

Section 825 – Trees and Landscaping in Streets and Public Grounds

825.01. Permit required. No person may plant a tree within the limits of any parkway or street in the city without having first obtained a permit from the manager.

825.03. Permit application. A person wishing to plant one or more trees shall apply to the manager for a permit, stating the variety and precise location proposed for each tree. After the receipt of such an application, the city manager shall investigate the locality where the 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.

825.05. Approved trees and spacing along streets and boulevards. Only the following deciduous trees and varieties thereof shall be planted as street or boulevard trees: Norway maple, ginko, hackberry, honey locust, linden, autumn blaze maple, sugar maple, oak, walnut, disease-resistant Elm and Japanese Lilac. They shall be spaced when planted in accordance with regulations to be established by the city manager from time to time pursuant to accepted forestry recommendations and practices pertaining to the several tree species permitted. (Amended Ord. No. 96-782; Ord. No. 2012-1058)

825.07. Location requirements. No permit for planting of trees shall be given where the clear space between the curb and sidewalk is less than three feet, where overhead utilities may be impacted or where lines of sight are obstructed to create a potential public safety issue. 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 65 cubic feet and to replace the material removed with suitable good loam.

825.09. Trees removed. 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 under the supervision of an experienced tree trimmer acceptable to the manager. If moving or replanting causes the death of the trees or shrubs, the applicant shall replace the trees at his expense.

825.11. Building materials in street. No building material or any other material of any description shall be piled up against any street tree unless the tree is first sufficiently protected by a proper guard to prevent possible injury, and in conformance with all instructions issued for that purpose by the manager.

825.13. Damaging trees forbidden. 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 without a permit from the manager.

825.15. Park and playground planting. Healthy trees in addition to those set forth in subsection 830.05 may be planted in public parks and playgrounds after permit therefor is authorized and issued by the manager. (Amended Ord. #96-782)

825.17. Thinning and infested trees. The manager may remove or destroy trees in streets and parkways for the purpose of thinning out such trees and procuring their proper spacing or to remove trees of a species prohibited by this section, or if infected by disease or infested by injurious insects when such destruction is necessary to the protection of other trees.

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

825.21. Paving. 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 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 manager to whom the plan for the grate must be first submitted. (Ord. No. 2012-1058)