

# Chapter 7 TREES

## 8-7-1: DEFINITIONS:

For the purpose of this chapter, certain terms and words are herewith defined as follows:

**PARK TREES:** Trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the village, or to which the public has free access as a park.

**STREET TREES:** Trees, shrubs, bushes and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the village. (Ord., 10-24-1995)

## 8-7-2: CREATION AND ESTABLISHMENT OF A TREE TRUST COMMITTEE:

There is hereby created and established a tree trust committee for the village, which shall consist of four (4) members, who shall be appointed by the president with the approval of the village board. (Ord., 10-24-1995)

## 8-7-3: DUTIES AND RESPONSIBILITIES:

It shall be the responsibility of the committee to study, investigate, counsel and develop and/or update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal, or disposition of trees and shrubs in parks, along streets and in other public areas. Such plan will be presented annually to the village board and upon their acceptance and approval shall constitute the official comprehensive village tree plan for the village. The committee, when requested by the village board, shall consider, investigate, make findings, report and recommend upon any special matter of question coming within the scope of its work. (Ord., 10-24-1995)

## 8-7-4: STREET TREE SPECIES TO BE PLANTED:

The following list constitutes the official street tree species for St. Joseph. No species other than those included in this list may be planted as street trees without written permission of the tree trust committee.

<u>Scientific Name</u>	Common Name	Cultivars
Large Trees (50' And Up):		

Acer saccharum	Sugar maple	Green mountain
		Legacy
Celtis occidentalis	Hackberry	
Fagus grandifolia	American beech	
Fagus sylvatica	European beech	
Fraxinus americana	White ash	Autumn applause
		Autumn purple
		Champaign county
Fraxinus pennsylvanica	Green ash (seedless only)	Marshall seedless
		Summit
		Patmore
Ginkgo biloba	Ginkgo (male)	
Gymnocladus dioicus	Kentucky coffee (male)	
Magnolia acuminata	Cucumber tree	
Quercus alba	White oak	
Quercus bicolor	Swamp white oak	
Quercus coccinea	Scarlet oak	
Quercus imbricaria	Shingle oak	
Quercus macrocarpa	Bur oak	
Quercus muehlenbergii	Chinquapin oak	
Quercus robur	English oak	
Quercus rubra	Red oak	
Quercus shumardii	Shumard oak	
Quercus stellata	Post oak	
Taxodium distichum	Bald cypress	
Tilia americana	Redmond linden	
	Glenleven linden	

Tilia cordata	Littleleaf linden	Chancellor
		Greenspire
Medium Trees (25' To 50'):		
Acer platanoides	Norway maple	
Acer rubrum	Red maple	October glory
		Red sunset
		Armstrong
		Bowhall
Carpinus betulus	European hornbeam	
Nyssa sylvatica	Black gum	
Pyrus calleryana	Flowering pear	Aristocrat
		Chanticleer
		Redspire
Quercus acutissima	Sawtooth oak	
Small Trees (Up To 25'):		
Acer campestre	Hedge maple	Tree form
Acer ginnala	Amur maple	Tree form
Amelanchier canadensis	Shadblow serviceberry	Tree form
Amelanchier grandiflora	Apple serviceberry	Tree form
Amelanchier laevis	Alleghany serviceberry	Tree form
Carpinus caroliniana	American hornbeam	
Cercidiphyllum japonicum	Katsura tree	
Crataegus sp.	Hawthorn (thornless)	

Ostrya virginiana	Ironwood	
Syringa reticulata	Japanese tree lilac	

(Ord., 10-24-1995)

**8-7-5: PERMIT REQUIRED:**

No street trees or park trees shall be planted within the village without first obtaining a permit from the tree trust committee. (Ord., 10-24-1995)

**8-7-6: SPACING:**

The spacing of street trees will be in accordance with the three (3) species size classes listed in section 8-7-4 of this chapter, and no trees may be planted closer together than the following: small trees, thirty feet (30'); medium trees, forty feet (40'); and large trees, fifty feet (50'); except in special plantings designed or approved by a landscape architect and approved in writing by the tree trust committee. (Ord., 10-24-1995)

