

- **ARTICLE 5 - Trees**

- **Sec. 7-5-10. - Trees on public property.**

(a)

All trees planted on public property shall be planted according to a set of standards developed by the Tree Board. These standards are available from the Public Works Director or from any member of the Tree Board. Trees not planted in accordance with the standards will be subject to removal. Landscaping for any new development within the Town associated with a land use application which requires a landscape plan shall be reviewed by the Tree Board, which shall make a recommendation to the Planning and Zoning Commission. Eight copies of plans must be submitted to the Public Works Department ten working days prior to any regularly scheduled meeting of the Tree Board. One set shall be full size. Subsequent sets may be at a smaller scale to fit on standard paper, as long as they are legible.

(b)

Except as provided herein, it is unlawful for any person to top a tree in or upon the public right-of-way or other public property within the Town. For purposes of this Section, *topping* is 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 as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or trees which pose an imminent threat to property or to public safety such that other pruning practices are impractical, may be exempted from this Subsection at the discretion of the Public Works Director. No tree on public property shall be removed without written permission from the Public Works Director.

(c)

Whenever any work is being done contrary to the provisions of this Section, the Public Works Director may order the work stopped by serving written notice on any person engaged in the doing or causing such work to be done, and such person shall forthwith stop such work until authorized by the Public Works Director to proceed with the work.

(d)

During the construction of any structure or improvement, it shall be unlawful for any person to place material, machinery or soil deposits within a minimum of six feet of any tree on Town property. All trees on public property shall be protected during construction according to the protection standards developed by the Tree Board.

(e)

The Building Department shall require all building permit applicants to:

(1)

Submit a site plan which includes the location of existing and proposed street trees, utilities and any tree to be removed in the public right-of-way.

(2)

Submit a protection plan or sign a copy of the tree protection standards, indicating the standards have been read and will be followed.

(3)

Submit a plan showing the location, size and type of all trees to be planted in the public right-of-way. The size of an existing tree shall be established by measuring the diameter of the tree trunk at four feet six inches

above the ground, and the size of a proposed new tree shall be established by measuring the diameter of the tree trunk at 12 inches above the ground.

(4)

Sign a copy of the tree maintenance standards, indicating that the standards have been read and will be followed.

(f)

Any changes to the landscape plan require approval from the Tree Board or by an administrative review by the Public Works Director.

(g)

All trees planted in public rights-of-way shall be trees listed in the recommended street tree list approved by the Tree Board, as may be amended from time to time.

(h)

The Building Department shall maintain copies of the tree list, protection standards and maintenance standards for public inspection.

(Ord. No. 5, 2002; prior code 7.10.060; Ord. No. 8, 2015 §1, 8-11-2015)

- **Sec. 7-5-20. - Trees and limbs in public right-of-way.**

It shall be the duty of the owner of any property adjacent to the public right-of-way to remove any trees or limbs located in or above the public right-of-way when such trees or limbs constitute a danger to public safety. Such trees and limbs shall constitute a nuisance. For the purposes of this Section, a *danger to public safety* shall include all trees and limbs which hinder visibility or which may otherwise affect public health, safety and welfare, and trees and limbs which present a structural defect which may cause the tree or limb to fall on a person or on property of value.

(Ord. No. 8, 2015 §1, 8-11-2015)

- **Sec. 7-5-30. - Trees on private property.**

(a)

For purposes of this Article, *nuisance trees* are defined as trees which pose a threat to public safety or adjacent public property, including but not limited to public rights-of-ways, trees which harbor any destructive or communicable disease or other pestilence which endangers the well-being of other trees in the Town, or trees which are capable of causing an epidemic spread of a communicable disease or insect infestation.

(b)

The Public Works Director has the authority to enter onto private property whereon there is located a tree, shrub or plant that is suspected to be a public nuisance.

