

campus pipeline

If you have news from a college, university or other campus of higher education and there's a Farmington-area connection - we'd like to hear from you. Send items to: Campus Pipeline, Farmington Observer, 21498 Farmington Road, Farmington 48336.

● **NEW GRADUATES** - Betty Jane McClure of Farmington graduated with a bachelor of science degree in mechanical engineering at Saginaw Valley State University.

Almarie Leonard of Farmington graduated from Carnegie-Mellon University in Pittsburgh, Pa., with a bachelor of science dual degree in electrical and bio-medical engineering. While at Carnegie-Mellon, she

was active in Kappa Alpha Theta and Women in Science and Engineering.

Leonard has accepted a position with General Motors Corp. after two summers of internship with GM. She is a 1986 graduate of Harrison High School.

● **HONORS LIST**
Jennifer Gillman of Farmington

Hills was named to the honors list at The Leelanau School.

● **SCHOLARSHIPS**
Auntie Smith of Farmington was named a 1990-91 Unisys Scholar and will receive a \$1,000 scholarship from the Unisys Corp. She is a senior majoring in religion and economics at Kalamazoo College.

Gregg Knepley of Farmington

Hills received the President's Scholarship from Case Western Reserve University, Cleveland, Ohio. President's Scholarships provide \$10,000 toward freshman-year tuition.

Maureen Bastien of Farmington Hills received the Stephenson Foundation Scholarship at Madonna College. She is a senior majoring in nursing.

Deanna Vella of Farmington Hills received the DeSerrano Scholarship at Madonna College. She is a junior majoring in nursing.

● **JEN'S INITIATED**
Jennifer Monroe of Farmington was initiated into the Iota Chapter of Delta Delta Delta society at the University of Michigan.

CITY OF FARMINGTON COUNCIL PROCEEDINGS (Summary)

A regular meeting of the Farmington City Council was called to order by Mayor Richardson at 8:30 p.m. on February 4, 1991, in Council Chambers, 2300 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

PRESENT: Hartsock, McShane, Richardson, Tupper.

ABSENT: Yoder.

OTHERS PRESENT: City Manager Doadman, Director Landolf, Director Billing, City Attorney Dombro, City Clerk Bushey.

The meeting was presided by a presentation recognizing the City's 65th Anniversary.

Minutes of the previous meeting of January 21, 1991, were approved as written. Minutes of other Boards were received and, or filed.

Council accepted the Sanitary Sewer Easement for the Farmington Sewer Project and called for the easement to be registered.

Council adopted a resolution approving the contract for Segment 1, Stage 2 for the Evergreen Farmington Sewer System. The contract provided that all commitments involved in the system sign the contract as written.

Council awarded contract for replacement of the furnace at the Public Services Building to D & G Heating & Cooling Company at \$7,000. Public comments were heard.

Council made the following appointments to:

Construction Board of Appeals - 2-year term expiring February 3, 1993. David Mariner and William T. Ingalls.

Neighborhood Development Authority - 4-year term expiring February 17, 1995. Robert Heinrich and Ronald Ogelsby.

Council received the following financial reports:

General Fund, 47th District Court, Water & Sewer Quarterly for period ended December 31, 1990.

Council adopted a resolution establishing permitted or prohibited trees or vegetation.

The following ordinance was adopted:

CITY OF FARMINGTON ORDINANCE NO. C-758-91

AN ORDINANCE TO AMEND CHAPTER 12 OF THE FARMINGTON CITY CODE TO REHEW THE REGULATIONS PERTAINING TO VEGETATION WITHIN PARKS, PUBLIC RIGHTS-OF-WAY AND PRIVATE PROPERTY ADJACENT TO PUBLIC PROPERTY.

THE CITY OF FARMINGTON ORDAINS

Section 1.
Chapter 12, Vegetation, of the Farmington City code is hereby amended to read as follows:

12-1. Definitions.
The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Diameter Breast Height (D.B.H.) shall mean a tree's diameter in inches measured by diameter tape at four and one-half (4 1/2) feet above the ground. On multi-trunk trees, the largest diameter stem shall be measured.

Director shall mean the Director of Public Services.