**8-7-7: DISTANCE FROM CURB AND SIDEWALK:**

The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the three (3) species size classes listed in section 8-7-4 of this chapter, and no trees may be planted closer to any curb or sidewalk than the following: small trees, two feet (2'); medium trees, three feet (3'); large trees, four feet (4'). (Ord., 10-24-1995)

**8-7-8: DISTANCE FROM STREET CORNERS AND FIREPLUGS:**

No street tree shall be planted closer than thirty five feet (35') from any street corner, measured from the point of nearest intersecting curbs or curblines. No street tree shall be planted closer than ten feet (10') from any fireplug. (Ord., 10-24-1995)

**8-7-9: UTILITIES:**

No street trees other than those species listed as small trees in section 8-7-4 of this chapter may be planted under or within ten (10) lateral feet of any overhead utility wire, and street trees shall be planted in proximity to any underground water line, sewer line, transmission line or other utility as approved by the tree trust committee. (Ord., 10-24-1995)

**8-7-10: PUBLIC TREE CARE:**

(A) The village shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds.

(B) The tree trust committee may remove or cause or order to be removed, any tree or part thereof which is in an unsafe condition or which by reason 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. This section does not prohibit the planting of street trees by adjacent property owners providing that the selection and location of said trees is in accordance with sections 8-7-4 through 8-7-8 of this chapter. (Ord., 10-24-1995)

### **8-7-11: TREE TOPPING:**

It shall be unlawful as a normal practice for any person, firm, or village department to top any street tree, park tree or other tree on public property. "Topping" is defined as the severe cutting back of limbs to stubs larger than three inches (3") in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this section at the determination of the tree trust committee. (Ord., 10-24-1995)

### **8-7-12: PRUNING, CORNER CLEARANCE:**

Every owner of any tree overhanging any street or right of way within the village shall prune the branches so that such branches shall not obstruct the light from any streetlamp or obstruct the view of any street intersection and so that there shall be a clear space of eight feet (8') above the surface of the street or sidewalk. Said owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The village shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a streetlight or interferes with visibility of any traffic control device or sign, or interferes with vehicular or pedestrian traffic. (Ord., 10-24-1995)

### **8-7-13: DEAD OR DISEASED TREE REMOVAL ON PRIVATE PROPERTY:**

The village shall have the right to cause the removal of any dead or diseased trees on private property within the village, when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the village. The tree trust committee will notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within sixty (60) days after the date of service of notice or owner shall request a hearing before the board of trustees within said time period. In the event of failure of owners to comply with such provisions or to request a hearing within said time provided, the village shall have the authority to remove such trees and charge the cost of removal to the owners. In the event said cost of removal is not paid within thirty (30) days of the receipt of said bill by the owners the village may file a lien on the real estate from which the trees were removed and may file suit to enforce said lien. (Ord., 10-24-1995)

#### **8-7-14: REMOVAL OF STUMPS:**

All stumps of street and park trees shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground. (Ord., 10-24-1995)

#### **8-7-15: INTERFERENCE WITH TREE TRUST COMMITTEE:**

It shall be unlawful for any person to prevent, delay or interfere with the tree trust committee, or any of its agents, while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any street trees, park trees, or trees on private grounds, as authorized in this chapter. (Ord., 10-24-1995)

#### **8-7-16: REVIEW BY VILLAGE BOARD:**

The village board shall have the right to review the conduct, acts and decisions of the tree trust committee. Any person may appeal from any ruling or order of the tree trust committee to the village board who may hear the matter and make final decision. (Ord., 10-24-1995)

#### **8-7-17: PENALTY FOR VIOLATIONS:**

Any person who violates this chapter shall upon conviction thereof be fined in accordance with section 1-4-1 of this code. (2005 Code)

#### **8-7-18: EXCEPTIONS:**

The regulations and prohibitions of this chapter shall not apply to land owned and operated by a duly created government conservation district, including the Champaign County soil and water conservation district. (Ord. 2009-8, 4-28-2009)