(c)

Upon the discovery of a nuisance tree, the Public Works Director shall cause written notice to be served upon the owner of the property upon which the tree is located, requiring the owner to eradicate, remove or otherwise control the condition within a reasonable time specified in such notice. It shall be unlawful for any person to fail to comply with the requirements of any notice given pursuant to this Section within the time specified in such notice. If the notice to abate is not complied with within the required time, the Town

may cause such nuisance to be abated, shall assess the costs of such abatement against the property and shall notify the owner of the amount thereof. Such assessment shall be a lien upon the property until it is paid. In addition, the owner of the property upon which the nuisance was located shall be subject to prosecution.

(Ord. No. 5, 2002; prior code 7.10.070; Ord. No. 8, 2015 §1, 8-11-2015)

- **Sec. 7-5-40. - Standards for tree planting, maintenance and removal.**

(a)

The Tree Board shall develop and maintain a list of desirable trees for planting along streets and in parks in three size classes: small, medium and large. A list of trees not suitable for planting shall also be maintained.

(b)

The spacing of trees on Town property shall be in accordance with the size classes listed in this Article, and no trees shall be planted closer together than the following: small trees, 12 to 20 feet; medium trees, 25 to 35 feet; and large trees, 35 to 45 feet; except in special plantings approved by the Public Works Director. In any case, trees shall be spaced so their canopies at maturity shall not overlap.

(c)

No trees other than those species listed as small trees shall be planted on Town property under or within ten lateral feet of any overhead utility wire.

(Ord. No. 5, 2002; prior code 7.10.080; Ord. No. 8, 2015 §1, 8-11-2015)

- **Sec. 7-5-50. - Penalties.**

Any person who violates any provision of this Article or who fails to comply with any notice issued pursuant to any provision of this Article, upon being found guilty of the violation, shall be subject to the penalties set forth in Section 1-4-20 of this Code for each offense. If, as the result of the violation of any provision of this Article, the injury, mutilation or death of a tree, shrub or other plant located on Town property is caused, the party in violation shall make restitution to the Town for the cost of repair or removal and replacement of such tree, shrub or other plant, whichever is necessary in the opinion of the Public Works Director. Such restriction shall be in addition to any other penalty. The minimum replacement cost for a tree will equal the cost of a two-inch-caliper tree.

(Ord. No. 5, 2002; prior code 7.10.090; Ord. No. 8, 2015 §1, 8-11-2015)

- **Sec. 7-5-60. - Control of trees and shrubs.**

(a)

Trees, shrubs and other vegetation which are dead, broken, diseased or infested by insects so as to endanger the well-being of other trees, shrubs or vegetation or constitute a potential threat or hazard to people or property within the Town are hereby declared a nuisance.

(b)

The Town shall give written notice to the owner or occupant of any property abutting Town rights-of-way or other public property of any condition deemed unsafe caused by trees and other vegetation overhanging or projecting from such abutting property and onto or over such right-of-way or other public property with such unsafe condition. The Town shall correct any such unsafe condition immediately upon the expiration of the notice period specified in the notice of abatement.

(c)

It is unlawful and deemed a nuisance for any person to cut, trim, spray, remove, treat or plant any tree, vine, shrub, hedge or other woody plant upon access-controlled arterials or other public parks and greenbelts within the Town, unless authorized or directed by the Town.

(d)

It is unlawful and deemed a nuisance for any person to injure, damage or destroy any tree, shrub, vine, hedge or other vegetation in or upon public rights-of-way or other public property within the Town, except any person who notifies the Town of such injury, damage or destruction and makes arrangements to repair or replace such vegetation or pay for the cost of such repair or replacement.

(Ord. No. 8, 2015 §1, 8-11-2015)

Town of Carbondale TREE PROTECTION STANDARDS

No removal of trees is to occur in the public right-of-way without approval from the Public Works Department. Any tree to be removed shall be replaced with an appropriate tree at the discretion of the Public Works Director in accordance with the Tree Ordinance.

