

## CHAPTER 125: Article 7. Tree Preservation, Mitigation, and Maintenance

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### Sec. 7.9 Tree Maintenance Standards

- 7.9.1 Maintenance of trees within the rights-of-way.** The owner(s) of any lot with frontage along a public street, including a property owners association, shall maintain the street trees and other landscaping growing along the frontage or in the street right-of-way adjacent to the lot, including in any park or parking strip between the property line and the street line.
- 7.9.2 Tree Topping.** Topping (also referred to as heading, stubbing, rounding or dehorning) of any Street Tree, Park Tree, or other tree on public property is prohibited. Topping involves the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. The City Manager, upon the recommendation of the City Arborist, may specifically authorize in writing topping of a specific tree, based on clear evidence of extraordinary circumstances that justify topping. Extraordinary circumstances may include but not be limited to, trees severely damaged by storms or other causes, or trees under utility wires or other obstructions where other pruning practices are impractical.
- 7.9.3 Pruning, Corner Clearance.** The owner(s) of any tree overhanging any street or right-of-way within the City shall prune the branches so that such branches shall not obstruct the light from any street light or obstruct the view of any street sign or intersection, and so that there shall be a clear space of fifteen (15) feet above the surface of the street and ~~or~~ eight (8) feet above the surface of the sidewalk. Pruning includes crown cleaning, thinning, raising, reduction, and restoration. The pruning of trees must comply with tree trimming guidelines in the American National Standard for Tree Care Operations: Tree Shrub and Other Woody Plant Maintenance Standard Practices, or National Arborist Association's "Standards for Pruning of Shade Trees." Said owners shall also remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public.
- 7.9.4 Owner Responsibility.** If the property owner fails to prune trees to provide clearances stated, the City Arborist is authorized to notify the owners of such trees in writing of their responsibility. Pruning shall be done by said owners at their own expense within ten days after the date of service of notice. In the event of failure of owners to comply with such provisions, the City shall have the authority to prune such trees and charge the cost of removal to the owners.

**7.9.5 *Removal of Dead or Diseased Trees on Private Property.*** A Tree Disposition Permit is required to remove a Protected Tree. The City shall have the right to cause the removal of any dead or diseased trees on private property within the city, when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the city. The City shall notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within thirty (30) days after the date of service of notice. In the event of failure of owners to comply with such provisions, the City shall have the authority to remove such trees and charge the cost of removal to the owners.

**7.9.6 *Emergency Removal Provision.*** If the City Arborist determines that a tree poses an imminent threat, the City may secure the surrounding area and/or remove the hazardous tree.

**7.9.7 *Removal of Stumps.*** Street and park trees that are removed shall have their stumps ground to grade level or removed.

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