

ARTICLE III. PLANTING AND MAINTENANCE*

***Cross references:** Regulating weeds, grass and uncultivated plants, § 42-31.

Sec. 99-51. Small trees and large trees.

[The species are listed by size classes as follows:]

Accent Trees (Range from 10 to 20 feet)

TABLE INSET:

Redbud	Cercis canadensis
Crepe myrtle	Langerstromeia indica
Yaupon holly	Ilex vomitoria
Bradford pear	Purus calleryana "Bradford"
Texas sophora	Sophora affinis
Wild plum	Prunus americana
Crab apple	Malus augustifolia
Deciduous holly	Illex decidua
Flameleaf sumac	Rhus copallina
Cherry-laurel	Prunus caroliniana
Chase trees	Vitex angus-castus

Overstory Trees (Range from 30 to 60 feet)

TABLE INSET:

Bald cypress	Taxodium distichum
Cedar Elm	Ulmus crassifolia
Lacebark Elm	Ulmus parvifolia
Pecan	Carya illinoinesis
Chinese Pistache	Pistacia chinesis
Bur Oak	Querus macrocarpa

Red Oak	<i>Quercus shumardii</i>
Sweet Gum	<i>Liquidambar styraciflora</i>
Green Ash	<i>Fraxinus pennsylvanica</i>
Live Oak	<i>Quercus virginiana</i>
Western soapberry	<i>Sapindus drummondii</i>
Post Oak	<i>Quercus stallata</i>
Black Jack Oak	<i>Quercus marilandica</i>
Eastern Red Cedar	<i>Juniperus virginiana</i>
Southern magnolia	<i>Magnolia grandiflora</i>
Slash pine	<i>Pinus elliotii</i>
Japanese black pine	<i>Pinus thunbergii</i>
Austrian pine	<i>Pinus nigra</i>
Afgan pine	<i>Pinus eldarica</i>

(Ord. No. O-98-1130, § 7, 12-15-98)

Sec. 99-52. Spacing.

The spacing of street trees will be in accordance with the three [two] species size classes listed in section 99-51 of this chapter, and no trees may be planted closer together than the following (without approval of the tree board): Accent trees, 20 feet and overstory trees, 40 feet.

(Ord. No. O-98-1130, § 8, 12-15-98)

Sec. 99-53. Distance from curb and sidewalks.

The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the two species size classes listed in section 99-51 of this chapter, and no trees may be planted closer to any curb or sidewalk than the following: Small trees, three feet; medium trees, five feet; and large trees, nine feet in accordance with existing city ordinances.

(Ord. No. O-98-1130, § 9, 12-15-98)

Sec. 99-54. Distance from street corners and fireplugs.

No tree shall be planted closer than 25 feet of any street corner, measured from the point of nearest intersecting curbs or curblines. No street tree shall be planted closer than ten feet of any fireplug.

(Ord. No. O-98-1130, § 10, 12-15-98)

Sec. 99-55. Utilities.

No street trees other than those species listed as small trees in section 99-51 of this chapter may be planted under or within ten lateral feet of any overhead utility wire, or over or within five lateral feet of any underground water line, sewer line, transmission line or other utility.

(Ord. No. O-98-1130, § 11, 12-15-98)

Sec. 99-56. Public tree care.

The city shall have the right to plant, trim, spray, preserve and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to insure safety when servicing city utilities or to preserve the symmetry and beauty of such public grounds. The city may remove or cause or order to be removed, any tree or part thereof which is located on public property or municipal utility easement, which by reasons of its nature is injurious to sewers, electric power lines, gas lines, water lines or other public improvements, or is affected with any injurious fungus, insect or other pest.

(Ord. No. O-98-1130, § 12, 12-15-98)

Sec. 99-57. Trimming corner clearance.

Every owner of any tree overhanging any street or rights-of-way within the city shall trim the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street in an intersection and so that there shall be a clear space of seven feet above the surface of the street or right-of-way. The city shall have the right to trim any tree or shrub on private property when it interferes with visibility of any traffic control device or sign. Such trimming is to be confined to the area immediately above the right-of-way.

(Ord. No. O-98-1130, § 13, 12-15-98)

Sec. 99-1. Definitions.

[The following words, terms and phrases, as used in this chapter, shall have the meanings respectively ascribed to them in this section, unless the context clearly indicates otherwise:]

Street trees is herein defined as trees, shrubs, bushes, and all other wood vegetation on land lying between the curb, pavement line and the property lines of either side of all streets, avenues or ways within the city.

Park trees is herein defined as trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the city, or to which the public has free access as a park.

(Ord. No. O-98-1130, § 1, 12-15-98)

Sec. 99-2. Penalty.

Any person violating any provision of this chapter shall be guilty of a misdemeanor and upon conviction or a plea of guilty, shall be subject to a fine in an amount not to exceed \$2,000.00 for each offense.

(Ord. No. O-98-1130, § 2, 12-15-98)