

CITY OF ADAMS OAK WILT PREVENTION PERMIT

This permit is issued for (check one): Cutting, trimming or pruning of Oaks between April 1st and August 31st.
 Transport of wood known to be infected with oak wilt.

Name and address of permittee:

Is permittee the property owner (Yes or No)? If "No", owner must sign below.

Location of property where oak trees are located: _____

Reason for activity: _____

Dates during which this permit is in effect: _____

Description and map of the specific trees to be cut, trimmed or pruned or the destination and method of destruction of all infected wood being transported through the City of Adams:

1. All wounds made in any living oak tree as a result of the above-described cutting, trimming or pruning and any stump left after cutting of oaks, shall be immediately covered with tree wound dressing.
2. If any trees on the above-described property, or any neighboring property, become infected with oak wilt as result of the cutting, trimming or pruning activities described, the property owner shall be liable for abatement actions necessary to control the spread of the oak wilt, as required under respective Oak Wilt Ordinances. The owner and permittee may also be liable to neighboring property owners for damages occurring as a result of the oak wilt infection, as allowed under Wisconsin Statutes.
3. Any person doing any cutting, trimming or pruning of oaks or transporting of oak wilt infected wood shall have a copy of this permit with him/her at all times and shall provide the permit for inspection upon demand of the City Forester or any official empowered to enforce the Oak Wilt Ordinance.
4. Any permittee who obtains a permit for transport of oak wilt infected wood must provide to the City Forester, upon demand, proof of the manner in which the wood was destroyed, or be subject to penalties under City Ordinance.

Signature of permittee: _____ Date: _____

Signature of property Owner: _____ Date: _____

Signature of City Forester: _____ Date: _____

There will be a follow-up inspection of the property by the City Forester

Trees and Shrub

6-4-13

Sec. 6-4-13 Control of Oak Wilt

- (a) **Definitions.** "Oak Wilt Fungus" a/k/a *Ceratocystis Fagacearum* is a disease of oak trees carried by way of grafted root stems between infected and healthy trees or by insects carrying spores. "Agent of the City", as used herein, shall mean the City Forester and his authorized representative, or other persons(s) as authorized by the Common Council of the City of Adams.
- (b) **Prohibitions of Trimming, Cutting or Pruning Oak Trees from April 1 to August 31 of each year.** No person shall trim; cut or prune any oak trees in the City of Adams between April 1 to August 31 of each year without obtaining a written permit from the City of Adams Forester, except a person may girdle and/or trench an infected tree to prevent the spread of the disease.
- © **Abatement of Nuisances.** Trees within the City of Adams infected by oak wilt fungus are hereby declared to be a public nuisance. The abatement of such nuisance, as provided for in Section 6-4-5 of the CODE OF ORDINANCES OF THE CITY OF ADAMS, WISCONSIN, IS HEREBY AUTHORIZED. Such abatement is not intended to be an exclusive remedy. Persons violating the provisions of this Section of the CODE OF ORDINANCES OF THE CITY OF ADAMS, WISCONSIN may also be subject to prosecution as provided in this Section.
- (d) **Prohibition of Transporting Any Infected Oak Wood or Bark Into or Through the City of Adams.** No person shall transport any oak wood or bark infected with oak wilt fungus into or through the City of Adams for one (1) year following cutting of said wood, except a person may transport infected wood upon permit issued under this Ordinance for transportation of such wood by the City Forester.
- (e) **Handling of Infected Oak Wood or Bark.** Any infected tree that has cut or damaged must be cut for firewood length or pulpwood length and piled. Further, the infected wood shall be completely enclosed the plastic traps of stored indoors in a closed building, either method being for at least one (1) year following cutting.

(Amendment of Section 6-4-13 created by Council on November 20, 1995 by Ordinance No. 21-95) Amendment of Subsection 6-4-13(a), 6-4-13(b), 6-4-13(d), 6-4-13(e) rescinded and recreated by Council on October 7, 1996 by Ordinance No. 25-96

- (f) **Permit Procedure.** Any person seeking a permit from the City Forester to trim, cut or prune any oak tree in the City of Adams (or transport infected wood) between April 1 to August 31 shall be required to have a written statement from the City Forester stating that the oak trees proposed to be trimmed, cut or pruned are not infected with the oak wilt fungus or in the proximity of any which would promote the spread of the disease. The written statement must be dated within fifteen (15) days following the application to the City Forester.
- (g) **Permit Issuance.** Upon application for a permit with proper written statement form the City Forester, the City Forester may issue a permit to trim, cut or prune and/or transport wood of the specified oak trees names in the application. The permit shall allow trimming, cutting, pruning or transporting within twenty (20) days of issuance of the permit. Any person cutting, trimming, pruning or transporting oak trees(s) as authorized by permit under this Ordinance shall promptly seal the wound with tree wound dressing including the stump.
- (h) **Enforcement by Citation Procedure.** This ordinance may be enforced by means of the citation procedure set forth in the City of Adams Ordinances. Any designated City enforcement officer may issue citations.
- (i) **Severability.** If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.
- (j) **Penalty.** Any person who shall violate any provision of this Section shall be subject to penalty as set forth in Section 1-1-7 of the CODE OF ORDINANCES OF THE CITY OF ADAMS, WISCONSIN.

(Amendment of Section 6-4-13 hereby created by Council on November 20, 1995 by Ordinance No. 21-95) (Amendment of Subsection 6-4-13(f) and 6-4-13(g) rescinded and recreated by Council on October 7, 1996 by Ordinance No. 25-96)