

1 **TITLE 13- PROTECTED TREES**
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3 **13.04.040: DEFINITIONS OF TERMS:** For the purpose of this title the following terms have
4 the following meanings:
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6 CANAL/DITCH/LATERAL: An artificial waterway for the collection and conveyance of
7 irrigation water and/or storm water.
8

9 **TREE BARRIERS:** For the purposes of section 13.77.080, "Street Tree Protection", of this title,
10 a device such as fencing, berms, or signage installed to limit access to a tree protection zone.
11

12 HOLLADAY TREE BOARD/COMMITTEE: ~~An informal, volunteer advisory group of~~
13 ~~knowledgeable citizens, designated by the community development director, and charged with~~
14 ~~advocating for the protection of the city's tree canopy resources and the city's of Holladay tree~~
15 ~~management program including administering the heritage tree designation and the tree voucher~~
16 ~~program protection program~~ as provided in section 13.77.080 of this title
17

18 **TREE, CALIPER:** A landscape and nursery trade standard for trunk measurement determined by
19 measuring the diameter of the trunk six inches (6") above the ground for up to and including four
20 inch (4") caliper size, and twelve inches (12") above the ground for larger trees.
21

22 TREE, CANOPY: The outer limits of a tree's foliage consisting of leaves, branches and stems
23 that cover the ground when viewed from above. This may also include understory vegetation.
24

25 TREE, CANOPY COVERAGE: The area of a lot that is covered by the canopies of existing
26 trees, including immature trees, and newly planted trees and can be designated on a tree
27 preservation plan.
28

29 **TREE, CRITICAL ROOT ZONE:** The minimum volume necessary for maintenance of tree
30 health and stability that is calculated by measuring the diameter of the subject tree at breast
31 height. Every inch of tree trunk diameter equates to one linear foot of distance outward from the
32 trunk in all directions.
33

34 **TREE, dbh (DIAMETER AT BREAST HEIGHT):** The trunk diameter measurement of a
35 nontransplantable tree, taken four and one-half feet (4.5') above the ground line.
36

37 TREE, DRIP ZONE: For purposes of chapter 13.77, Landscaping, the drip zone is calculated by
38 measuring the diameter of the tree at a height of five feet (5') from ground level. Every inch of
39 tree trunk diameter equates to one foot (1') of drip zone.
40

41 **TREE, GROVE:** A group of trees in close proximity, especially where branches touch or
42 vertically overlap another tree.
43

44 TREE, High Risk: A tree or part of a tree that has a high potential for failure or for falling on a
45 nearby object because of dead or dying branches, roots or trunk.
46

1 TREE, PROTECTED: For the purposes of Chapter 13.77 the following trees are considered
2 protected under the provisions of this title:

- 3
- 4 1. Street: A tree located or planted within a public right of way.
- 5
- 6 2. Community: A tree located or planted within a city-owned property such as City
7 Hall Park, Knudsen Park, Holladay Pines Park, Butternut Park, or Stratton Park.
- 8
- 9 3. Waterway: A tree located or planted within the area between the high water mark
10 and the apex of the bank of any stream or waterway and:
- 11 a. Fifty feet (50') from the apex of the bank of a perennial stream
12 (Cottonwood Creek, Spring Creek), or
- 13 b. Fifty feet (50') from the apex of the bank of an ephemeral stream (Heugh's
14 Canyon, Neff's Canyon), or
- 15 c. Thirty feet (30') from the apex of the bank of a manmade canal or ditch
16 (Salt Lake & Jordan canal, East Jordan canal, Upper canal, Tanner ditch).
- 17
- 18 2.4. Heritage: A designation, voluntarily applied for by the property owner, as being
19 historic, rare, threatened, or of endangered species, reviewed and approved by
20 members of the Utah Community Forest Council (UCFC) as provided in the Utah
21 heritage tree act of 1975.
- 22
- 23 3. Significant: ~~Trees of six inch (*) caliper or greater measured at breast height,~~
24 ~~groves of five (5) or more smaller trees, or clumps of trees covering an area of~~
25 ~~fifty (50) square feet within the drip zone.~~

26

27 TREE, STANDARDS, INDUSTRY CONSENSUS: Accepted practices for tree care include -
28 ANSI A300, nursery stock - ANSI Z60.1, and arboricultural safety requirements - ANSI Z133.1.,
29 a set of parameters developed by a group of materially affected parties in accordance with
30 accepted essential requirements for openness, balance, consensus and due process.

