

VILLAGE OF PALESTINE, ILLINOIS

ORDINANCE NO. 2011- 0 - 02

AN ORDINANCE TO AMEND **CHAPTER 5**, STREETS, ALLEYS,
AND SIDEWALKS **SECTION 5.20**, PLANTINGS IN THE TERRACE
AREA BETWEEN THE SIDEWALKS AND STREETS,
OF THE PALESTINE VILLAGE CODE

ADOPTED BY THE BOARD OF TRUSTEES
OF THE VILLAGE OF PALESTINE, ILLINOIS
THIS 6TH DAY OF JANUARY , 2011

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF
THE BOARD OF TRUSTEES OF THE VILLAGE OF PALESTINE,
CRAWFORD COUNTY, ILLINOIS
THIS 6TH DAY OF JANUARY , 2011.



SHIRLEY ADAMS, Village Clerk

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BE IT ORDAINED by the Board of Trustees of the Village of Palestine, Crawford County, Illinois, that CHAPTER 5, be amended as follows:

WHEREAS, the Board of Trustees of Palestine, Illinois, has the power to regulate the Streets, Alleys, Sidewalks, and the Terrace areas between the sidewalks and streets; and

WHEREAS, the Board of Trustees of Palestine, Illinois, has determined certain regulations regarding the plantings within the Terrace areas between the sidewalks and streets and believe it is necessary and proper for the welfare and safety of the Village and its inhabitants.

AND WHEREAS, due to the cost to the Village of Palestine, of maintaining and removing damaged, unsafe, and/or diseased trees and/or bushes, from Village controlled property:

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of Palestine, Crawford County, Illinois, that as of JANUARY 6, 2011 the following shall become a part of Chapter 5 of the Palestine Village Code:

5.20 PLANTINGS IN TERRACE AREAS

It shall be unlawful to plant trees in the following areas by either the adjacent property owners or Village personnel:

- (1) The Village rights of way lines are as established jointly by the Village of Palestine and the State of Illinois. This shall include alley rights of way.
- (2) Most specifically the area between the street and sidewalk, hereinafter shall be known as the "Terrace."
- (3) All such trees presently in place shall be "Grandfathered" from the stipulations of the Ordinance. But, when said trees become a detriment due to age, decay, or storm damage, they will be removed by the Village or its designee without permission of the adjacent property owner.

Until such time as a tree must be removed due to damage or decay, it shall be the responsibility of Village personnel to monitor this condition of trees in the designated areas. Village personnel or a Village designee may trim trees in the designated area without the permission of the adjacent property owner.

- (4) Low lying shrubs, decorative bushes, or flowers may be planted in the Terrace area, (not to exceed 3 feet in height), so long as such plantings do not impede the public or Village use of the area. It shall not be the responsibility of any Village personnel to maintain such plantings. Should such plantings become a detriment to the public use of the area, they must be removed.

BE IT ORDAINED, that any person, form or corporation which violates any provision of this ordinance shall, upon conviction, be subject to the penalties as provided by CHAPTER 1, general provisions, section 1.06 PENALTIES, of the PALESTINE VILLAGE CODE.

This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Upon roll call vote the following Trustees voted yea:

Gene Purcell, Greta Dennison, Larry Miller, Larry Surrells, J.D. Kimberlin and J. R. Dunlap.

Upon roll call vote the following Trustees voted nay:

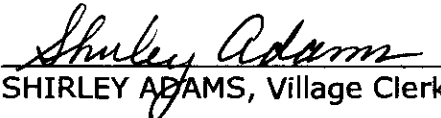
Passed, approved and published in pamphlet form this 6th day of

January , 2011 .



PATRICIA J. SCHOFIELD, Village President

ATTEST:



SHIRLEY ADAMS, Village Clerk