Protect existing trees and other vegetation to remain in place against unnecessary cutting, breaking or skinning of roots, skinning or bruising of bark, smothering of trees by stockpiling construction materials or excavated materials within drip line, excess foot or vehicular parking of vehicles within drip line. Do not cleanout concrete trucks or put excess concrete near trees. Avoid cleaning of tools or emptying of buckets whose materials contain paint or solvents that may harm the tree.

Prior to excavation, locate a 4' high orange synthetic fence, a 4' wooden lath snow fence or 6' high chain link panel fence a minimum of 6' from the trunk of existing trees. Set posts of fencing at 8' intervals minimum. Where construction is within the drip line of the existing trees, locate the 6' high chain link fencing panel at excavation boundary. Where possible, fence trees as a group.

During excavation, saw or cut roots off cleanly. Do not pull on roots with bucket of machine.

For trees adjacent to excavation and along access paths and roads, tie up branches of the trees so that machinery and trucks do not break off. In places where workman's access will be crossing roots of trees, place 4" depth of large bark mulch covered with double overlapping plywood sheets on path to reduce compaction on roots. Place bark and plywood prior to commencement of excavation.

Provide protection of roots over 1.5" diameters that are cut during construction operations. Temporarily cover exposed roots with wet burlap to prevent roots from drying out, cover with earth as soon as possible.

Place protective fencing prior to removal of trees, shrubs, and other vegetation necessary for new construction. Cut minor roots and branches of trees to remain in a clean and careful manner, where such roots and branches obstruct installation of new construction. Use only hand methods for working inside drip line of trees indicated to remain.

Signature

Date

TOWN OF CARBONDALE TREE WATERING GUIDELINES

How should I water my tree?

- When you water your tree, please water the entire planting area (the area that has been mulched and caged). The basic requirements are to water only when water is needed, and to soak the soil deeply when you water. This encourages the tree to send its roots deeper into the ground, which will both anchor it better and make it more drought tolerant.
- We have provided a section of soaker hose at the base of each tree. Simply hook your garden hose on and leave the water trickle overnight. The worst way to water your tree is to stick a hose at the base of the trunk and let water flood it. You can actually rot the tree at the base, even in our arid climate!
- Keep in mind that it's much better for the tree to get a good soaking than it is for the tree to be watered frequently and shallowly (i.e. with a sprinkling system). Frequent watering will encourage the tree's roots to stay close to the surface, instead of developing a good deep root system.
- Please keep the mulch several inches away from the trunk of the tree, so water doesn't pool there and cause rotting. There is a layer of landscape fabric under the mulch, so the only place you will probably have a problem with weeds is close to the trunk. Pull any weeds that grow in this area.

How often does it need to be watered?

- As a general guideline, a good soaking once a week, and twice a week when we have extremely hot (90 degree) weather, should be about what your tree needs. Remember to take into consideration how much rain we are getting.
- To get a feel for how often your tree needs to be watered, you can dig down eight to ten inches (at the edge of the planting area, not at the base of the tree) and check for moisture content of the soil. If it is too dry to form a ball when squeezed, it needs water. If it makes a moist ball, it doesn't need water. Don't worry if the top inch or two of soil dries out. It's a good idea to perform this test periodically throughout the first growing season, until you have a feel for how often you need to water.
- It's important not to over water your tree, especially when it is first planted, since the tree is not yet anchored in the soil, and too much water can cause it to start to lean. If this happens, please call us so we can come straighten it.

Do I water year-round?

- Your tree should be watered on a regular schedule through the end of September, and then again from mid-April through September for the following four years. Starting in the fifth year it will need a good deep soaking once a month during these months. At that point its root system will extend well beyond the caged area, so you should soak a wider area. Carbondale's weather can be unpredictable during the winter months, and it is important to continue providing the tree with water until the ground freezes – some years this could be well into December. Watering should begin again in late winter or early spring when the ground has thawed completely.