31

32 TREE, STREET/COMMUNITY TREE PROGRAM: A manual prepared by the ~~community~~
33 ~~development director~~ City of Holladay that contains regulations and industry consensus
34 standards and city defined specifications for the planting, maintenance, and removal of trees,
35 shrubs, and other plants upon city owned property, easements, public rights of way and
36 waterways as defined in this subsection. The manual shall include the tree selection guide for
37 planting trees and shrubs in public rights of way and city owned property. ~~The program shall be~~
38 ~~based upon a tree inventory methodology and records that will be used to derive an annual plan~~
39 ~~for work for the care of public trees.~~

40

41 TREE TOPPING: The reduction of a tree's size using heading cuts that shorten limbs or branches
42 back to a predetermined crown limit.

1 **13.03.030: SPECIFIC SUBMISSION REQUIREMENTS FOR THREE STEP REVIEW:**

2 (See attached text)

3
4 **13.08.150: SPECIAL EXCEPTIONS AUTHORIZED:**

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6 The following special exceptions are authorized under this title:

- 7
8 A. *Development near Waterways:* The planning commission may grant an exception to the
9 buildable area or portion of a buildable area as set forth in section 13.76.400 of this title
10 upon receipt of a positive recommendation from the community development director
11 and the technical review committee. The recommendation shall be based upon the
12 following:
- 13 1. Consent of any state or federal regulatory body with jurisdiction over such
14 waterways;
 - 15 2. The location and age of existing structures within the same base flood elevation;
 - 16 3. The current base flood elevation as per FEMA regulations;
 - 17 4. Proposed measures to protect and preserve the existing riparian corridor; ~~and~~
 - 18 5. An approved tree protection plan as required by section 13.77.090 of this title,
19 and;
- 20 56. Submittal by the property owner of a natural hazards disclosure and
21 acknowledgment form.
22

23 **13.77.020: APPLICABILITY:**

- 24
25 A. Landscape Plan: A detailed landscape plan as required by chapter 13.03 of this title shall
26 be submitted for all development, redevelopment, additions or site modifications except
27 for single-family homes on individual lots.
28
- 29 B. Tree Protection Plan: A tree protection plan or tree removal permit application as
30 required by sections 13.77.080 and 13.77.090 of this chapter shall be submitted for all
31 development or site modifications prior to approval of any demolition, building or
32 development permit.
33
- 34 BC. Applicability to Existing Structures: Existing development shall be required to conform
35 to this standard based upon the following guidelines:
36
- 37 1. For additions that are twenty five percent (25%) to fifty percent (50%) of the
38 existing structure or developed area, perimeter and right of way landscaping shall
39 be installed.
40
 - 41 2. For additions that are greater than fifty percent (50%) of the existing structure or
42 developed area, all current landscape standards of this chapter shall be met.
43
 - 44 3. If the location of existing buildings or other structures prevents conformance with
45 the requirement of this section or if implementation would create nonconformity,

1 the planning commission may grant relief from these standards as per section
2 13.77.130 of this chapter.

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4
5 **13.77.080: TREE CANOPY PROTECTION:**

6
7 A. Purpose and applicability: The City of Holladay recognizes the overall economic,
8 environmental and aesthetic value of protecting certain trees important to the Holladay
9 community. It is in the best interests of the public to regulate the planting, removal and
10 maintenance of such trees to promote and protect property values, to enhance water and
11 air quality throughout the City, and to protect, maintain and preserve the existing tree
12 canopy within those areas of the City where a healthy and sustainable canopy contributes
13 to the overall health, well-being of the city's residents and vitality of the city's entire
14 ecosystem.

