

Legislative Summary

Ordinance 25-39

**AMENDING TITLE SEVEN ENTITLED “PUBLIC PROPERTY AND UTILITIES”,
CHAPTER TWO ENTITLED “TREE PRESERVATION”
OF THE VILLAGE OF MORTON GROVE MUNICIPAL CODE**

Introduction:	December 9, 2025
Purpose:	To approve an amendment to Sections 7-2-1, 7-2-4, 7-2-11, and creation of a new Section 7-2-14, to modify and establish regulations relating to tree preservation and protection.
Background:	<p>The Village of Morton Grove recognizes the services and functions that trees provide as a collective asset to the Morton Grove community. In March 2025, the Village was awarded a grant from the Chicago Region Trees Initiative at the Morton Arboretum to assist with street tree plantings throughout the community. In accepting the grant, the Village agreed to revise the Village's tree Preservation Code to meet the organization's requirements. The proposed text amendments are procedural in nature, have been approved by the Morton Arboretum, and serve to further strengthen the Village's ordinance.</p> <p>At the request of Staff, the Appearance Commission reviewed the proposed amendment at a regularly scheduled meeting on November 4, 2025, and voted unanimously (5-0) to recommend approval of the amendment as presented. If approved by the Village Board of Trustees, Village staff will provide notice of the new tree preservation and protection regulations by Village website updates and by mail (via the water bill) and will provide direct guidance as needed.</p>
Programs, Dept's, Groups Affected	Department of Community and Economic Development
Fiscal Impact:	N/A
Source of Funds:	N/A
Workload Impact:	The amendments will be implemented and supervised by staff as part of their normal work activities.
Administrative Recommendation:	Approval as presented
Second Reading:	January 13, 2025
Special Considerations or Requirements:	None

ORDINANCE 25-39

AMENDING TITLE SEVEN ENTITLED “PUBLIC PROPERTY AND UTILITIES”, CHAPTER TWO ENTITLED “TREE PRESERVATION” OF THE VILLAGE OF MORTON GROVE MUNICIPAL CODE

WHEREAS, the Village of Morton Grove (the Village), located in Cook County, Illinois, is a home rule unit of government under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, can exercise any power and perform any function pertaining to its government affairs, including but not limited to the power to tax and incur debt; and

WHEREAS, the Morton Grove Municipal Code (“Village Code”) establishes certain regulations relating to tree preservation on public property and tree protection during construction on public and private property; and

WHEREAS, the Village continuously reviews and, as it deems necessary, updates existing Municipal Codes to assure they are kept current and relevant; and

WHEREAS, the Village reviewed its tree preservation and protection regulations with assistance from the Morton Arboretum and has determined that minor amendments are needed to the regulations to codify best practices already undertaken by the Village on a regular basis;

WHEREAS, the Village recognizes the services and function that trees provide as a collective asset to the Morton Grove community and seeks to enhance regulations applying to trees on public and private property to better preserve and protect the urban forest as critical infrastructure; and

WHEREAS, pursuant to Section 12-10-2:E of the Village Code, the Appearance Review Commission is provided the authority to review and make recommendations to the Village Board of Trustees regarding amendments to Title 12, Chapter 11, entitled "Landscaping And Trees"; and

WHEREAS, the Village (“Applicant”), filed a complete Text Amendment Application to the Village’s Appearance Review Commission under Case AC 25-18 (“Application”) requesting approval of a Text Amendment to modify and establish regulations relating to tree preservation and protection; and

WHEREAS, Village staff recommends that the Text Amendment includes modifications to Title 7, Chapter 2, entitled “Tree Preservation,” to codify language regarding the value of trees as infrastructure, clarify contractor requirements, explicitly establish the authority of the director of public works over plantings on public property, clarify the location of the approved species list, and establish an appeal process for decisions made by the director of public works, which were made part of the Application; and

WHEREAS, the Morton Grove Appearance Commission held a public hearing relative to the above referenced case on November 18, 2025, and at said public hearing, all concerned parties were given the opportunity to be present and express their views for consideration by the Plan Commission; and

WHEREAS, as a result of said public hearing, the Appearance Commission considered all the evidence and testimony presented to it, discussed the merits of the Application, and made certain recommendations through a report dated December 2, 2025, a copy of which is attached hereto and made a part hereof and marked as “**Exhibit A**”; and

WHEREAS, the Corporate Authorities have considered this matter at a Public Meeting and find the Text Amendment, when evaluated in the context of the whole Village, serves the public good; and

WHEREAS, the Village is desirous of assuring all policies are kept current and relevant.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Ordinance, as though fully set forth herein, thereby making the findings as hereinabove set forth.