TOWN OF CARBONDALE TREE PLANTING AND MAINTENANCE STANDARDS FOR TOWN PARKS AND RIGHT-OF-WAY

All wire baskets and twine are to be removed from ball and burlap trees before they are planted, and removed from the planting site.

The width of the planting hole should be a minimum of three times the diameter of the tree's root ball. This encourages growth around the root ball and results in a healthier tree.

When the tree is placed in the hole, the top of the root ball should be 1-2" above the soil. The tree will settle to the proper depth. The hole should not be dug a little deeper and then filled in, as the tree may then settle lower than is desired.

If the soil in the root ball is firm, the burlap should be removed from the tree (or the burlap can be cut away from the sides of the root ball, leaving a piece under the tree). If the soil in the root ball is loose, the burlap should be removed to just below the surface of the ground, and a few slits should be made in the burlap, so the burlap doesn't wick the moisture away from the roots of the tree.

The planting hole is to be filled with the original soil. Topsoil should not be added unless there isn't enough existing soil to fill the hole. Any topsoil used should be mixed thoroughly in the planting holes. This discourages the "potted plant effect", where the roots stay in the area with the enriched soil, rather than spreading out to seek nourishment.

No fertilizer is to be used for the first year after planting a tree. Most of the roots of the tree were lost when the tree was dug at the nursery, and not enough roots remain for the tree to utilize fertilizer.

Trees are generally not staked unless necessary. If a tree needs to be staked, 2 stakes are used (placed in the ground outside the root ball). A strap is wrapped around the tree 2/3 of the way up the trunk, and a wire is placed in slits at the ends of the strap, and tied to the stake. A piece of wire inside a garden hose should never be used, as it will strangle the tree. The strap on the side of the direction that the tree is to be pulled is kept taut.

All trees should have a 4" layer of mulch placed at their base, beginning 6" away from the stem, and continuing out two feet. A rebar and wire cage is then placed around the mulched area. This protects the trees from damage (primarily from deer and construction activity) during their establishment period.

Trees should be planted in spring (preferably), or early enough in the fall so they can begin to establish roots before winter begins.

Trees are to be watered once a week from spring to fall (twice a week during periods of extreme heat and no rain).

Trees are to be wrapped with tree wrap each fall after the leaves have fallen and unwrapped at bud break in the spring, for a minimum of three years after they are planted, in order to prevent sunscald.

Signature

Date

Carbondale Tree Board TREE PLANTING GUIDELINES

Please handle the trees by the wire basket around the root ball, not by the trunk.

Carefully remove the twine and cardboard at the base of the trunk and remove the wire basket. Leave the burlap intact until you have the tree correctly placed in the hole.

When you set the tree in the hole, the top of the root ball should be 1 - 2" above the soil. If the hole is a little too shallow and you need to enlarge it, make sure you don't over-dig, since adding extra dirt in the bottom of the hole can cause the tree to settle. If the hole was dug too deeply, make sure any dirt you put under the tree is very firmly packed, so it won't settle and cause the tree to settle as well.

Roughen the walls of the hole, so it's easier for the roots to spread.

If the soil in the root ball is firm, roll the burlap covering the root-ball down into the hole. If the soil in the root ball is loose and crumbling, remove the upper part of the burlap to several inches below the surface of the ground, and make a few slits in the remaining burlap.

Check the root ball for circling roots. Gently separate them, and guide them downward or outward. Trim any broken roots with a sharp pair of pruners.

Stand back and make sure the tree is straight. Tilt the root ball if necessary, and pack dirt firmly around the root ball.

Fill the hole halfway with soil, checking to be sure the tree remains straight. Discard any clumps of sod, instead of putting them back into the hole.

Use a gentle stream of water to settle the soil in the hole, rather than tamping the soil with your feet. **DON'T STEP IN THE PLANTING AREA!**

Fill the hole the rest of the way, using a gentle stream of water to settle the soil. Don't place any soil on top of the root ball.

