

AN ORDINANCE REGULATING THE PLANTING, CARE AND PRESERVATION OF TREES IN THE PARKWAYS AND STREETS OF THE CITY OF LAS VEGAS; REGULATING PLACES WHERE AND UNDER WHAT CONDITIONS SAID TREES MAY BE PLANTED; PROVIDING FOR PERMITS; PROVIDING THE KIND OF TREES TO BE PLANTED; PROVIDING DUTIES OF THE SUPERINTENDENT OF PARKS; PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND REPEALING SECTION 10 OF CHAPTER 32 OF THE CODE OF THE CITY OF LAS VEGAS, AND OTHER MATTERS RELATING THERETO.

The Board of Commissioners of the City of Las Vegas do ordain as follows:

Section 1. No person shall hereafter plant any tree within the limits of any parkway or street of the City of Las Vegas without having first obtained a permit from the Superintendent of Parks.

Section 2. Anyone wishing to plant such tree or trees shall apply to the Superintendent of Parks for a permit, stating the variety and precise location proposed for each tree. After the receipt of such an application, the Superintendent shall investigate the locality where the tree or trees are to be placed and shall grant a permit only if, in his judgment, the location is such as to permit the normal growth and development of each tree. The permit shall specify the location, variety and grade of each tree and method of planting, including, among other things, the supplying of suitable soil. The permit shall be good only for the season stated on same, in the year issued, and no charge shall be made for same. No trees shall be planted except in accordance with its terms. The specifications of the permit shall be such as will secure the suitable location, planting and growth of each tree.

Section 3. The following trees can be used for street tree planting:

- Fraxinus (Ash)
- Plantanus (Sycamore)
- Washingtonia (Palms)
- Prunus Pissardii (Flowering Plum)
- Ginkgo Biloba (Maiden Hair Tree)
- Morinda (Fruitless Mulberry)
- Liquidamber (Sweet Gum)
- Ceratonina Siliqua (Carob)
- Oleander - Tree Form.
- Ulmus-Var (Elm)

Section 4. No permit for planting of such trees shall be given where the clear space between the curb and sidewalk is less than three (3) feet. Neither shall a permit be given where the soil is too poor to insure the growth of the trees unless the applicant or the owner agrees to excavate a suitable hole of not less than 54 cubic feet and to replace the material removed with suitable good loam.

Section 5. No such tree shall be planted measuring less than two (2) inches in diameter of trunk one foot above ground. The trunk of each tree shall be without branches eight (8) feet from the ground and the lowest branch shall not be over nine and one-half feet (9½) from the ground.

Section 6. No person, whether licensed or otherwise, shall move any building along any street in such a way as to interfere with or injure any tree or shrub in any street or public ground, including parks and parkways, in the City of Las Vegas, without a special permit obtained from the Superintendent of Parks. The application shall specify the building and the proposed route.

CITY OF LAS VEGAS
CLERK'S
FILE

Section 7. All moving of trees and shrubs or trimming the branches thereof made necessary for the moving of such building or any other purpose shall be done by the Superintendent of Parks, or under his supervision, at the expense of the applicant. Should such moving or replanting cause the death of such trees or shrubs, the applicant shall replace same at his expense. Before such permit is granted, the applicant shall deposit at least \$10.00 per tree and as much more as the Superintendent may deem necessary to cover the actual expense of removing and replanting, if necessary, to be retained until said tree or its successor is permanently established.

Section 8. No building material or any other material of any description shall be piled up against any street tree unless said tree is first sufficiently protected by a proper guard to prevent possible injury, and all instructions issued for that purpose by the Superintendent of Parks must be promptly complied with by the owner or constructor.

Section 9. No person shall remove, destroy, cut, deface, trim, or in any way injure or interfere with any tree or shrub on any of the avenues, streets or public grounds, including parks and parkways of the City of Las Vegas, without a permit from the Superintendent of Parks.

Section 10. No person shall hitch or fasten any horse or any other animal to any tree or shrub in any avenue, street or public grounds, including parks and parkways, of the City of Las Vegas, nor shall any person suffer or permit any horse or animal to stand or be near enough to such tree or shrub to bite, rub against, or in any manner injure or deface the same.