SECTION 2: Title 7, Chapter 2, Section 1, entitled “Construction,” is hereby amended as follows:

7-2-1: CONSTRUCTION

The Village recognizes the services and function that trees provide as a collective asset to the Morton Grove community and seeks to enhance regulations applying to trees on public and private property to better preserve and protect the urban forest as critical infrastructure. This chapter shall be liberally construed so trees on public places including public rights of way and parkways within the Village of Morton Grove are maintained and protected to the greatest extent possible. Nothing in this chapter shall be construed to supersede the laws and regulations of the state of Illinois regarding the protection of trees except, to the extent allowed by the Illinois constitution, where the regulations in this chapter are more restrictive than those in such state laws and regulations; the regulations in this chapter shall be controlling, except in those instances where state laws have been preempted by this chapter, enforcement of such state laws and this chapter shall be concurrent. The Director of Public Works shall have the authority to make decisions regarding matters of tree management and the enforcement of this chapter and will consult with a certified arborist. (Ord. 07-02, 2-12-2007)

SECTION 3: Title 7, Chapter 2, Section 4, entitled “Qualified Contractors,” is hereby amended as follows:

7-2-4: QUALIFIED CONTRACTORS

It shall be unlawful for any person other than an authorized Village of Morton Grove employee to plant, remove, trim, spray, or otherwise treat any tree on Village owned property including public rights of way and parkways unless such person is deemed qualified by the director of public works or his designee. Contractors authorized to perform tree work in the Village shall adhere to current business licensing requirements including meeting liability insurance and surety bond requirements. All contractors performing any work on publicly owned trees must ensure that a certified arborist is contributing to the performance of the work in some way, including but not limited to having a certified arborist perform the work itself, having an employee or employees perform the work under the supervision (direct or indirect) of a certified arborist, or engaging in consultation with a certified arborist about the work. (Ord. 07-02, 2-12-2007)

SECTION 4: Title 7, Chapter 2, Section 11, entitled “Tree Technical Manual,” is hereby amended as follows:

7-2-11: TREE TECHNICAL MANUAL

The director of public works, with the assistance and consultation of the natural resources commission, shall issue regulations for implementation of this chapter, which shall be known as the "Tree Technical Manual". The "Tree Technical Manual" will be made readily available to the public and shall include, but need not be limited to, standards and specifications regarding:

- A. Replacement of trees allowed to be removed pursuant to this chapter.
- B. Fees in lieu of the replacement of trees.
- C. Exemptions with respect to the replacement of trees.
- D. Testing criteria for determining whether a tree is a nuisance or dangerous within the meaning of this chapter.
- E. Qualifications for persons who are permitted to remove, trim, plant, spray or maintain trees on public property.
- F. Planting, removing, trimming, spraying, or otherwise treating or maintaining any tree on any Village owned property.
- G. Protection of trees during construction. (Ord. 07-02, 2-12-2007)
- H. An approved species list.

SECTION 5: A new Title 7, Chapter 2, Section 14, entitled “Appeal,” is hereby inserted as follows:

7-2-14: APPEAL

The property owner may appeal in writing to the Building Commissioner any decision made by the Director of Public Works under the provisions of this article within thirty (30) days of the decision rendered. If not satisfied with the decision made by the Building Commissioner, the property owner may appeal in writing to the Village Board of Trustees within thirty (30) days of the decision being rendered by the Building Commissioner.

SECTION 6: The terms and conditions of this ordinance shall be severable and if any section, term, provision, or condition is found to be invalid or unenforceable for any reason by a court of competent jurisdiction, the remaining sections, terms, provisions, and conditions shall remain in full force and effect.


SECTION 7: Except as to code amendments set forth in this ordinance, all chapters and sections of the Morton Grove Village Code shall remain in full force and effect.

SECTION 8: This ordinance shall be effective from and after its adoption, approval, and publication as provided by law.

PASSED this 13th day of January 2026.

Trustee Khan	<u>aye</u>
Trustee Minx	<u>aye</u>
Trustee Shiba	<u>absent</u>
Trustee Thill	<u>aye</u>
Trustee Travis	<u>aye</u>
Trustee White	<u>aye</u>

Attested by me this 13th day of January 2026.