- 15
16 1. The regulations contained in this chapter shall apply to the existing tree canopy
17 coverage on all private property located within the city, except as provided in
18 subsection 13.77.080 A 3 of this section.
19
20 2. The standards contained in this chapter shall regulate all activities that result or
21 may result in the removal of all or a substantial portion of the existing tree canopy
22 coverage as defined herein. Said activities include any of the following:
23
24 a. Commercial, office, single family residential, multi-family residential, and
25 institutional development, including all new construction or structural additions
26 that result in the reduction of the existing tree canopy.
27
28 b. Site grading, filling or clearing of the existing tree canopy, regardless of
29 whether or not a demolition, building or development permit is in process or has
30 been approved by the city.
31
32 c. Chemical or biological treatment of trees that may result in the death or
33 destruction of the existing tree canopy.
34
35 d. Trenching or excavation that may damage or destroy any tree or area of
36 the existing tree canopy.
37
38 e. Removal of a Heritage Tree as defined in section 13.04.040 of this title.
39
40 3. This chapter shall not apply to:
41
42 a. Ordinary landscaping activities on individual lots;
43
44 b. Removal of an area of tree canopy coverage the drip zone of which covers
45 a roughly circular area having a radius of ten feet (10') or less, or any individual
46 tree with a dbh of twelve inches (12") or less;

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c. Any tree(s) determined to be a high risk as defined in Section 13.04.040 of this title;

d. Any tree(s) located in the clear view area, as defined in subsection 13.76.160 of this Title, or;

e. Any area of tree canopy preventing the opening of reasonable and necessary vehicular or pedestrian traffic lanes in a street.

B. Final Tree Canopy Cover. As a prerequisite to approval of any demolition, grading, building or development permit as required by Chapter 13.08 of this title, the applicant shall provide a tree preservation/replacement plan that provides for the preservation or replacement of the same minimum square feet of tree canopy coverage as that identified on the baseline tree survey described in subsection 13.77.080 C.

C. Compliance. To comply with the minimum final tree canopy coverage requirements of subsection 13.77.080 B of this section, an applicant shall:

1. Submit a baseline tree survey prepared by a certified arborist or other licensed tree care professional to identify trees for preservation in accordance with the provisions of this subsection; and

2. A tree preservation plan prepared by a certified arborist or other licensed tree care professional that includes:

a. The location of all proposed buildings and improvements.

b. An inventory of all trees proposed for removal by species and canopy coverage area, including any designated Heritage Tree(s).

c. An inventory of proposed replacement trees with species, size at planting and estimated canopy coverage that will, at maturity, achieve tree canopy coverage equal to or greater than the units of tree canopy coverage shown on the baseline study.

d. A completed application and fee as required by Section 3.35.100 of this title for any required tree preservation plan review.

3. The Community Development Director shall approve a required tree preservation plan if the submitted plan demonstrates that the removal of existing trees on the lot is required due to one or more of the following:

a. The tree originates within the net buildable area of a given site as identified on the tree survey and site plan by the applicant;

1 b. The proposed buildings and improvements cannot not feasibly be oriented
2 other than proposed, to allow for preservation of the existing tree canopy
3 coverage;

4
5 c. A tree is located where it interferes with a a proposed right-of-way,
6 easement or ingress/egress to the site that cannot be reconfigured;

7
8 d. The tree is located where it interferes with the installation, delivery, or
9 maintenance of proposed or existing utility services to the site;

10
11 e. The tree is located where it creates a safety or health hazard or a nuisance
12 with respect to existing or proposed structures or vehicles or pedestrian routes and
13 there is no reasonable alternative to relocate or reconfigure the improvements;

14
15 f. The tree(s) are/is confirmed by the Community Development Director, or
16 by a certified arborist or other licensed tree care professional to be high risk as
17 defined in 13.04.040 of this title; or

18
19 g. The tree(s) unreasonably prevents development of a lot or parcel or the
20 physical use and enjoyment thereof. However, a tree removal permit shall not be
21 granted where the applicant has not given careful consideration of the purposes
22 and regulations of this Section to design and locate the proposed improvements to
23 minimize the removal of tree canopy.

24
25 4. If the final tree canopy coverage cannot meet the minimum coverage required by
26 subsection 13.77.080 C of this section a mitigation plan as required by subsection
27 13.77.080 F of this section shall be submitted for review and approval as part of
28 the overall tree protection plan.

29
30 5. In lieu of submitting a tree removal permit application, an applicant may submit
31 a” no tree impact” verification statement, including supporting documentation
32 stating that no trees or tree canopy protected by this article will be impacted or
33 exist on site.

34
35 D. *Tree Removal Permit:*

36
37 1. An application for a tree removal permit as required by subsection 13.77.080B
38 shall be accompanied by an approved tree preservation plan and a fee as required
39 by Table 3.35.100.1 of this code.

40
41
42 2. Any replacement trees that are the subject of such mitigation shall be planted,
43 relocated, or preserved before issuance of a certificate of occupancy or similar
44 authorization.