Maintenance shall mean any act, except for the purpose of preserving and protecting the beauty and health of a tree.

Park shall mean and include all public parks having individual names and all areas owned by the City, or to which the public has free access as a park.

Person shall mean any person, firm, partnership, association, corporation, company or organization of any kind.

Plants shall mean any non-woody vegetation as distinguished from trees as defined herein.

Public Right-of-Way shall mean any street, highway, road, alley, or other way, the use of which by law or dedication, is for the public.

Public Utility shall mean any person conducting electrical, natural gas, telephone, telegraph, television services within public rights-of-way or private easements for public utilities, or the installations itself (pipe, main, pole, etc.), as the context may indicate.

Trees shall mean any self-supporting, woody vegetation, including shrubs and bushes, but excluding plants as defined herein.

32-2. Scope of Chapter, Departmental Responsibility.
The terms of this chapter shall apply to parks and public rights-of-way only unless otherwise specifically stated. The Department of Public Services, acting through its Director of Public Services, shall have control over all trees and plants within parks and public rights-of-way. The Director shall have the duty of enforcing the provisions of this chapter.

32-3. Permits for Tree Planting, Maintenance and Removal.
No person may plant, maintain or remove any trees, the trunk of which is located in a park or public right-of-way, without having first obtained a permit therefor from the Department of Public Services. Such permits may be obtained, with payment of a fee as may be provided by resolution of the City, by any person who is the owner of land abutting a public right-of-way as indicated by the tax rolls of the City or a licensed professional tree contractor designated by the City.

Before issuance of any permit, the Director shall inspect the work proposed and determine whether it may be completed without harm to the public safety or to any public or private property located on or near the site of the work. The Director shall also determine the condition of the trees involved or eliminate a private nuisance to the owner. To accomplish those objectives, the Director may condition the issuance of any permit upon the applicant's meeting reasonable requirements directed to the protection of public health, safety and/or the health of any tree. The permit shall specify the extent of the work authorized and any conditions to which it is subject.

In the event the Director determines that the work proposed requires the services of a licensed professional tree contractor, the contractor shall apply for and be issued the permit and, in addition to any other conditions as provided in this chapter, shall provide a liability insurance policy from an insurance company licensed to do business in this state with a minimum coverage of \$250,000.

When the work proposed involves the removal of a tree, the Director shall determine whether the tree should be replaced at the same or another nearby location within the public right-of-way. The permit shall be conditioned upon the applicant's agreement to pay the cost of the purchase and planting of a replacement tree having a D.B.H. of one and one-half (1 1/2) inches, in the event the Director determines the tree proposed for removal is alive and does not threaten public safety.

32-4. Tree Planting, Maintenance and Removal.
The Director shall have the right and responsibility for tree planting, maintenance and removal in parks and public rights-of-way. Such activities shall be undertaken for the purpose of protecting public safety and providing for the symmetry and beauty of such public places.

32-5. Spacing of Shade Trees.
The Director shall establish a plan for the future plantings of trees within parks and public rights-of-way which shall be implemented consistent with the terms of this chapter and expenditure limits established in the City's annual budget.

No tree may be planted within parks and public rights-of-way which is not a species listed on a Permitted Species Resolution adopted by City Council. Trees shall be spaced to provide a minimum of thirty (30) feet between trunks, except for trees of the "oak" species which shall be a minimum of thirty-five (35) feet from another tree trunk. This minimum requirement may be reduced to a twenty (20) foot separation for oak species in order to provide for tree to be located adjacent to each tax parcel of land abutting a public right-of-way, but only when the Director determines the wider separation is not necessary for public safety.

Trees shall be planted as near as practicable to the midpoint between the curb and the sidewalk within a public right-of-way.

Where the distance between curb and sidewalk is between three (3) and five (5) feet, only certain species as denoted in the Permitted Species Resolution shall be planted. Where the distance is less than three (3) feet, no trees shall be planted. There shall be no existing curbs and/or sidewalk, trees shall be planted in such location as provided herein to allow for the future placement of such improvements.