Section 11. The Superintendent of Parks shall have power to destroy trees in streets and parkways if infected by disease or infested by injurious insects when such destruction is necessary to the protection of other trees.

Section 12. No person shall place or let be placed any wire conduit or other thing that burns, cuts or chafes any part of any trees, whether trunk, root or branch, in any street or parkway. In case the owner or the person shall fail after three days' written notice to take adequate steps to prevent further injury, the Superintendent of Parks shall have power to remove the same.

Section 13. No paving of any description shall be laid or maintained by anyone between sidewalk and curb which will cut off the air and water from any tree. A space of not less than fifty (50) square feet must be left open for each tree, which space may be covered with suitable satisfactory iron grate upon a permit of the Superintendent to whom the plan for such grate must be first submitted.

Section 14. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor.

Section 15. This ordinance shall be in full force and effect upon its publication as in the next section provided.

Section 16. The City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas shall cause this ordinance to be published once a week for two successive weeks immediately following its final reading and adoption, in the Las Vegas Review Journal, a daily newspaper published in the City of Las Vegas.

415

The above and foregoing Ordinance was first proposed and read by title to the Board of Commissioners on the 22nd day of March, 1950, and referred to the following committee composed of Commissioners Morse and Whipple for recommendation; thereafter the said committee reported favorably on said ordinance on the 22nd day of May, 1950, which was the regular meeting of said Board of Commissioners; that at said regular meeting held on the 22nd day of May, 1950, the proposed Ordinance was read in full to the Board of City Commissioners as first introduced and adopted by the following vote:

Voting "Aye": Commissioners Dunker, Morse, Percelle
Whipple and His Honor

Voting "Nay": None

Absent: None

APPROVED:

Clifford
Mayor

ATTEST:

Shirley Dallen
City Clerk

ORDINANCE NO. 415
AN ORDINANCE REGULATING
THE PLANTING, CARE AND
PRESERVATION OF TREES IN
THE PARKWAYS AND STREETS
OF THE CITY OF LAS VEGAS;
REGULATING IN PLACES
WHERE AND UNDER WHAT
CONDITIONS SAID TREES MAY
BE PLANTED; PROVIDING FOR
PERMITS; PROVIDING THE KIND
OF TREES TO BE PLANTED;
PROVIDING DUTIES OF THE
SUPERINTENDENT OF PARKS;
PROVIDING PENALTIES FOR
THE VIOLATION OF THIS ORDINANCE AND REPEALING SECTION 10 OF CHAPTER 32 OF THE CODE OF THE CITY OF LAS VEGAS AND OF THE MATTERS RELATING THERETO.

The Board of Commissioners of the City of Las Vegas do ordain as follows:

Section 1. No person shall hereafter plant any tree within the limits of any parkway or street of the City of Las Vegas without having first obtained a permit from the Superintendent of Parks.

Section 2. Anyone wishing to plant such tree or trees shall apply to the Superintendent of Parks for a permit, stating the variety and precise location proposed for each tree. After the receipt of such an application, the Superintendent shall investigate the location where the tree or trees are to be placed and shall grant a permit only if, in his judgment, the location is such as to permit the normal growth and development of each tree. The permit shall specify the location, variety and grade of each tree and method of planting, including, among other things, the supplying of suitable soil. The permit shall be good only for the season stated on same. In the year issued, and no charge shall be made for same. No trees shall be planted except in accordance with its terms. The specifications of the permit shall be such as will secure the suitable location, planting and growth of each tree.

Section 3. The following trees can be used for street tree planting:

Fraxinus (Ash)
Plantanus (Sycamore)
Washingtonia (Palms)
Prunus pissardii (Flowering Plum)
Ginkgo Bioba (Maiden Hair Tree)
Morinda (Fruitless Mulberry)
Liquidamber (Sweet Gum)
Ceratonia Siliqua (Carob)
Oleander—Tree Form.
Ulmus-Var (Elm)

Section 4. No permit for planting of such trees shall be given where the clear space between the curb and sidewalk is less than three (3) feet. Neither shall a permit be given where the soil is too poor to insure the growth of the trees unless the applicant or the owner agrees to excavate a suitable hole of not less than 54 cubic feet and to replace the material removed with suitable good loam.

