

CITY OF MARSHALL

ORDINANCE NO. 2025-O 03

AN ORDINANCE AMENDING CHAPTER 90. VEGETATION. ARTICLE I. IN GENERAL.  
SECTION. 90-9. TREE COMMISSION OF THE CODE OF ORDINANCES, CITY OF  
MARSHALL, ILLINOIS.

ADOPTED BY THE  
CITY COUNCIL  
OF THE  
CITY OF MARSHALL

Published in pamphlet form by authority of the City of Marshall, Clark County, Illinois, this  
28 day of April, 2025.

AN ORDINANCE AMENDING CHAPTER 90. VEGETATION. ARTICLE I. IN GENERAL.  
SEC. 90-9. TREE COMMISSION OF THE CODE OF ORDINANCES, CITY OF  
MARSHALL, ILLINOIS.

Section 1. That Chapter 90. Vegetation. Article I. In General. Sec. 90-9. Tree Commission of the Code of Ordinances, City of Marshall, Illinois is hereby amended to read as follows, with strikeouts indicating deletions in text and underscores indicating additions to text:

Section. 90-9. Tree Commission

- (1) *Establishment of Tree Commission.* The Marshall Tree Commission is hereby established. Its functions and duties are set forth in this article.
- (2) *Composition.* The Tree Commission shall consist of five (5) voting members, appointed by the Mayor and approved by the City Council, and one (1) ex-officio, nonvoting member who shall be a member of the City Council and appointed by the Mayor.
- (3) *Qualifications.* The members shall be appointed based upon expertise, experience, or interest in trees.
- (4) *Term.* Appointments shall be made at the first regular meeting of the City Council of each municipal year, and from time to time as necessary to fill vacancies. A member of the tree commission may be removed by the mayor with the approval of a majority of the city council. Should any commissioner resign, become unqualified, or be removed from the tree commission, a successor shall be appointed by the mayor and shall serve the unexpired period of the vacated term. The commissioners shall hold office for three years or until a successor is appointed and qualified.
- (5) *Officers.* Officers shall consist of a chairman, vice-chairman, and a secretary elected by the Tree Commission who shall serve a term of one (1) year and shall be eligible for reelection. The chairperson shall preside over meetings. In the absence of the chairperson, the vice-chairperson shall perform the duties of the chairperson. If both are absent, the secretary shall serve as chairperson.

The duties of the chairperson:

- A. Conduct the meeting of the Tree Commission.
- B. Report a copy of the minutes of each meeting to the mayor.
- C. Give notice as provided herein or by law for all public hearings conducted by the Tree Commission.
- D. Advise the mayor of vacancies on the Tree Commission.

E. Report to the City Council at the request of the mayor of the proceedings of the Tree Commission.

The Duties of the Vice-Chairperson: To serve as the chairperson in his/her absence.

The Duties of the Secretary: Record the minutes of the meeting and share a copy with each member of the Tree Commission.

(6) *Meetings.* A quorum shall consist of a majority of the members. All decisions or actions of the Tree Commission shall be made by majority vote of those members present and voting at any meeting where a quorum exists. The Tree Commission will meet in February of each year and any time upon the call of the chairperson or the mayor.

(7) *Purpose and Intent.* It is the purpose of this article to promote and protect the public health, safety, and general welfare by providing for the control of the planting, maintenance, and removal of trees. The intent of this article is to promote:

- (a) The planting, maintenance, restoration, and survival of desirable trees within the City limits; and
- (b) The protection of City residents from personal injury and property damage and the protection of the City from property damage, caused or threatened by improper planting, maintenance, or removal of trees.
- (c) By definition a tree is a variety of plant species that has independently evolved a trunk and branches as a way to tower above other plants to compete for sunlight.

(8) *Duties.* The Tree Commission shall perform the following duties:

- (a) Upon the call of the chairperson, meet and adopt rules of procedure for regular and special meetings to fulfill the duties imposed upon it by this article;
- (b) Shall research within the City to identify neighborhoods, areas, and sites on which it would be advantageous to plant trees;
- (c) Shall recommend to the Director of Public Works as to trees that need to be removed due to disease or for public safety;
- (d) Shall contact the property owner for written consent for planting trees on private property;
- (e) May, when requested, assist property owners with the planting of trees on private property;
- (f) Establish and promote educational and informational programs;
- (g) Make recommendations regarding City Tree policies;
- (h) Recommending modifications or creation of new ordinances regulating and protecting trees;
- (i) To inform and educate the citizens of Marshall concerning the advantages of maintaining healthy trees within the City limits.

(9) *Restrictions.* The Commission shall:

- (a) Not require the owner of property to accept City purchased trees without his/her written approval;
- (b) Receive written approval from property owners adjacent to a location on the City right-of-way before planting a tree;
- (c) Not plant trees under power or telephone lines;
- (d) Not plant trees above sewer lines;
- (e) Shall receive approval from the Director of Public Works for each tree planting; and
- (f) Not approve the planting of any trees other than the following approved trees, to wit:

Acer Saccharum- Sugar Maple- to 100 feet, live to 300 years  
 Quercus Rubra- Northern Red Oak- to 140 feet, live to 300 years  
 Ulmus Americana L- American Elm- to 100 feet, live to 175 years  
 Cercis Canadensis- Eastern Redbud- to 20 feet, live to 40 years  
 Metasequoia Glyptostroboides- Dawn Redwood- to 165 feet, live to 400 years  
Quercus Alba- White Oak

Section 2. If any provision of this Ordinance, or application thereof, is held invalid by any Court, other provisions or applications of this Ordinance which can be given effect without the invalid provision or application shall not be affected, and to this end the provisions of this Ordinance are declared to be severable.

Section 3. That this Ordinance shall take effect ten (10) days after its passage and approval as provided by law.

	<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Michael Smitley	✓		
Warren J. Le Fever	✓		
Vickie Wallace	✓		
Jarod Green	✓		
Robert Nelson	✓		
Foster Propst	✓		
Rob Knott	✓		
Greg King	✓		

PASSED this 28 day of April, 2025.

APPROVED this 28 day of April, 2025.

  
 \_\_\_\_\_  
 MAYOR

ATTESTED, filed in my office,  
and published in pamphlet form  
this 28 day of April, 2025.

  
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CITY CLERK

(SEAL)