 Janine Witko, Village President
 Village of Morton Grove
 Cook County, Illinois

Attested and Filed in my office this 14th day of January 2026.

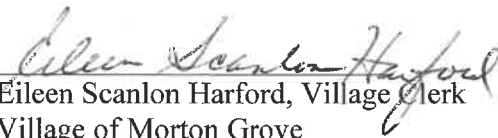

Eileen Scanlon Harford, Village Clerk
Village of Morton Grove
Cook County, Illinois

EXHIBIT A

Appearance Commission Report for AC 25-18

Dated December 2, 2025

To: Village President and Board of Trustees

**From: John Pietron, Appearance Commission Chairperson
Charles Meyer, Village Administrator
Teresa Hoffman Liston, Corporation Counsel
Brandon Nolin, AICP, Community Development Administrator**

Date: December 2, 2025

**Re: Appearance Commission Case AC 25-18
The Village's Department of Community and Economic Development requests approval of a Text Amendment to Municipal Code Sections 7-2-1, 7-2-4, 7-2-11, and creation of a new Section 7-2-14, to modify and establish regulations relating to tree preservation and protection.**

Executive Summary

The Village of Morton Grove ("applicant") is proposing amendments to Chapter 7-2 of the Municipal Code to make minor revisions to the Tree Ordinance (Ord. 24-28) to help preserve and protect the Village's tree canopy. Staff is seeking the Appearance Commission's review and recommendation of approval of the proposed amendment prior to consideration by the Village Board of Trustees.

The proposed text amendment was considered by the Appearance Commission at the regularly scheduled meeting on November 4, 2025 and recommended by a vote of 5-0 that the Village Board of Trustees should approve the application.

Application Overview

In March 2025, the Village was awarded a grant to assist with street tree plantings throughout the community from the Chicago Region Trees Initiative at the Morton Arboretum. In accepting the grant, the Village agreed to subject our Tree Ordinance to review by the Morton Arboretum and make needed revisions to meet the organization's requirements. While much of the Village's recent Tree Ordinance were aligned with the Morton Arboretum's goals and addressed desired components, some revisions were needed to meet grant requirements.

After receiving initial guidance from the Morton Arboretum, Village Staff submitted revisions to meet grant requirements. The five text changes to the Municipal Code summarized below are procedural in nature, have been approved by the Morton Arboretum, and serve to further strengthen the Village's ordinance.

7-2-1: CONSTRUCTION

- Includes an opening statement regarding the importance of trees based on existing language already contained in Chapter 12.
- Affirms that the Director of Public Works is the authority regarding matters of tree management.

7-2-4: QUALIFIED CONTRACTORS

- Strengthens language requiring the use of qualified contractors and a certified arborist.

7-2-11: TREE TECHNICAL MANUAL

- Affirms that the tree technical manual maintained by the Department of Public Works includes an approved species list.

7-2-14: APPEAL

- Establishes an appeal process for property owners regarding tree management and tree ordinance enforcement decisions made by the Director of Public Works.

Commission Review

Appearance Commission

On November 4, 2025, the Appearance Commission reviewed Case AC 25-18. At the conclusion of the discussion, the Appearance Commission voted unanimously (5-0) to recommend approval of the application.

Appearance Commission – November 4, 2025, Proceedings: Five members of the Appearance Commission were in attendance at the meeting for Case AC 25-18 held on November 4, 2025.

Brandon Nolin, Community Development Administrator, provided a brief introduction to the application. The staff report dated October 28, 2025, and attached hereto as “Attachment A,” was entered into the public record.

In the case of AC 25-18, the Village of Morton Grove (“applicant”) is proposing amendments to Chapter 7-2 to modify and establish regulations relating to tree preservation and protection. Staff is seeking the Appearance Commission’s review and recommendation of approval of the proposed amendment prior to consideration by the Village Board of Trustees.

In March 2025, the Village was awarded a grant to assist with street tree plantings throughout the community from the Chicago Region Trees Initiative at the Morton Arboretum. In accepting the grant, the Village agreed to subject our Tree Ordinance to review by the Morton Arboretum and make needed revisions to meet the organization’s requirements. While much of the Village’s recent Tree Ordinance were aligned with the Morton Arboretum’s goals and addressed desired components, some revisions were needed to meet grant requirements. The five text changes are procedural in nature, have been approved by the Morton Arboretum, and serve to further strengthen the Village’s ordinance

Commissioner Dahlberg moved to approve case AC 25-18, a request by the Department of Community and Economic Development for approval of a Text Amendment to Sections 7-2-1, 7-2-4, 7-2-11, and creation of a new Section 7-2-14, to modify and establish regulations relating to tree preservation and protection, as presented in the staff report for Case AC 25-18 dated October 28, 2025.