1 E. *Requirements for Replacement Trees:* If the approved tree preservation plan allows for
2 the replacement of trees located within a protected tree canopy, those replacement trees
3 shall comply with the following schedule and requirements:

- 4
- 5 1. A deciduous tree that is removed shall be replaced by a tree with a minimum size
6 of two inch (2") caliper of a variety that has the potential to reach a mature
7 canopy coverage of that of the removed tree.
- 8
- 9 2. A coniferous tree that is removed shall be replaced by at least one coniferous tree
10 with a minimum height of eight feet (8') or replaced by a deciduous equivalent as
11 per subsection 1 of this section.
- 12
- 13 3. Unless otherwise authorized by the city, replacement trees shall be planted within
14 six (6) months after the removal of the prior tree.
- 15
- 16 4. Replacement trees shall be maintained by the property owner through an
17 establishment period of at least three (3) years.
- 18
- 19 5. Replacement trees planted in the front setback area which contribute to the overall
20 look and feel of the streetscape shall be given preference in the approved tree
21 replacement plan.
- 22

23 F. *Alternative Replacement Mitigations:*

- 24
- 25 1. When the Community Development Director determines that the removal of
26 protected trees or area of protected tree canopy is permissible under the provisions
27 of this section, the applicant/developer may request that in lieu of on-site
28 replacement of trees, the applicant be allowed to mitigate up to fifty percent
29 (50%) of the lost tree canopy in a manner acceptable to the Community
30 Development Director. Mitigation measures may include;
- 31
- 32 a. Payment of a fee equal to the cost of said replacement tree/s subject to
33 mitigation on a 1:1 ratio into the City's tree street tree program; or
- 34 b. Submission by the property owner/developer of a plan for planting all or a
35 portion of the number of trees subject to mitigation, on other private property
36 within the city. The plan shall be accompanied by a signed approval from the
37 receiving property owner.
- 38
- 39 2. The Community Development Director may approve an alternative replacement
40 mitigation plan only after first making all of the following findings:
- 41
- 42 a. The applicant has investigated alternative site designs and building
43 footprints using existing development standards;
- 44

1 b. Placing the required number of replacement trees on site with proposed
2 final tree canopy is not conducive to a sustainable landscape plan for the property
3 in question;

4
5 c. A minimum of fifty percent (50%) of the required replacement trees are
6 replanted on-site and the spacing selection of the proposed trees and the landscape
7 design contribute to the city's long-term goals of a sustainable urban forest;

8
9 d. The project includes a well-integrated and thoughtful design solution that
10 enhances the property and its surroundings;

11
12 e. The project is not injurious to adjacent properties or uses, or detrimental to
13 the environment or the health, safety and welfare of the citizens of Holladay; and

14
15 f. The project is consistent with the objectives of the City's General Plan.

16
17 G. *Tree/Vegetation Protection during Construction and Grading Activities:* The following
18 provisions shall apply to an approved tree preservation plan concerning construction and
19 grading activities:

20
21 1. Limits of disturbance as defined in section 13.04.040, shall be shown on the final
22 tree protection plan and shall be clearly delineated on site with fencing or other
23 materials or methods prior to the commencement of excavation, grading, or
24 construction activities on the site.

25
26 2. Within the limits of disturbance, protective fencing, at a minimum, shall be placed
27 around each protected tree or area of protected tree canopy a distance equal to the
28 size of the individual or outermost tree's drip zone.

29
30 3. No construction, grading, equipment or material storage, or any other activity
31 shall be allowed within this fenced drip zone as defined in subsection 13.04,040
32 of this title, and the fencing shall remain in place until all land alteration,
33 construction, and development activities are completed.

34
35 4. If it is necessary to fill over the critical root zone, as defined in subsection
36 13.04,040 of this title, soil compaction shall be avoided by sandwiching fabric,
37 rocks and more fabric under the area to be filled.

38
39 5. Fill placed directly on the critical root zone shall not exceed a maximum of six (6)
40 inches in depth.

41
42 6. If fill creates a tree well or depression around a tree or shrubs, such area shall be
43 drained so that the vegetation is not drowned by the pooling of rainfall or
44 irrigation.

1 7. If a deciduous tree's roots must be cut, the roots shall be pruned cleanly prior to
2 digging and not ripped off by heavy equipment.

