

CITY OF LEROY  
COUNTY OF MC LEAN  
STATE OF ILLINOIS

ORDINANCE NO. 859

AN ORDINANCE AMENDING CHAPTER 4 - STREETS, DITCHES AND TREES,  
SECTIONS 4.15, 4.16 AND 4.17, MUNICIPAL CODE OF THE CITY OF LE ROY, ILLINOIS,  
1975 (AS AMENDED), AND AMENDING ORDINANCES NO. 481 AND 497 OF THE CITY  
OF LE ROY, ILLINOIS

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS 4th  
DAY OF October, 1999.

PRESENTED: October 4, 1999

PASSED: October 4, 1999

APPROVED: October 4, 1999

RECORDED: October 4, 1999

PUBLISHED: October 4, 1999


In Pamphlet Form

Voting "Aye" 5

Voting "Nay" 0

The undersigned being the duly qualified and acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned ordinance and that such ordinance was presented, passed, approved, recorded and published as above stated.

(SEAL)

  
\_\_\_\_\_  
City Clerk of the City of LeRoy,  
McLean County, Illinois

Dated: October 4, 1999.

AN ORDINANCE AMENDING CHAPTER 4 - STREETS, DITCHES AND TREES, SECTIONS 4.15, 4.16 AND 4.17, MUNICIPAL CODE OF THE CITY OF LE ROY, ILLINOIS, 1975 (AS AMENDED), AND AMENDING ORDINANCES NO. 481 AND 497 OF THE CITY OF LE ROY, ILLINOIS

WHEREAS, the Mayor and City Council of the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, have determined that it is in the best interests of the City of LeRoy and its residents that certain regulations regarding trimming of trees and tree trimmers be amended or adopted in order to enhance the health, safety and welfare of the residents of the City of LeRoy, Illinois,

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of LeRoy, Illinois, in lawful meeting assembled, as follows:

Section 1. Subsection (c) of Section 4.15 TREE TRIMMERS, of Chapter 4, Streets, Ditches and Trees, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended) is hereby repealed.

Section 2. New subsection (c) of Section 4.15 TREE TRIMMERS, of Chapter 4, Streets, Ditches and Trees, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended) is hereby adopted in words and figures as follows:

4.15 [TREE TRIMMERS]

(c) Regulations To Be Obeyed. In trimming trees the following regulations shall be complied with:

(1) All applicable state and federal regulations and laws.

(2) Regulations adopted by the Administration of the City of LeRoy under authority hereby granted to establish reasonable rules and regulations for the removal of trees on private property when the removal of said tree or trees may require placement of limbs, cuttings, wood or other debris on City right-of-way for pickup or other disposition by the tree trimmer, or when City right-of-way shall be required, in the interests of public safety, to be blocked or barricaded for a period of time to facilitate the removal of one or more trees on private property.

Section 3. Section 4.16 TREES ON CITY RIGHT-OF-WAY, of Chapter 4, Streets, Ditches and Trees, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended) is hereby repealed.

Section 4. New Section 4.16 TREES ON CITY RIGHT-OF-WAY, of Chapter 4, Streets, Ditches and Trees, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended) is hereby adopted in words and figures as follows:

4.16 TREES ON CITY RIGHT-OF-WAY. No person or entity shall cut or trim any tree or shrubbery on City right-of-way unless such person or entity shall have been contracted with by the City of LeRoy to do such work, or unless such work shall otherwise be done with the consent of the Administration of the City of LeRoy.

Section 5. Section 4.17 REMOVAL AND DISPOSAL OF TREES OR WOODY PLANTS CUT ON PRIVATE PROPERTY, of Chapter 4, Streets, Ditches and Trees, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended) is hereby repealed.

Section 6. New Section 4.17 REMOVAL AND DISPOSAL OF TREES OR WOODY PLANTS CUT ON PRIVATE PROPERTY, of Chapter 4, Streets, Ditches and Trees, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended) is hereby adopted in words and figures as follows:

4.17 REMOVAL AND DISPOSAL OF TREES OR WOODY PLANTS CUT ON PRIVATE PROPERTY

a. The Administration of the City of LeRoy shall promulgate written regulations to establish reasonable rules and regulations for the removal of trees or other woody plants or brush on private property when the removal of said tree, trees, woody plants, or brush, may require placement of limbs, cuttings, wood or other debris on City right-of-way for pickup or other disposition, or when City right-of-way shall be required, in the interests of public safety, to be blocked or barricaded for a period of time to facilitate the removal of one or more trees on private property.

b. Any tree, woody plant or other brush cut or trimmed by a homeowner on or from private property and then placed for pickup by the City, such placement being required to be on City right-of-way or near a curb, will be removed by the City in the manner most appropriate, including chipping of the tree, woody plant, brush and other disposable plant material, said chipping to be done at the rate of \$25.00 per hour, with a minimum one hour charge.

