

SECTION 402.210: MAINTENANCE

- A. The landscaping materials depicted on site plans approved by the City shall be considered as elements of the project in the same manner as parking, building materials and other details are elements of the site plan.
- B. The developer, his/her successor and/or subsequent owners and their agents shall be responsible for the continued maintenance of trees outside the City right-of-way. For trees within the City's right-of-way adjacent to common ground, the developer is responsible for the continued maintenance until the City accepts the right-of-way for maintenance at which time the homeowners association will be responsible for maintenance.
- C. The bottom of the canopy (mature tree) is to be no lower than fifteen (15) feet above and no closer than three (3) feet from the back of curb at that street location and the bottom of the canopy (mature) is to be no lower than eight (8) feet above the sidewalk elevation at that location. Within radiuses or sight-triangles, the minimum canopy height is to be no less than fifteen (15) feet.
- D. Plant material which exhibits evidence of insect pests, disease, and/or damage shall be appropriately treated, and dead plants promptly removed and replaced within the next planting season.
- E. Should landscaping not be installed, maintained and replaced as needed to comply with the approved landscape plan, the owner and his/her agent or agents shall be considered in violation of the terms of the building or occupancy permit. The Director of Planning and Development or his/her designee is empowered to enforce the terms of this Chapter.
- F. Maintenance of trees on private property is the responsibility of the property owner. Maintenance of trees located within City right-of-way adjacent to an individual lot, either residential or commercial, is the responsibility of the adjacent property owner. Tree maintenance for street and sidewalk canopies and sight distance must be in conformance with this Chapter.
- G. The City of O'Fallon is responsible for the care of trees in the right-of-way along the following roadways:
 - 1. Bryan Road south of Veterans Memorial Parkway and north of Feise Road.
 - 2. Feise Road east of Bryan Road and west of Highway K.
 - 3. Mexico Road east of Bryan Road and west of Rock Creek Road.
 - 4. Bryan Road south of Feise Road and north of the Highway 364 extension.
 - 5. Woodlawn Road south of Highway 70 and north of Plackemeier.
 - 6. Sonderen Road south of Virgil and north of Veterans Memorial Parkway.
 - 7. Tri Sports Drive and Tri Sports Circle south of Waterford Crossing to the Renaud Spirit Center entrance.
 - 8. Lloyd King Drive and Corporate Center Drive. (Ord. No. 5752 §1, 12-8-11)

SECTION 402.220: EMERGENCY MAINTENANCE BY PUBLIC UTILITIES

Public utilities shall be subject to this Chapter, provided that nothing in this Section shall require a public utility or its representative to obtain a permit prior to pruning, removing or cutting a City tree to the extent necessary to repair damaged utility lines or facilities that must be repaired on an emergency basis and where it is impracticable for the public utility to obtain a permit without endangering the public welfare. (Ord. No. 5752 §1, 12-8-11)