Cut a slit from the edge to the center of a section of landscape fabric, and place it around the tree. Make sure the fabric is laying flat against the ground.

Place 6" of wood chips over the landscape fabric, starting 6" from the base of the trunk (don't let the mulch touch the trunk). The mulch should cover a circular area 4' across (the entire caged area).

Water the root ball well. Also water over the entire area you've mulched - this will encourage the roots to spread. The soil 4-10" below the surface should be wet enough so that when it is squeezed it forms a clump in your hand, but not wet enough to be soggy.

Place a cage around each tree, using 4 sticks of rebar and a 12-1/2' section of wire. Don't weave the wire through the stick of rebar - it makes tree maintenance too difficult. Fold the wire at the edge of the cage back so the cage stays closed.



Town of Carbondale – Recommended Trees

Street indicates recommended as street tree

Large Trees (Spacing 35' to 45')

Honeylocust *Street*
Gleditsia triacanthos var. inermis
Skyline®
Shademaster®
Imperial® (not for street)
Sunburst® (not for street)

Kentucky Coffeetree *Street*
Gymnocladus dioica
'Espresso'

Norway Maple *Street*
Acer platanoides
'Fairview'
'Emerald Queen'™
'Deborah'
'Royal Red'

Hybrid Norway Maple (Space 25-30')
Acer 'JFS-KW202'
Crimson Sunset®

Hackberry *Street*
Celtis occidentalis

Burr Oak *Street*
Quercus macrocarpa

Swamp White Oak *Street*
Quercus bicolor

English Oak *Street*
Quercus robur
'fastigiata'
Regal Prince®
Crimson Spire™

Chinquapin Oak *Street*
Quercus muehlenbergii

Ginkgo *Street* (fruitless males only)
Ginkgo biloba 'Autumn Gold'

Elm *Street*
Ulmus (Dutch Elm resistant)
Accolade®
Davidiana japonica 'Discovery'
'Frontier' (not for street)

Northern Catalpa *Street*
Catalpa speciosa

Town of Carbondale – Recommended Trees

Medium Trees (Spacing 25' to 35')

Bigtooth Maple
Acer grandidentatum

Littleleaf Linden *Street*
Tilia cordata
'Greenspire'
'Glenleven'

American Linden
Tilia americana
'Redmond'

Chokecherry * fruit possible bear attractant*
Prunus virginiana
'Sucker Punch'
'Canada Red'

Tartarian Maple
Acer tataricum

Mayday Tree
Prunus padus

Black Locust, Purple Robe®
Robinia pseudoacacia 'Purple Robe'®



Small Trees (Spacing 12' to 20')

Amur Chokecherry * fruit possible bear attractant*
Prunus maackii

Flowering Crab * fruit possible bear attractant*
Malus spp.
'Spring Snow'
'Radiant'
'Hopa'
'Dolgo'

Malus ioensis
'Bechtel'

Thornless Cockspur Hawthorn
Crataegus crus-galli inermis

Japanese Tree Lilac
Syringa reticulata

European Mountain Ash
Sorbus aucuparia

Oak Leaf Mountain Ash
Sorbus hybrida

Amur Maple (single/ multi-stem)
Acer ginnala

Town of Carbondale – Recommended Trees

Trees Which Are NOT Recommended

Aspen

Populus tremulooides

Silver Maple

Acer saccharinum

Boxelder (except hybrid like 'Sensation', not for street)

Acer negundo

Russian Olive

Elaeagnus angustifolia

Siberian Elm

Ulmus pumila

White or Green Ash

Fraxinus americana or *pennsylvanica* * Any tree belonging to the *Fraxinus* genus is susceptible to Emerald Ash Borer *

Note: Not every tree is suitable for any given location. All environment factors and all tree needs should be carefully accessed before choosing a tree to be planted. Soil tests for planting sites are highly recommended. Carbondale has primarily clay soil, the climate is dry and windy with extreme summer heat)