Item # 19
Date: 11/23/26

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COUNCIL ACTION FORM

AGENDA ITEM: Discussion on Removing Dead Trees on Private Property

HISTORY:
In August, resident Andrew Noel, residing at 1007 10th Street, brought to the City's attention that there is a dead tree located on the property at 1003 10th Street. The tree is situated between the neighboring residences and is located on private property, outside of the public right-of-way. Upon receiving the complaint, I personally inspected the tree and confirmed that it appeared to be dead, with no visible leaves or signs of healthy growth. A photograph documenting the condition and location of the tree has been included with this action form for reference.

The City attempted to notify the property owner of 1003 10th Street regarding a nuisance violation by sending copies of the nuisance letter through both regular and certified mail. However, the certified letter was returned to the City marked "Unclaimed/Unable to Forward," indicating that the certified notice was not successfully delivered to the property owner. From my understanding, no one currently lives at the property.

At that time, I advised Andrew that the next step would be to ask City Council. I've copied below the city code that authorizes City Council to take action. Certified mail has been attempted, and it's well past the 14-day allowance from the date of the letter.

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:

1. City Property. If it is determined that any such condition exists on any public property, including the strip between the curb and the lot line of private property, the Council may cause such condition to be corrected by treatment or removal. The Council may also order the removal of any trees on the streets of the City which interfere with the making of improvements or with travel thereon.
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.

OPTIONS:
1. Authorize Rob's Tree Service to remove the trees.
2. Continue trying to make attempts to contact the current owner.
3. Take no action at this time

STAFF'S RECOMMENDED ACTION:

Staff recommends Option 1.