32-6. Tree Protection.
No person shall place within a public right-of-way any stone, brick, sand, concrete or other material which will in any way impede the full and free passage of water, air, or fertilizer to the roots of any tree, except a sidewalk of authorized width and location. No person shall break, injure, mutilate, kill or destroy any tree or set any fire within ten (10) feet of any tree, or permit any tree or the land thereon to be the site of any tree. No toxic chemicals or other injurious materials shall be allowed to seep, drain or be emptied on, near or about any tree. No electric wires or any other lines shall be permitted to come in contact with any tree in any manner that shall cause damage thereby, and no person shall attach any electric insulation to any tree. No person shall use any tree as an anchor except by special written permit from the Director, and no material shall be fastened to or hung on any tree. All persons having under their care, custody or control any facilities which may interfere with the trimming or removal of any tree shall allow the Director to enter the premises promptly abate such interference in such a manner as shall permit the trimming or removal of such tree by the Department of Public Services. (Code 1977, Sec. 3-16)

32-7. Decorative Displays.
Nothing contained in this chapter shall be deemed to prohibit the placement or construction of any decorative display by the City or other person upon approval by the council. Such displays shall be only in commemoration of a national holiday or some other civic purpose of general public interest. (Code 1977, Sec. 8-29)

32-8. Excavations Near Trees.
Excavations and driveways shall not be placed within five (5) feet of any tree without a written permit from the Director. Any person making such excavation or construction shall guard any tree within six (6) feet thereof with a substantial frame box to be approved by the Department of Public Services, and all building material or other debris shall be kept at least four (4) feet from any tree. (Code 1977, Sec. 3-17)

32-9. Public Utilities.
Public utilities shall be maintained so as to avoid any damage to trees, shrubs, bushes or vegetation. Damage resulting from utility installation, repair or maintenance shall be repaired, and the cost of the work, including the cost of removal and the replacement of any trees, shall be levied against the public utility causing the damage.

The Director shall grant permission to public utilities to trim and keep trimmed all trees within the street, alleys, parks and public places of the City, in such a manner as shall keep the overhead lines of such public utilities clear and accessible. Such trimming shall be done in accordance with approved practices and under the general direction of the Department of Public Services. The permission, as provided for in this section, shall require reasonable prior notice to the City before any work is commenced thereunder. However, if an emergency requiring immediate maintenance work on the overhead lines of public utilities should occur, prior notice of commencing work under a permit shall not be required. The word "emergency" as used in this section shall be defined to mean the occurrence or happening of an event which could not be foreseen by the exercise of reasonable care and foresight and which might cause damage to the overhead lines of the public utilities. (Code 1977, Sec. 3-20)

32-10. Corner Clearance.
All shrubs and bushes located on the triangle formed by the two (2) right-of-way lines at the intersection of two (2) streets and extending for a distance of twenty (20) feet each side from the intersection of the right-of-way lines on any corner lot within the City shall not be permitted to grow to a height of more than thirty (30) inches from the top of curb at street level, in order that the view of the driver of a vehicle approaching a street intersection shall not be obstructed. Trees may be planted and maintained on public and/or private property in this area, provided that all branches are trimmed to maintain a clear vision for a vertical height of ten (10) feet above the roadway surface. (Code 1977, Sec. 3-21)

32-11. Private Trees - Clearance.
Owners of trees on private property which overhang any right-of-way within the City shall trim the branches so that such branches shall not obstruct the light from any public streetlamp or obstruct the view in any right-of-way intersection and so that there shall be a clear space of ten (10) feet above the surface of the street or right-of-way. Owners shall remove all dead, diseased or dangerous trees, or any broken or decayed limbs which threaten the safety of the public. Any owner of any property failing to maintain or remove trees in conformity with this section shall be notified by the Director, in the manner provided in Section 1-9, to do so, and such notice shall require maintenance or removal in conformity with this section within ten (10) days after the date of service. If non-compliance with such notice by the Director may cause the maintenance or removal to be done, and the cost thereof may be collected from the owner of the property as a single-lot assessment in accordance with the charter of the City. The City shall have the right to maintain any tree on private property which it interferes with the proper spread of light along the street from a public streetlight, or interferes with visibility of any traffic control device or sign, such maintenance to be confined to the area immediately above the right-of-way. (Code 1977, Sec. 3-20)

