City of Carroll

112 E. 5th Street Carroll, Iowa 51401-2799 (712) 792-1000 FAX: (712) 792-0139

MEMO TO: Honorable Mayor and City Council Members

FROM: Mike Pogge-Weaver, City Manager MSP-W

DATE: October 19, 2017

SUBJECT: Nuisance Tree Abatement

The City of Carroll received a call about a hazardous tree at 632 East 2nd Street from a neighbor. The neighbor has experienced at least two occasions were limbs from the tree at 632 East 2nd Street fell onto their home and resulted in property damage. In one case a tree limb broke through the roof into a bedroom.

Related to trees, City Code Chapter 151 provides for the following:

> 151.06 INSPECTION AND REMOVAL.
> The Council shall inspect or cause to be inspected any trees or shrubs in the City reported or suspected to be dead, diseased or damaged, and such trees and shrubs shall be subject to the following:
>
> 2. Private Property. If it is determined with reasonable certainty that any such condition exists on private property and that danger to other trees or to adjoining property or passing motorists or pedestrians is imminent, the Council shall notify by certified mail the owner, occupant or person in charge of such property to correct such condition by treatment or removal within fourteen (14) days of said notification. If such owner, occupant, or person in charge of said property fails to comply within 14 days of receipt of notice, the Council may cause the condition to be corrected and the cost assessed against the property.

Parks Maintenance Superintendent Scott Parcher reviewed the tree on October 19, 2017 and attached is a report of his assessment on the tree. Additionally, attached are photos of the tree.

The Council is asked to visit the tree during the meeting on October 23rd and will be asked to make a determination at their regular meeting on the status of the tree.

RECOMMENDATION: Mayor and City Council consider declaring the tree on property at 632 East 2nd Street a danger to adjoining property and pedestrians, order the tree's immediate removal, authorizing staff to cause the removal of the tree if the property owner fails to do so after 14 days of receipt of the notice, and authorizing the assessment of the cost to remove said tree to the owner of 632 East 2nd Street.

City of Carroll

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October 19, 2017

City of Carroll
Mike Pogge-Weaver, City Manager
112 E 5th Street
Carroll, IA 51401

RE: Linden Tree at 632 E 2nd Street

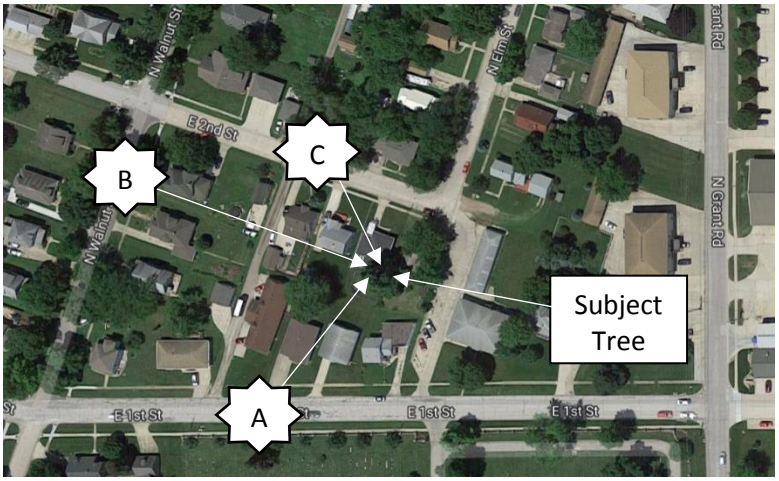
Dear Mike:

I have looked at the tree at 632 E 2nd Street and it would be my opinion the tree needs to be taken down. The Linden Tree is being invaded by a Linden Tree Borer and will continue to die and become more dangerous.

Respectfully,

Scott Parcher
Parks Superintendent

Map and photos of the tree at 623 East 2nd Street



View A

View B

View C

RESOLUTION NO. _____

RESOLUTION DECLARING THE TREE ON PROPERTY AT 632 EAST 2ND STREET
A DANGER TO ADJOINING PROPERTY AND PEDESTRIANS
AND ORDERING ITS REMOVAL

WHEREAS, City of Carroll Parks Maintenance Superintendent Scott Parcher reviewed the tree at 632 East 2nd Street and determined during that visit that the tree is being invaded by a Linden Tree Borer and will continue to die and become more dangerous; and,

WHEREAS, the City Council for the City of Carroll, Iowa, during their regular City Council meeting inspected the tree at 632 East 2nd Street on October 23, 2017; and,

WHEREAS, after completing the visit, the City Council determined that the tree presents an immediate danger to adjoining property and pedestrians.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carroll, Iowa, that the City Clerk is directed to serve notice on to the owner of 632 East 2nd Street that said tree is to be removed within 14 days; and,

BE IT FURTHER RESOLVED by the City Council of the City of Carroll, Iowa, that if said tree is not removed within 14 days after said notification then the City Manager is directed to secure a contractor and cause it to be removed and to assess said costs against the property owner of 632 East 2nd Street, Property Parcel Number 06-25-280-009.

Passed and approved this 23rd day of October, 2017.

CITY COUNCIL OF THE
CITY OF CARROLL, IOWA

By: _____
Eric P. Jensen, Mayor

ATTEST:

By: _____
Laura A. Schaefer, City Clerk