3
4 8. Utility trenches near trees should be avoided. If a line must be near a tree,
5 tunneling, auguring, or other mitigation measures shall be used.

6
7 H. Tree Preservation Fund. If it is demonstrated to the satisfaction of the Community
8 Development Director, or designee, that the site is not suitable for on-site mitigation or
9 does not have the capacity to hold all of the required mitigation, then the applicant may
10 contribute a fee based on the "Guide for Plant Appraisal, 9th Edition", published by the
11 Council of Tree and Landscape Appraisers. When a new or revised edition of this
12 publication is adopted by the International Society of Arboriculture, that edition shall
13 become the adopted guide.

14
15 Tree preservation funds shall be expended, utilized and disbursed for the acquisition,
16 maintenance, and planting of trees on publicly owned lands and any other ancillary costs
17 associated with the planting of trees on public lands. This fund may also be used for the
18 relocation of trees to public land and rights of way and for periodically distributing of
19 trees to the public to increase tree canopy coverage citywide.

20
21 I. Appeals. A person adversely affected by a decision of the Community Development
22 Director regarding issuance or compliance with a tree removal permit may appeal such
23 decision to the administrative appeals officer.

24
25 J. Expiration: A tree removal permit shall expire and have no further force or effect if the
26 tree removal activity or construction is not commenced within one year of the date of the
27 issuance of the tree removal permit.

28
29 K. Penalties: If protected trees are removed without a permit or otherwise in violation of
30 this chapter, the following provisions shall apply:

31
32 1. Any violation which is knowing and intentional shall be a Class B Misdemeanor,
33 punishable by a fine not to exceed \$1,000 and 6 months in jail.

34
35 2. Any violation shall be punishable by a civil penalty of up to \$1,000, in addition to
36 the requirements of this Chapter regarding the replacement of protected trees.

37
38 3. No certificate of occupancy or similar authorization shall be issued for any
39 development until all applicable permits and/or mitigation plans or conditions
40 have been accomplished.

1 **13.77.080090: STREET/COMMUNITY/WATERWAY TREE PROTECTION:**

2
3 A. *Purpose:* The purpose of this section is to protect existing ~~street~~ trees within the public
4 right of way, on city owned property and along waterways within the city, to require
5 replacement of removed trees ~~within the public right of way in those areas~~, and to require
6 planting of street trees with all new development. This section is intended to:

- 7
8 1. Preserve the visual and aesthetic qualities of the city's existing environment;
9
10 2. Encourage the preservation and replacement of trees; and
11
12 3. Enhance, stabilize, promote and protect property values throughout the city of
13 Holladay.

14
15 B. *Application:* The provisions of this section shall apply to all real property located in the
16 city of Holladay, as they relate to the public right of way, city owned property and those
17 riparian areas along the natural and manmade waterways.

18
19 C. *Tree Removal Permit: ~~Removal of significant Street Protected Trees:~~*

20
21 1. No ~~significant~~ street, or community tree as defined in section 13.04.040 of this
22 title within the public right of way may be removed without ~~the prior written~~
23 consent of the city a tree removal permit approved by the community
24 development director. A no fee permit for such removal may be obtained from the
25 director of community development.

26
27 2. A waterway tree as defined in section 13.04.040 of this title located may not be
28 removed within;

29
30 a. _____ the area between the high water mark and the apex of the bank without a
31 tree removal permit approved by the City of Holladay Planning Commission with
32 a recommendation from the Community Development Director and City
33 Engineer; or

34
35 b. _____ the area beyond the apex of the bank as defined in section 13.04.040
36 without a tree removal permit approved by the Community Development
37 Director.

38
39 23. A permit to remove a ~~significant street~~ protected tree shall be issued if the
40 applicant demonstrates that:

41
42 a. Removal is necessary for public safety reasons;

43
44 b. Removal is essential in order to allow for development ~~or redevelopment~~
45 of the ~~abutting~~ property; or

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c. Good cause exists and removal would be in the best interest of the city.

D. *Replacement of ~~significant Street Protected~~ Trees Required:* Any permit for the removal of a significant Street protected tree shall be conditioned upon the planting of a replacement ~~Street~~ tree. This requirement may be modified or waived to the extent necessary to protect public safety.