32-12. Private Trees - Diseases and Infestations.
When the Director shall discover that any tree growing on private property within the City is afflicted with any dangerous and communicable insect infestation or tree disease, he shall forthwith serve a written notice upon the owner or his agent, or the occupant of the property, in the manner specified in Section 1-9, describing the tree, its location and the nature of the infestation or tree disease and ordering the owner, agent and occupant to take such measures as may be reasonably necessary to cure such infestation or disease and to prevent the spreading thereof, specifying the measures required to be taken. Such order may require the pruning, spraying, reduction of trees as may be reasonable means to cure such infestation or disease. Every such notice shall be complied with within ten (10) days after service thereof, upon the owner, agent or occupant of the property on which the afflicted tree is located, or within such additional time as may be stipulated in such notice. (Code 1977, Sec. 3-22)

32-13. "Dutch Elm" Disease.
Fungus-borne, regardless of species or variety, infected with the fungus Ophiostoma ulmi, popularly called Dutch Elm Disease, shall be destroyed, if on public property, within ten (10) days after the Director shall learn of the condition and, if on private property, within ten (10) days after notice as specified in Section 32-12. No person shall possess, sell, give away or transport any elm tree afflicted with the fungus Ophiostoma ulmi nor any wood from, or parts of, any tree so afflicted, except that wood, branches and roots of any tree so afflicted may be transported to a place for burning. (Code 1977, Sec. 3-23)

32-14. Inspection - Private Trees.
The Director and his assistants and employees shall have authority to enter upon private premises for the purpose of examining trees, shrubs, plants or vines for the presence of destructive insects or plant diseases. No damages shall be awarded for the destruction of any tree, shrub, plant or fruit or any injury to the same, if done by the Director or under his direction, in accordance with this chapter. (Code 1977, Sec. 3-26)

32-15. Appeal.
In case the owner, agent or occupant of the property shall feel himself aggrieved at an order of the City requiring the treatment or destruction of any tree, he may within forty-eight (48) hours make an appeal to the council by communication with the City Clerk. The council shall hear such appeal at its next regular meeting, unless another time shall be set, and shall determine the matter under such expert advice as may be necessary. (Code 1977, Sec. 3-24)

32-16. Private Trees - Owner's Failure to Comply.
In case the owner, agent and occupant of the property should refuse to carry out the order of the Director within the time directed, or in case of an appeal, within five (5) days after the council shall have affirmed such order, the Director shall carry out the pruning, spraying or destruction of the trees as deemed necessary by him, and he shall bill the owner, agent or occupant of the property for the cost thereof. In case the owner of such property shall fail to pay such bill within sixty (60) days after the same has been rendered, the Director shall report the same to the council for collection as a single-lot assessment against the property in accordance with the charter. The Director may, without serving the above notice, when the owner or occupant of any private property shall consent thereto and pay the reasonable cost thereof, cause trees growing on private property to be sprayed when he deems the same necessary on account of any infestation, disease, or threat thereof. (Code 1977, Sec. 3-25)

32-17. Law Violations.
An owner or occupant abutting a public right-of-way shall maintain the area between the sidewalk and curb and may plant grass, plants and trees therein in conformity with this chapter. No person shall willfully injure or destroy any tree or shrub growing on such area or throw any stones, refuse or other thing thereon. No person shall drive an automobile, bicycle or other vehicle upon or over any such area which has been planted with vegetation. (Code 1977, Sec. 3-27)

32-18. Landmark Trees.
The following trees possessing the D.B.H. indicated shall be considered landmark trees:

