

PUBLIC TREE POLICY

This policy provides guidelines established by the Public Tree Advisory Board for the planting of new public trees, the protection of existing trees, and to establish procedures and practices to enable tree companies, city services, and others to perform all duties related to trees on City owned property.

Additionally, this policy defines jurisdiction and treatment, for the planting or removal of trees, pruning of existing trees, and treatment of trees, which overhang or intrude into City owned land.

This policy provides guidelines for implementation of Chapter 6, Public Tree Ordinance of the City Code. This ordinance establishes the Public Tree Advisory Board and provides their authority in the planting, maintenance and removal of public trees.

DEFINITIONS

Caliper: Diameter measurement of the tree trunk taken six (6) inches above ground level for trees up to and including four inch caliper size. Measurement shall be taken at Diameter Breast Height for trees measuring more than 4" at 6" above ground.

City Owned Land: Those lands as depicted on the City maps, inclusive of deed and additionally shown on the City of Harrisonburg Map to include all City street right-of-ways and School Board owned property.

City Street Right –of- Way: Land measured from the centerline of the street to the property line on either side of said centerline.

Diameter breast height: (DBH) The diameter of a tree four and one-half feet above the average ground level.

Drip Line: A vertical line running through the outermost portions of the tree crown extending to the ground.

Impervious Cover: Buildings, structures and other paved, compacted gravel or compacted areas which by their dense nature do not allow the passage of sufficient oxygen and moisture to support and sustain healthy root growth.

Paved Areas: Any ground surface covered with concrete, asphalt, stone, compacted gravel, brick or other paving material.

Property Line: The right-of-way line of a street or highway or as shown by deed for other lands.

Public Trees: All trees now or hereafter whose trunk is fully or partially growing on City Owned Land.

Root Protection Zone: Generally, 18-24 inches deep and a distance from the trunk of a tree equal to its drip line or one-half its height, whichever is greater.

Specimen Trees: Those trees with significant aesthetic impact, historical value, age or other unusual qualities that deserve recognition and preservation.

Street or Highway: The entire width of every public way or right-of-way when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular and pedestrian traffic.

Topping or Dehorning: Defined as 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.

RESPONSIBILITIES OF THE CITY OF HARRISONBURG

On City-owned lands, the City of Harrisonburg shall have the right to:

A:

1. Plant, prune, maintain and remove trees, plants, shrubs and brush to protect and insure the Public Safety.
2. Preserve and enhance the beauty of the City Owned Lands.
3. Correct unsafe conditions caused by any tree, shrub or brush which by reason of its nature is injurious to sewer lines, electric lines, gas lines, water lines, line of sight or other public improvements.
4. Treat public trees affected with any injurious fungus, insect or other pest/disease.
5. Insure the safe passage of pedestrians.
6. Clear tree limbs, shrubs or brush overhanging the City owned land (see Responsibility of Property Owners, etc.) and causing a potential safety hazard.
7. Clear protruding brush and low hanging limbs which are in the area between the ditch lines or back of curb.
8. Clear all debris resulting from storms or other events on right of way or city property.
9. Increase effectiveness and survivability of tree plantings and maintenance by assuring the appropriate and healthy tree species are selected for the planting site, and by removing unhealthy or inappropriate trees, shrubs or brush from the site.
10. Protect public specimen trees as defined.
11. Protect public flowering shrubs or other desirable vegetation.

B: The City shall notify the adjoining property owners before making any scheduled trimming or removal which may affect the appearance or function of the private property. In addition, the City shall perform all trimming operations in accordance with ISA (International Society of Arboriculture) standards. This notification is not required in the case of an emergency.

C: The City shall offer the property owners an appropriate replacement tree (6' tall and 2" caliper maximum), for a tree removed from the City Right-Of-Way adjacent to the landowners' property.

The property owners will be responsible for the planting, care, and maintenance of the tree.

The city will assist the property owner in selecting a planting area on landowner's property, to eliminate the possibility of tree being a safety hazard in the future.

The City will also provide written information on proper planting, care and maintenance of the replacement.

RESPONSIBILITIES OF PROPERTY OWNERS/DEVELOPERS

With the exception of the central business district, it shall be the duty of any person owning or occupying real property bordering on any street right-of-way to prune, maintain or remove any trees, vegetation or weeds within such right-of-way in a manner to ensure that they will not: cause potential hazard to public safety, obstruct or shade traffic signals, obstruct the passage of pedestrians on sidewalks, obstruct vision or traffic signs, or obstruct view of any street or alley intersection. The minimum clearance of any overhanging portion thereof shall be nine (9) feet over sidewalks, and sixteen (16) feet over all streets. Prior to commencing such work, property owners are required to obtain a permit as specified in this chapter.

Should any person owning real property bordering on any street right-of-way fail to prune, maintain or remove trees, vegetation or weeds as provided above, the department of public works, with the advice of the superintendent of parks shall order such person to so prune, maintain or remove such trees, vegetation or weeds within five (5) days after receipt of written notice. Such notice shall be mailed by certified mail, return receipt requested, to the last known address of the property owner. When a person to whom an order is directed shall fail to comply within the specified time, the City may do the work or cause the work to be done, and the cost thereof, shall be charged to the owner of the lot and if not paid, shall be added to and collected with his real estate tax for the current year.

