

RESIDENTS' RESPONSIBILITY FOR REMOVAL OF DEAD TREES AND GROWTH OF VEGETATION ALONG STREET EDGES

When the Village of Oaks was first platted in 1952 at the time of its organization as a legal village, most of the streets were platted as 40' or 50' in width except for Wilson Boulevard which was platted at 60' because it is divided by a median. For many years the streets were covered with a chip and seal coating but only about 25' of each street was actually covered for traffic use. Later the Trustees began placing an asphalt overlay on the streets, finishing street by street each year as the budget allowed paying for the work. Consequently all of the streets are currently paved.

Questions arose as whose responsibility it was to care for the 10-12' of easement on each side of the roads beyond the paved portion. Ordinance 57 was passed by the Board on February, 1962 which specified that homeowners were responsible for cutting any weeds or other growth within ten feet outside the property line. This included the easement between the owner's property line and the edge of the paved area of the road. Failure to cut after notice from the Board could lead to legal penalties.

In 1977 the Board of Trustees passed Ordinance 252, known as the Nuisance Ordinance, which regulated a number of conditions that could affect the health, welfare or safety of the Village residents. Section II, No. 9 specified the "willful accumulation upon one's property or easement of an excessive amount of brush, weeds or dead trees, in violation of Ordinance No. 57." This made it the homeowner's responsibility to have dead trees or other types of brush or weeds cut or removed from the easement. It is the responsibility of the Board to notify residents when trees or vegetation on their property need to be removed.

Since the adoption of Ordinance 252, the Board has authorized clearing of some easements at Village expense, particularly on Martin Boulevard across from the Central Park area which belongs to the Village, to protect the roadside against erosion and street damage. This is done for the safety of residential street traffic.

Maintaining these easements is essential to the appearance of the Village for residents and visitors to the area. The Board seeks to be diligent in notifying residents when action needs to be taken on their property.