

**Legislative Version:**

13-13-10: LANDSCAPE MAINTENANCE:

A. Intent: The developer, **his the developer's** successor, and/or subsequent owners of a site for which landscape plans were required shall be responsible for the maintenance, repair, and replacement of all landscaping elements. Park strips shall be maintained by the owner of property abutting city easements, rights of way and park strips.

B. Irrigation Systems: Irrigation systems shall be maintained in good working condition and adjusted to ensure optimal operation and efficient water use.

C. Malfunctioning systems that are no longer conveying water as specified shall be repaired or replaced.

D. Landscaping: All landscape plants shall be maintained in good condition to present a healthy, neat, and orderly appearance. Plants not in this condition shall be removed and replaced when necessary.

E. Trees: Tree maintenance and pruning on private property shall be the responsibility of the property owner or tenant.

1. For any tree in a park strip or within the landscape setback area where there is no park strip, property owners or tenants are not permitted to remove or conduct major pruning (twenty percent (20%) or more of the crown), without prior approval from the city's urban forester. As a condition of such approval, the permittee may be required to replace the tree.

2. Protect trees against damage caused by maintenance equipment, such as lawn/sod/turf mowers, weed trimmers, snowblowers and snowplows.

F. Grounds Maintenance: Landscaped areas shall be kept free of refuse and debris.

G. Clearance and Visibility. Any portion of a tree that is in the park strip public right of way or that overhangs the public right of way from private property may be removed up to the property line at any time without notice by the City. However, the requirements below are minimums that shall be maintained.

1. Trees adjacent to pedestrian walkways shall have a minimum canopy clearance of eight feet (8') above grade.

2. Tree canopies that extend over streets shall be pruned to provide canopy clearance of at least **fifteen feet (15')** **fourteen feet (14')** above street pavement in travel lanes and parking lanes.

3. Plants in the intersection sight triangle shall be pruned to maintain maximum heights specified in this standard. (Ord. 21-10, 6-9-2021)

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37 13-18-10: INJURING TREES:

38 A. It shall be unlawful to injure or destroy a tree on any City tree planting strip, public park,  
39 or other public property, including but not limited to the following:

40 1. Constructing a concrete, asphalt, brick or gravel sidewalk or otherwise covering or filling  
41 up the ground area without irrigation and aeration around any tree so as to restrict oxygen, light,  
42 or water from tree roots without written consent from the Urban Forester;

43 2. Piling or storing building material, equipment, or other substance around any tree so as to  
44 cause injury;

45 3. Applying any injurious matter on or around any tree, or on the ground around it, or on  
46 any adjacent lawn or sidewalk;

47 4. Posting a sign on any tree, tree-stake or guard, or by fastening a guy wire, cable or rope  
48 to a tree, tree-stake, guard or nails;

49 5. Injuring a tree, tree-stake, or guard with a vehicle or animal, or in any other manner  
50 which causes injury or death to a tree or lawn on public property; and

51 6. Hanging a swing, hammock, slack lines or other similar object on a City owned tree.

52 B. Tree stakes or guards may be placed around a public tree by an adjacent property owner,  
53 with permission of the Urban Forester, provided the same are placed near a tree for the purpose  
54 of protecting or training the tree.

55 C. A tree located on City property in the immediate vicinity of an excavation, demolition, or  
56 construction of a building, structure, street, or utility work shall be protected from unnecessary  
57 injury. Tree protection specifications and standards shall be obtained from the Urban Forester  
58 and strictly adhered to. Any potential injury or damage shall be guarded against with a tree  
59 protection zone as provided in the City arboricultural standards and specifications. Tree  
60 protection shall be coordinated with the Urban Forester, throughout the project, in order to  
61 mitigate damage to the tree and danger to the public. During the construction phase, the  
62 contractor shall ensure regular and adequate irrigation of each public tree as provided in the  
63 arboricultural standards and specifications. Such irrigation shall be documented.

64 D. Any person who destroys or injures a tree belonging to the City may be required to pay to  
65 the City the appraised value replacement, or repair cost associated with such action as provided  
66 by the ISA and the Council of Tree and Landscape Appraisers.

67 E. It shall be unlawful to top any public tree without the authorization by the Urban Forester.  
68 All pruning procedures shall follow the most recent revisions of ANSI A300 pruning standards,  
69 as amended. Trees under utility wires or other obstructions where standard pruning practices are  
70 impracticable may be exempted from this section with prior approval of the Urban Forester.

71 1. Every owner of any tree overhanging any street or right-of-way within the City shall  
72 prune the branches so that such branches do not obstruct the access or use of road by emergency

73 vehicles, light from any street lamp, the view of any street intersection, or the ability of  
74 pedestrians to use the sidewalk.

75 2. There shall be a clear space of ~~fifteen feet (15')~~ fourteen feet (14') above the street surface  
76 and eight feet (8') above the sidewalk surface.

77 3. Said owners shall remove any dead or dangerous tree, or broken or decayed limbs that  
78 constitute a hazard to the safety of the public.

79 4. The City shall have the authority to prune any tree or shrub on private property when it  
80 interferes with pedestrian use of a sidewalk, vehicle use of a public street, visibility of any traffic  
81 control device or sign, or sight triangle at an intersection, or City owned streetlights. The  
82 property owner may be charged with the equipment, vehicle, and crew cost accrued in the  
83 pruning or removal of such tree. (Ord. 18-05, 1-24-2018)

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**Clean Version:**

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