Permits must be requested and obtained from the Advisory Board prior to planting trees on the City right-of-ways. This forestalls the practice of planting large trees which obstruct the view and grow into overhead power lines or underground utilities.

Pruning of public trees is permitted after receiving administrative approvals from the City. The application for such work is included in the Appendix. The appendix also contains the application for planting or removing public trees, which must be approved by the Public Tree Advisory Board.

Planting practices are discussed in detail in Procedures and the Appendix.

WORKMANSHIP IN PLANTING, CUTTING AND TRIMMING

All workmanship shall comply with the recommended standards contained in the Appendices. Pruning practices that disfigure the natural shape of the tree or that violate ISA standards will not be permitted. Severe pruning, labeled “Topping” or “Dehorning”, involving severe cutting back of limbs to stubs which protrude from the base trunk, disfiguring the normal shape of the tree, will not be permitted (see Appendix for pruning diagrams). Flush cuts involving the cutting back of limbs flush to the tree trunk will not be permitted. Trees targeted for removal shall be cut to within one inch (1”) flush with the ground, or, as appropriate, completely removed, including the stump. When removing live trees, it is desirable to spray the stumps with an herbicide to prevent future sprouting. The hole left by the stump will be filled with topsoil and reseeded.

When trees need to be thinned or removed, those trees of impressive size or shape, of historical significance, or rare species shall be preserved if possible.

The removal of tree limbs should be done with a saw, making cuts that will not damage the trunk of the tree. Cuts should be made just above the enlarged portion where the limb joins the trunk.

All brush, laps, stumps, logs, etc. should be put through a chipper to mulch the material for recycling. If chipper is not available material should be removed or disposed of as the work progresses for safety and appearance.

Whenever possible and practical, pruning and/or removal should be accomplished in the winter months.

Root protection measures shall include the following:

1. Roots of trees shall not be left exposed to the air. The ends of damaged and cut roots must be cut off smoothly. They shall be covered with soil or protected and kept moistened with wet burlap or peat moss until construction is completed.
2. The grade shall not be raised more than 6” in and around the existing tree area to avoid suffocation of trees.
3. Cuts of more than 6” shall not be allowed near the trees as this removes topsoil needed for nutrients and deprives the tree of water.

PRIVATE UTILITY RESPONSIBILITIES

Private utility companies/tree contractors shall obtain a permit from the City prior to commencing work on City owned land.

Trenching shall be done outside the drip line whenever possible to reduce the amount of root damage.

Compaction of the soil caused by storage of equipment or operation of machinery can block off air and water to the roots of trees, therefore these practices will not be allowed near City owned trees unless necessary for the public safety.

Consideration should be given by utility and private contractors when grading near city owned trees. Raising the grade more than 6" will cause the tree to suffocate. Grading shall not take place within the drip line of trees unless approval from the City is granted.

After a permit is granted, the permittee shall be responsible for the protection of tops, trunks, and roots of all existing trees of City owned land. After vegetation has been removed within the area authorized to be cleared, protective devices shall be installed along the limits of clearing prior to any construction work commencement. (See Appendix) Protection of the trees shall be maintained until all work is completed and approved within the area. No toxic materials shall be stored within 100 feet of vegetation to be retained. No protective devices, signs, utility boxes or other objects shall be nailed to the trees to be retained on site.

Any damage to the crown, trunk or root system of trees retained on site shall be repaired immediately. Damaged branches shall be cut off in accordance with Item 5B" Workmanship in Planting, Cutting and Trimming" and the Appendix illustrations. All bark wounds shall be cut clean immediately by making all edges smooth and rounding the wounds at the top and bottom (See Appendix).

PLANTING IN THE RIGHT-OF-WAY BY GARDEN CLUBS, BEAUTIFICATION COMMITTEES AND OTHERS

Private organizations or individuals may be allowed to place and maintain planting on the City right-of-way after requesting and obtaining approval of the Public Tree Advisory Board.

EMERGENCIES

In the case of emergencies such as windstorms, ice storms, fire or other disasters, the requirements of this policy may be waived by the City during the emergency period so that this policy will in no way hamper private or public work to restore order to the City. This shall NOT be interpreted to be a general waiver of the intent of this policy.

TREE MAINTENANCE GUIDELINES

Watering shall occur during dry periods: once a week during the first year, every other week during the second growing season, and once a month during the third year. Watering shall be *deep watering to thoroughly wet* the root ball. (Without a “hydroseeder”, this is best accomplished with a first watering to wet the root balls to avoid excessive run-off, followed by a second watering to thoroughly wet the root ball. Average 10-15 gallons per tree.)

A 2 to 4 inch layer of mulch shall be maintained over the root area. Mulch may include pine bark, wood chips, pine straw, or other organic material. Mulch shall not be piled up tightly against the trunk. Mulched area shall be kept free of weeds and grass.

Trees shall not be “topped”, “dehorned”, or pruned in any way to alter their naturally occurring shapes.

Pruning shall be done only to remove dead, dying, or diseased branches, sprouts at the base of the tree, crossing or rubbing branches, v-crotches, and multiple leaders. All pruning shall conform with ISA standards (International Society Arboriculture); in particular, all cuts shall be made outside the branch bark collar.

Trees shall be protected from wounding by lawnmowers, string-type weed eaters or other equipment.

Trees shall be inspected on a regular basis for insect and disease pests. Professionals will be consulted concerning pest control.