022

Attest: John H. Roskos
John H. Roskos, Fiscal Officer