The motion was seconded by Commissioner Manno.

Commissioner Block voting aye

Commissioner Dahlberg voting aye

Commissioner Minx voting aye

Commissioner Manno voting aye

Commissioner Zimmer voting aye

Motion passed 5 -0.

Attachments

- **Attachment A** – Staff Report to the Appearance Commission for AC 25-18, prepared by Brandon Nolin, AICP, Community Development Administrator, dated October 28, 2025

Attached A

Staff Report to the Appearance Commission for AC 25-18

Prepared by Brandon Nolin, AICP, Community Development Administrator

Dated October 28, 2025

To: Chairperson Pietron and Members of the Appearance Commission

From: Brandon Nolin, AICP, Community Development Administrator
Anne Ryder Kirchner, Planner/Zoning Administrator

Date: October 28, 2025

Re: Appearance Commission Case AC 25-18
The Village's Department of Community and Economic Development requests approval of a Text Amendment to Municipal Code Sections 7-2-1, 7-2-4, 7-2-11, and creation of a new Section 7-2-14, to modify and establish regulations relating to tree preservation and protection.

STAFF REPORT

Introduction

The Village of Morton Grove ("applicant") is proposing amendments to Chapter 7-2 of the Municipal Code to make minor revisions to the Tree Ordinance (Ord. 24-28) to help preserve and protect the Village's tree canopy. Staff is seeking the Appearance Commission's review and recommendation of approval of the proposed amendment prior to consideration by the Village Board of Trustees. The proposed amendment has been provided in **Attachment A** with proposed additions in **red text** and deletions are **red strikethrough text**.

In March 2025, the Village was awarded a grant to assist with street tree plantings throughout the community from the Chicago Region Trees Initiative at the Morton Arboretum. In accepting the grant, the Village agreed to subject our Tree Ordinance to review by the Morton Arboretum and make needed revisions to meet the organization's requirements. While much of the Village's recent Tree Ordinance were aligned with the Morton Arboretum's goals and addressed desired components, some revisions were needed to meet grant requirements.

After receiving initial guidance from the Morton Arboretum, Village Staff submitted revisions to meet grant requirements. The five text changes to the Municipal Code summarized below are procedural in nature, have been approved by the Morton Arboretum, and serve to further strengthen the Village's ordinance.

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- Affirms that the Director of Public Works is the authority regarding matters of tree management.

7-2-4: QUALIFIED CONTRACTORS

- Strengthens language requiring the use of qualified contractors and a certified arborist.

7-2-11: TREE TECHNICAL MANUAL

- Affirms that the tree technical manual maintained by the Department of Public Works includes an approved species list.

7-2-14: APPEAL

- Establishes an appeal process for property owners regarding tree management and tree ordinance enforcement decisions made by the Director of Public Works.

Recommendation

If the Appearance Commission makes a motion to approve Case AC 25-18, staff recommends the following motion:

Motion to approve Case AC 25-18, a request by the Department of Community and Economic Development for approval of a Text Amendment to Sections 7-2-1, 7-2-4, 7-2-11, and creation of a new Section 7-2-14, to modify and establish regulations relating to tree preservation and protection, as presented in the staff report for Case AC 25-18 dated October 28, 2025.

[or as modified by recommendation of the Appearance Commission]

Attached A

Revised Draft Tree Ordinance

ORDINANCE 25-XX

APPROVING A TEXT AMENDMENT TO MODIFY AND ESTABLISH REGULATIONS RELATING TO TREE PRESERVATION AND PROTECTION

WHEREAS, the Village of Morton Grove (the Village), located in Cook County, Illinois, is a home rule unit of government under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, can exercise any power and perform any function pertaining to its government affairs, including but not limited to the power to tax and incur debt; and

WHEREAS, the Morton Grove Municipal Code (“Village Code”) establishes certain regulations relating to tree preservation on public property and tree protection during construction on public and private property; and

WHEREAS, the Village continuously reviews and, as it deems necessary, updates existing Municipal Codes to assure they are kept current and relevant; and

WHEREAS, the Village reviewed its tree preservation and protection regulations with assistance from the Morton Arboretum and has determined that minor amendments are needed to the regulations to codify best practices already undertaken by the Village on a regular basis;

