

ORDINANCE NO. 405

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HUBBARD, IOWA, BY
ADDING NEW SECTIONS AND SUBSECTION TO CHAPTER 150 TREES**

BE IT ENACTED by the City Council of the City of Hubbard, Iowa:

SECTION 1. NEW SECTION. The Code of Ordinances of the City of Hubbard, Iowa is amended by adding a new Section 150.07, entitled REMOVAL OF STUMPS, which is hereby adopted and reads as follows:

150.07 REMOVAL OF STUMPS. All stumps of street and park trees shall be removed below the surface of the ground so that the top of the stump does not project above the surface of the ground. When the City causes a tree on City property to be removed, the City shall remove the stump to six inches below ground level.

SECTION 2. NEW SECTION. The Code of Ordinances of the City of Hubbard, Iowa is amended by adding new Section 150.08, entitled SPECIAL PENALTY, which is hereby adopted and reads as follows”

150.08 SPECIAL PENALTY. Any persons violating any provisions of the chapter will be notified by the city via regular mail. If violation is not resolved within 14 days, the Council may cause the condition to be corrected and the cost assessed against the property.

SECTION 2. NEW SUBSECTION. The Code of Ordinances of the City of Hubbard, Iowa is amended by adding new subsection 150.02, subsection 4, entitled PLANTING RESTRICTIONS, which is hereby adopted and reads as follows:

150.02 PLANTING RESTRICTION

4. No person shall plant a tree within the parking or public right-of-way without first obtaining a permit from Public Works therefor, which shall show the type of tree to be planted and the placement of the tree. The type and placement of the tree must be approved by the Public Works Director, and no permit shall be issued until the Public Works Director has actually viewed the site of said placement.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 5. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication provided by law.

Passed by the Council the 11th day of September, 2023, and approved this 11th day of September, 2023.

Mayor

ATTEST:

City Clerk

First Reading: September 11, 2023

Second Reading: waived

Third Reading: waived

I certify that the foregoing was published as Ordinance No. 405 on the 21st day of September, 2023.

City Clerk