Section 7. All ordinances, or parts thereof, and all resolutions, or parts thereof, in conflict with this ordinance shall be and the same are hereby repealed to the extent of such conflict, and this ordinance shall be in full force and effect as set forth hereafter.

Section 8. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or any liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Sections 1,3 and 5 of this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 9. This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as required by law.

PASSED by the City Council of the City of LeRoy, Illinois, upon the motion by

Dave McClelland \_\_\_\_\_, seconded by Dawn Thompson \_\_\_\_\_

\_\_\_\_\_, by roll call vote on the 4th day of October, 1999, as follows:

Aldermen elected 6 Aldermen present 5

VOTINGAYE:

Dave McClelland, Dawn Thompson, Steve Dean, Ryan Miles, Ron Litherland.

(full names)

VOTING NAY:

None

\_\_\_\_\_  
(full names)

ABSENT:

Dick Oliver

\_\_\_\_\_  
(full names)

ABSTAIN:

\_\_\_\_\_  
(full names)

OTHER:

\_\_\_\_\_  
(full names)

and deposited and filed in the office of the acting City Clerk in said municipality on the 4<sup>th</sup> day of October, 1999.

X 

\_\_\_\_\_  
Sue Marcum, City Clerk of the City of LeRoy,  
McLean County, Illinois

APPROVED BY the Mayor of the City of LeRoy, Illinois, this 4<sup>th</sup> day of October, 1999.

X 

\_\_\_\_\_  
Robert Rice, Mayor of the City of LeRoy,  
McLean County, Illinois

ATTEST: (SEAL)

X 

\_\_\_\_\_  
Sue Marcum, City Clerk, City of LeRoy,  
McLean County, Illinois

**CERTIFICATE**

I, Sue Marcum, certify that I am the duly appointed and acting municipal clerk of the City of LeRoy, of McLean County, Illinois.

I further certify that on October 4, 1999, the Corporate Authorities of such municipality passed and approved Ordinance No. 859, entitled:


AN ORDINANCE AMENDING CHAPTER 4 - STREETS, DITCHES AND TREES, SECTIONS 4.15, 4.16 AND 4.17, MUNICIPAL CODE OF THE CITY OF LE ROY, ILLINOIS, 1975 (AS AMENDED), AND AMENDING ORDINANCES NO. 481 AND 497 OF THE CITY OF LE ROY, ILLINOIS,

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 859, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on October 4, 1999, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at LeRoy, Illinois, this 4th day of October, 1999

(SEAL)

  
\_\_\_\_\_  
Municipal Clerk

STATE OF ILLINOIS        )  
                                  ) SS:  
COUNTY OF McLEAN        )

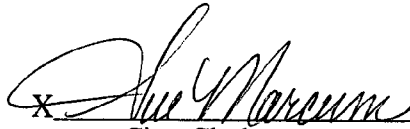
I, Sue Marcum, do hereby certify that I am the duly qualified and acting City Clerk of the City of LeRoy, McLean County, Illinois, and as such acting City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

AN ORDINANCE AMENDING CHAPTER 4 - STREETS, DITCHES AND TREES, SECTIONS 4.15, 4.16 AND 4.17, MUNICIPAL CODE OF THE CITY OF LE ROY, ILLINOIS, 1975 (AS AMENDED), AND AMENDING ORDINANCES NO. 481 AND 497 OF THE CITY OF LE ROY, ILLINOIS.

I do further certify said ordinance was adopted by the City Council of the City of LeRoy at a regular meeting on the 4th day of October, 1999, and prior to the making of this certificate the said ordinance was spread at length upon the permanent records of said City where it now appears and remains as a faithful record of said ordinance in the record books.

Dated this 4th day of October, 1999.

X.   
\_\_\_\_\_  
City Clerk

(SEAL)