

CHAPTER 46. PLANTING AND CARE OF TREES

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46.01. Park Board Responsibility. The department of parks shall have charge, custody, and control of all trees growing in any boulevards and boulevard areas, along the public streets and avenues, park or public areas of the city, and shall have power to supervise, plant, care for, and otherwise maintain such trees.

46.02 Owner's Responsibility. The abutting property owners shall grade, seed or sod and shall give ordinary care and protection to trees and grass in boulevard planting areas. No person shall plant, trim or remove trees in the boulevard, or use the boulevard area for any purpose other than the growing of grass and trees or public walks, without first obtaining a permit as hereinafter provided.

46.03 City Responsibility. When financial and labor conditions permit, the city may assume complete responsibility for the purchase, planting, maintenance and removal of all trees growing in any boulevard, park or public place in the city.

46.04 Permits. Until such time as financial responsibility for the purchase, planting, maintenance, and removal of trees growing in boulevards shall be assumed by the city, the board of park commissioners may authorize the park department to issue permits to owners or persons responsible for property abutting on boulevards or parkways, for the planting, care and removal of trees by such owner at owner's expense. The board of park commissioner's may also authorize the Public Works department to issue permits for work to be done or improvements to be constructed in the boulevards beyond the planting, maintenance and removal of trees or grass. Such permits shall be reviewed and issued pursuant to guidelines and criteria established by the park board. Appeals from the denial of a permit shall be made to the park board.

46.05. Permit for Maintenance. No person shall plant, move, spray, fertilize, or do surgery work, cut above or below ground or otherwise disturb any tree in any boulevard beyond ordinary care and maintenance along the public streets or avenues, park, or public places of the city, nor cause such act to be done by others, without first obtaining a written permit from the Park and Recreation Department which will issue the permit if, in its judgment, the desired work is necessary, and the proposed methods of workmanship thereof are of a satisfactory nature. The person receiving such permit shall abide by the specifications and standards adopted by the Park and Recreation Department of the City.

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46.06. Specifications in Permit. Every permit granted by the Park and Recreation Department shall describe the work to be done, specify the species or variety, size, grade, location, briefly specify the method of planting, method of support and trimming of all trees concerned, and contain a definite date of expiration. Any permit may be declared void if its terms are violated.

46.07. Ordinary Care. "Ordinary care" is the care needed and required for caring for a tree, including spading and trimming of grass around the tree, and removal of such growth and small twigs or branches growing from the side of a tree between the ground surface and the first major limb.

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