WHEREAS, the Village recognizes the services and function that trees provide as a collective asset to the Morton Grove community and seeks to enhance regulations applying to trees on public and private property to better preserve and protect the urban forest as critical infrastructure; and

WHEREAS, pursuant to Section 12-10-2:E of the Village Code, the Appearance Review Commission is provided the authority to review and make recommendations to the Village Board of Trustees regarding amendments to Title 12, Chapter 11, entitled "Landscaping And Trees"; and

WHEREAS, the Village (“Applicant”), filed a complete Text Amendment Application to the Village’s Appearance Review Commission under Case AC 25-18 (“Application”) requesting approval of a Text Amendment to modify and establish regulations relating to tree preservation and protection; and

WHEREAS, Village staff recommends that the Text Amendment includes modifications to Title 7, Chapter 2, entitled “Tree Preservation,” to codify language regarding the value of trees as infrastructure, clarify contractor requirements, explicitly establish the authority of the director of public works over plantings on public property, clarify the location of the approved species list, and establish an appeal process for decisions made by the director of public works, which were made part of the Application; and

WHEREAS, the Morton Grove Appearance Commission held a public hearing relative to the above referenced case on November 18, 2025, and at said public hearing, all concerned parties were given the opportunity to be present and express their views for consideration by the Plan Commission; and

WHEREAS, as a result of said public hearing, the Appearance Commission considered all the evidence and testimony presented to it, discussed the merits of the Application, and made certain recommendations through a report dated _____, 2025, a copy of which is attached hereto and made a part hereof and marked as “**Exhibit A**”; and

WHEREAS, the Corporate Authorities have considered this matter at a Public Meeting and find the Text Amendment, when evaluated in the context of the whole Village, serves the public good; and

WHEREAS, the Village is desirous of assuring all policies are kept current and relevant.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Ordinance, as though fully set forth herein, thereby making the findings as hereinabove set forth.

SECTION 2: Title 7, Chapter 2, Section 1, entitled “Construction,” is hereby amended as follows:

7-2-1: CONSTRUCTION

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SECTION 3: Title 7, Chapter 2, Section 4, entitled “Qualified Contractors,” is hereby amended as follows:

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SECTION 4: Title 7, Chapter 2, Section 11, entitled “Tree Technical Manual,” is hereby amended as follows:

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- A. Replacement of trees allowed to be removed pursuant to this chapter.
- B. Fees in lieu of the replacement of trees.
- C. Exemptions with respect to the replacement of trees.
- D. Testing criteria for determining whether a tree is a nuisance or dangerous within the meaning of this chapter.
- E. Qualifications for persons who are permitted to remove, trim, plant, spray or maintain trees on public property.
- F. Planting, removing, trimming, spraying, or otherwise treating or maintaining any tree on any Village owned property.
- G. Protection of trees during construction. (Ord. 07-02, 2-12-2007)
- H. An approved species list.

SECTION 5: A new Title 7, Chapter 2, Section 14, entitled “Appeal,” is hereby inserted as follows:

7-2-14: APPEAL

The property owner may appeal in writing to the building commissioner any decision made by the director of public works under the provisions of this article within thirty (30) days of the decision rendered. If not satisfied with the decision made by the building commissioner, the property owner may appeal in writing to the Village Board of Trustees within thirty (30) days of the decision being rendered by the building commissioner.

SECTION 6: The terms and conditions of this ordinance shall be severable and if any section, term, provision, or condition is found to be invalid or unenforceable for any reason by a court of competent jurisdiction, the remaining sections, terms, provisions, and conditions shall remain in full force and effect.

SECTION 7: Except as to code amendments set forth in this ordinance, all chapters and sections of the Morton Grove Village Code shall remain in full force and effect.

SECTION 8: This ordinance shall be effective from and after its adoption, approval, and publication as provided by law.

PASSED this ____ day of _____ 2025.

Trustee Khan _____
Trustee Minx _____
Trustee Shiba _____
Trustee Thill _____
Trustee Travis _____
Trustee White _____

ATTESTED by me this ____ day of _____ 2025.

Janine Witko, Village President
Village of Morton Grove
Cook County, Illinois

ATTESTED and FILED in my office this _____ day of _____ 2025.

Eileen Scanlon-Harford, Village Clerk
Village of Morton Grove
Cook County, Illinois

EXHIBIT A

Appearance Commission Report for **NC 25-XX**

Dated _____