E. *Requirements for Replacement Trees:* Replacement trees shall comply with the following schedule and requirements:

1. A ~~significant~~ deciduous tree that is removed shall be replaced by a deciduous tree with a minimum size of two inch (2") caliper of a variety that has the potential to reach a mature height of that of the removed tree.
2. ~~A significant coniferous tree that is removed shall be replaced by at least one tree with a minimum height of eight feet (8'). (Note: Too many trees can cause crowding and reduced vigor, and possible death of same.)~~ A coniferous tree that is removed shall be replaced by at least one coniferous tree with a minimum height of eight feet (8') or replaced by a deciduous equivalent as per subsection 1 of this section.
3. Replacement trees shall be of a variety listed in the City of Holladay Street Tree Program brochure. ~~the same variety as the tree removed, unless the removed tree is of a variety deemed inappropriate or undesirable, or the same variety as other trees on the street, or of a variety approved by the community development director.~~
4. Unless otherwise authorized by the city, replacement trees shall be planted within six (6) months after the removal of the prior tree.
5. Replacement trees shall be maintained by the property owner through an establishment period of at least three (3) years.

F. *Planting of Street Trees Required:* In connection with any permit issued for new development or significant redevelopment within the city, the owner/developer of the abutting property shall be required to plant street trees of an appropriate variety and number as determined by the community development director. This requirement may be waived, in whole or in part, if sufficient street trees already exist and are preserved as part of the development.

G. *Topping:* Topping any street tree required by this title is prohibited.

H. *Appeals.* A person adversely affected by a decision of the Community Development Director regarding issuance or compliance with a tree removal permit may appeal such decision to the administrative appeals officer.

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I. Expiration: A tree removal permit shall expire and have no further force or effect if the tree removal activity or construction is not commenced within one year of the date of the issuance of the tree removal permit.

J. Penalties: If a protected Street/Community/Waterway tree as defined in 13.04.040 is removed without a permit or otherwise in violation of this chapter, the following provisions shall apply:

1. Any violation which is knowing and intentional shall be a Class B Misdemeanor, punishable by a fine not to exceed \$1,000 and 6 months in jail.
2. Any violation shall be punishable by a civil penalty of up to \$1,000, in addition to the requirements of this Chapter regarding the replacement of protected trees.
3. No certificate of occupancy or similar authorization shall be issued for any development until all applicable permits and/or mitigation plans or conditions have been accomplished.

1 **3.35.100: OTHER LAND USE REVIEWS:**

2

3 Fees for other applications, review processes, appeals to the city manager permitted under any
 4 provision of this code, and impact fees shall be as shown on table 3.35.100.1 of this section:

5

6 Table 3.35.100.1

Permitted use site plan review		\$600 .00
<u>Tree protection plan review</u>		<u>TBD</u>
<u>Tree Removal Permit</u>		<u>TBD</u>
Parks impact fee		450 .00
Copies		0 .15 per page
Land use ordinance		15 .00
Zoning maps:		
Color		25 .00
Black and white		15 .00
Appeals to city manager		75 .00

7

1 **Chapter 14.44**

2 **SHADE STREET TREES**

3

4 14.44.010: CARE OF TREES:

5 14.44.020: PLANTING LINE:

6 **14.44.030: ~~CONDEMNATION AND REMOVAL OF TREES:~~**

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8 **14.44.010: CARE OF TREES:**

9

10 In all cases the abutting property owner who receives the beneficial use of and benefit from
11 protected street trees is to care for and water the same. Failure to care for protected street trees or
12 removal without a tree removal permit ~~may constitute a nuisance~~ is considered a violation of this
13 code and requires remediation and/or payment of a fine.

14

15 **14.44.020: PLANTING LINE:**

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17 The line on which the street trees are to be centered within a city highway right of way shall be
18 determined by the ~~department~~ city.

19

20 **14.44.030: ~~CONDEMNATION AND REMOVAL OF TREES:~~**

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22 The ~~department~~ city, upon giving proper notice to abutting property owner, shall have the
23 authority to ~~condemn and remove~~, trim or prune, or order the removal, pruning or trimming by
24 the abutting property owner of, any tree, tree stump, shrub or vine upon any city roads, avenues,
25 or ways where the tree, tree stump, shrub or vine is dead, diseased or for any other reason
26 undesirable. The ~~department~~ city shall have authority to trim or prune any ~~road~~ street tree or
27 remove any street tree that is in violation of any city ordinance, without serving notice upon the
28 abutting property owner.

29