Common Name	Species	Size D.B.H.
Ash	Fraxinus spp	18"
American Elm	Ulmus grandiflora	18"
American Chestnut	Castanea distolata	24"
Birch	Betula spp	12"
Black Alder	Alnus glutiosa	12"
Black Tupelo	Nyssa sylvatica	12"
Black and White Walnut	Juglans nigra, J. cinerea	12"
Buckeye	Aesculus glabra	18"
Cedar, Red	Juniperus spp	12"
Crapehol (cultivar)	Malus spp	12"
Douglas Fir	Pseudotsuga menziesii	12"
Flowering Hemlock	Tsuga canadensis	12"
Flowering Dogwood	Cornus florida	8"
Ginkgo	Ginkgo biloba	18"
Hickory	Carya spp	12"
Horseshoebark	Aesculus carnea	12"
Kentucky Coffeetree	Gymnocladia dioica	18"
Larch/Tamarack	Larix laricina (Eastern)	12"
London Planetree		12"
Sycamore	Platanus spp	18"
Maple	Acer spp	18"
Oak	Quercus spp	18"
Pine	Pinus spp	18"
Sassafras	Sassafras albidum	20"
Spruce	Picea spp	18"
Tuliptree	Liriodendron tulipifera	18"
Choke Cherry	Prunus spp	18"

A tree of a species not listed above but possessing a D.B.H. of 24" or greater shall also be considered a landmark tree.

Landmark trees located on private property proposed for development requiring site plan approval from the Planning Commission under Chapter 12 shall be identified on the proposed site plan. The Director shall inspect the subject site to rate the trunk condition, growth rate, structure, insects and diseases, crown development and life expectancy of each landmark tree pursuant to the following schedule:

Factor	5 or 4	3 or 2	1	Ranking
Trunk	Sound and solid	Sections of bark missing	Extensive and hollow	
Growth Rate	More than 6" twig elongation	2" - 6" twig elongation	Less than 2" twig elongation	
Structure	Sound	The major or several minor limbs dead	2 or more limbs dead	
Insects/Diseases	No pests present	One pest present	2 or more pests present	
Crown/Development	Full and balanced	Full but unbalanced	Unbalanced and lacking a full crown	
Life Expectancy	Over 30 years	15 - 20 years	Less than 5 years	

A landmark tree having a rating of "1" or greater shall be preserved and protected as a condition of site plan approval unless, in the reasonable discretion of the Planning Commission, the preservation and protection of such tree could impose a unique and unnecessary hardship upon the owner of the property.

Landmark trees located in parks and public rights-of-way under the jurisdiction of the City may be removed without the approval of the Director and only when necessary to provide for public improvements or to ensure public health, safety and/or welfare.

32-19. Supplementary Rules and Regulations.
The Director shall make such rules and regulations supplementary to this chapter and not in conflict herewith as he may from time to time deem necessary. Until changed pursuant to this section, the rules, regulations and ordinances in effect at the time of the adoption of this chapter shall continue in effect. No person shall fail to obey any rule or regulation effective under this chapter. (Code 1977, Sec. 3-29)

Section 2. Savings.
All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be resumed according to the law in force when they are commenced.

Section 3. Severability.
If any section, clause or provision of this ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this ordinance, but the remainder of this ordinance shall stand and be in full force and effect.

Section 4. Repealer.
All other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent necessary to give this ordinance full force and effect.

Section 5. Effective Date.
This ordinance shall become effective ten (10) days following its enactment and upon publication as provided by the Charter of the City of Farmington.

This ordinance is hereby declared to have been adopted by the City Council of the City of Farmington at a meeting thereof duly called and held on the 4th day of February, 1991, and ordered to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by Councilwoman McShane and supported by Councilman Hartsock
YAC: McShane, Richardson, Tupper, Harbeck
NAYS: None
ABSENTS: Yoder
ABSENTIONS: None

SHIRLEY V. RICHARDSON, Mayor
JOSEPHINE M. BUSHLEY, City Clerk

STATE OF MICHIGAN
COUNTY OF OAKLAND

I, the undersigned, the duly qualified and appointed City Clerk of the City of Farmington, Michigan, do hereby certify that the foregoing is a true and complete copy of an ordinance adopted at a regular meeting of the City Council held on the 4th day of February, 1991, the official of which as a file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on the 5th day of February, 1991.

JOSEPHINE M. BUSHLEY, City Clerk
Monthly bills were approved for payment.
Meeting adjourned at 9:35 p.m.

SHIRLEY V. RICHARDSON, Mayor
JOSEPHINE M. BUSHLEY, City Clerk