Section 5. No such tree shall be planted measuring less than two (2) inches in diameter of trunk one foot above ground. The trunk of each tree shall be without branches eight (8) feet from the ground and the lowest branch shall not be over nine and one-half feet (9½) from the ground.

Section 6. No person whether licensed or otherwise, shall move any building along any street in such a way as to interfere with or injure any tree or shrub in any street or public ground, including parks and parkways, in the City of Las Vegas, without a special permit obtained from the Superintendent of Parks. The application shall specify the building and the proposed route.

Section 7. All moving of trees and

AFFADAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

CARL WOODBURY

, being first duly sworn,

deposes and says: That he is **AUDITOR** of the **LAS VEGAS EVENING REVIEW-JOURNAL**, a daily newspaper, of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published

in said newspaper for a period of 2 insertions
from May 28, 1950 to June 4, 1950

inclusive, being the issues of said newspaper for the following dates, to-wit:

May 28 & June 4, 1950
That said newspaper was regularly issued and circulated on each of the dates above named

Signed

Subscribed and sworn to before me this 4th
day of June, 1950

Neola Richart
Notary Public in and for Clark County, Nevada.

My Commission Expires

MY COMMISSION EXPIRES APRIL 14, 1954

shrubs or trimming the branches thereof made necessary for the moving of such building or any other purpose shall be done by the Superintendent of Parks, or under his supervision, at the expense of the applicant. Should such moving or replanting cause the death of such trees or shrubs, the applicant shall replace same at his expense. Before such permit is granted, the applicant shall deposit at least \$10.00 per tree and as much more as the Superintendent may deem necessary to cover the actual expense of removing and replanting, if necessary, to be retained until said tree or its successor is permanently established.

Section 8. No building material or any other material of any description shall be piled up against any street tree unless said tree is first sufficiently protected by a proper guard to prevent possible injury, and all instructions issued for that purpose by the Superintendent of Parks must be promptly complied with by the owner or constructor.

Section 9. No person shall remove, destroy, cut, deface, trim, or in any way injure or interfere with any tree or shrub on any of the avenues, streets or public grounds, including parks and parkways of the City of Las Vegas, without a permit from the Superintendent of Parks.

Section 10. No person shall hitch or fasten any horse or any other animal to any tree or shrub in any avenue, street or public grounds, including parks and parkways, of the City of Las Vegas, nor shall any person suffer or permit any horse or animal to stand or be near enough to such tree or shrub to bite, rub against, or in any manner injure or deface the same.

Section 11. The Superintendent of Parks shall have power to destroy trees in streets and parkways of infected by disease or infested by injurious insects when such destruction is necessary to the protection of other trees.

Section 12. No person shall place or let be placed any wire conduit or other thing that burns, cuts or chafes any part of any trees, whether trunk, root or branch, in any street or parkway. In case the owner or the person shall fail after three days' written notice to take adequate steps to prevent further injury, the Superintendent of Parks shall have power to remove the same.

Section 13. No paving of any description shall be laid or maintained by anyone between sidewalk and curb which will cut off the air and water from any tree. A space of not less than fifty (50) square feet must be left open for each tree, which space may be covered with suitable satisfactory iron grate upon a permit of the Superintendent to whom the plan for such grate must be first submitted.

Section 14. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor.

Section 15. This ordinance shall be in full force and effect upon its publication as in the next section provided.

Section 16. The City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas shall cause this ordinance to be published once a week for two successive weeks immediately following its final reading and adoption, in the Las Vegas Review-Journal, a daily newspaper published in the City of Las Vegas.

The above and foregoing Ordinance was first proposed and read by title to the Board of Commissioners on the 22nd day of March, 1950, and referred to the following committee composed of Commissioners Moore and Whipple, for recommendation; thereafter the said committee reported favorably on said ordinance on the 22nd day of May, 1950, which was the regular meeting of said Board of Commissioners; that at said regular meeting held on the 22nd day of May, 1950, the proposed Ordinance was read in full to the Board of City Commissioners as first introduced and adopted by the following vote:

Voting "Aye": Commissioners Bunker, Moore, Peccole, Whipple and His Honor E. W. Cragin.

Voting "Nay": None.

Absent: None.

APPROVED:

E. W. CRAGIN, Mayor

ATTEST:
SHIRLEY BALLINGER, City Clerk.
m28; j4