



ORDINANCE 2026-14

AN ORDINANCE REPEALING AND RECREATING CHAPTER 255 (TREES)

Purpose: The purpose of this ordinance is to update the current Tree ordinance to remove the Village from becoming involved in private matters involving the maintenance and/or of trees, as well as remove sections from the current code which are no longer applicable to the Village's current operations.

The Village Board of the Village of Hobart, Brown County, Wisconsin, does ordain as follows:

Section 1: Chapter 255 (Trees) is hereby repealed and recreated to read as follows:

§ 255-1. Purpose, intent and applicability.

A. It is hereby declared to be the policy of the Village of Hobart to regulate trees on all public land located on and within the boundaries of the Village in order to promote the public health, safety and welfare, prevent the spread of fire, prevent the spread of tree diseases, enhance aesthetics and scenic viewsheds, balance the need for road safety while preserving the Village's rustic roads and maintaining trees planted close to the road, reduce the potential for trees becoming public nuisances and hazards, protect trees from loss during construction, encourage use of trees to conserve energy, and to encourage and maintain an optimal level of age and species diversity.

§ 255-2. Disclaimer of liability.

Nothing contained in this chapter shall be deemed to impose any liability upon the Village, its officers or employees, nor to relieve the owner of any private property from the duty to keep any tree, shrub, or plant upon any road tree area abutting their property or under their control in such condition as to prevent it from constituting a hazard or an impediment to travel or vision upon any road, park, boulevard, alley, or public place within the Village.

§ 255-3. Definitions.

Whenever the following words or terms are used in this chapter, they shall be construed to have the following meanings:

PARK TREES

Trees, shrubs, bushes, and all other woody vegetation in public parks having individual names, and all areas owned by the Village, or to which the public has free access as a park.

PERSON

Any person, firm, association or corporation.

PRIVATE TREES

Any trees located or to be planted in or upon private premises.

PUBLIC RIGHT-OF-WAY

That part of every street between the lot line and the road.

PUBLIC TREES

Any trees located or to be planted in or upon any public property.

ROAD TREES

Road trees are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all roads, avenues, or ways within the Village.

TREE TOPPING

Generally, the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree as to remove the normal canopy and disfigure the tree. This creates hazard trees.

VILLAGE

The Village of Hobart, Wisconsin.

§ 255-4. Injury to trees prohibited on public property.

No person, upon public property, shall:

- A. Injure, destroy, damage, mutilate, deface or commit any act which will prevent the growth or cause the death of any tree.
- B. Secure, attach, fasten, nail or run through any rope, cable, wire, sign or fixture to, around or through any tree.
- C. Deposit, place or permit the deposit of any toxic or hazardous substance on or about any tree.
- D. Excavate or disturb the ground within the dripline of any tree without a permit.
- E. Perform any work within the dripline of any tree without taking measures as directed by the Village Forester to protect the tree from injury and damage, up to and including tunneling.
- F. Remove any guard, stake or other protective device or close or obstruct any open space about the base of a tree designed to permit access of air, water or fertilizer.
- G. Perform any act of tree topping any road tree or other tree on public property. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this chapter at the determination of the Director of Public Works.
- H. Perform any other act contrary to this chapter.

§ 255-5. Transport of Diseased or Infected Trees.

It shall be unlawful for any person to carry or transport into the Village any trees, logs, or branches known to be affected by any communicable disease or insect which may affect trees. Any such material brought into the Village shall be disposed of by the parties responsible for bringing the diseased or infected trees, logs, or branches into the Village in the manner and in a location designated by the Director of Public Works.

§ 255-6. Interference with Village.

It shall be unlawful for any person to prevent, delay, or interfere with the Village, or any of its agents, while engaging in and about the planting, cultivating, mulching, pruning, or removing of any road trees, park trees, or trees on private grounds, as authorized by this chapter.

§ 255-7. Violations and penalties.

Any person who by himself/herself or by his/her agent or employee, shall violate any of the provisions of this chapter, shall, upon conviction, be subject to the penalties provided in § 1-3. A separate offense shall be deemed to have been committed on every day on which a violation occurs or continues.

Section 2: Any Ordinance or parts thereof, inconsistent herewith are hereby repealed.

Section 3. This Ordinance shall be effective from and after its passage by the Village Board and publication as required by law.

Passed and approved on this 4th day of August, 2026.



Richard Heidel, Village President

Attest:



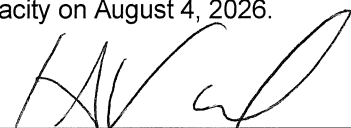
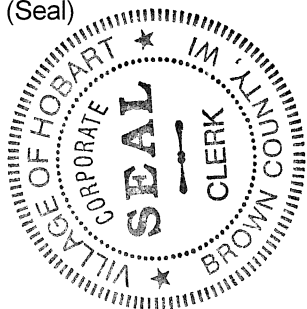
Aaron Kramer, Village Administrator

CERTIFICATION

The undersigned, being the duly appointed Clerk of the Board of the Village of Hobart, certifies that the aforementioned is the original ordinance adopted by the Village Board.

IN WITNESS WHEREOF, I have executed this Certificate in my official capacity on August 4, 2026.

(Seal)



Lisa Vanden Heuvel, Village Clerk