

CHAPTER 20
STREET TREES

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DIVISION 1

DEFINITIONS AND GENERAL PROVISIONS

20-1-1 DEFINITIONS

- A) "Street Tree" shall be defined as trees, shrubs, bushes, and all other woody vegetations on land lying between property lines on either side of all streets, avenues, or roads within the city.
- B) "City" is the City of St. Elmo.
- C) "City Personnel" shall be any employee, agent, or contractor designated by the City Council to conduct specified tasks.

20-1-2 PURPOSE AND INTENT

A) Purpose

The purpose of this Ordinance is to regulate the planting, maintenance, and removal of all street trees and shrubs in order to protect and promote the health, safety, and welfare of the citizens of St. Elmo.

B) Intent

It is the intent of the City Council to encourage:

1. The planting of desirable tree species.
2. Protection, and restoration of the desirable tree species.
3. The protection of city residents from personal injury and property damage resulting from improper planting, maintenance, or removal of any street trees.

20-1-3 ESTABLISHMENT OF A CITY TREE COMMITTEE

There is hereby created and established a City Tree Committee for the City of St. Elmo. The City Tree Committee shall consist of five to twelve members. With the establishment of the first Board, one member shall serve for two years and the remaining members shall serve for three years. The Mayor of St. Elmo shall appoint all of the Tree Committee Members. In the event that a vacancy shall occur during the term of any member, his successor shall be appointed for the un-expired portion of the term.

20-1-4

COMPENSATION, DUTIES, AND RESPONSIBILITIES

- A) Members of the City Tree Committee shall serve without compensation.
- B) It shall be the duty of the City Tree Committee to meet a minimum of two times annually. The City Tree Committee shall be responsible for the review of the current forest management practices and make improvements and necessary changes in the planting, maintenance, and removal and disposal practices being conducted on street trees.
- C) It shall be the responsibility of the City Tree Committee to:
 - 1. Review and/or issue permits required by this Ordinance.
 - 2. Establish policies necessary in maintaining an effective plan for the care and preservation of all street trees.
 - 3. Choose its own officers and establish its own rules and regulations for conducting the business at hand.

20-1-5

ACCEPTABLE STREET TREE SPECIES

The following list constitutes the official Street Tree Species for St. Elmo, Illinois. No species other than those included in this list may be planted as Street Trees without written permission of the City Tree Committee.

Large Trees

(height over 50')
 Shingle Oak
 English Oak
 Pin Oak
 Kentucky Coffee Tree (male only)
 Ginkgo (male only)
 Sweet Gum
 American Beech
 Hackberry
 Thornless Honey locust
 London Plane Tree
 Red Maple
 Sugar Maple
 Magnolia

Medium Trees

(height 30-40')
 Crimean Linden
 Littleleaf Linden
 Marshall Seedless Ash
 Hop Hornbeam
 Amur Cork Tree
 Black Gum
 Osage Orange
 (male only)
 Norway Maple

Small Trees“ (height less than 30')

Bradford Pear
 Purpleleaf Plum
 *Flowering Crab
 Goldenrain Tree

Amur Maple
Washington Hawthorn
Dogwood

*Selected cultivars or varieties resistant to scab and rust diseases.

20-1-6

PLANTING, SPACING, AND RESTRICTIONS

The spacing of Street Trees will be in accordance with the three species size classes listed in Section VI of this ordinance, and no trees may be planted closer together than the following:

Small Trees 30 feet
Medium Trees 40 feet
Large Trees 50 feet

Street Trees, in accordance with the three species size classes listed in Section VI of this ordinance, shall not be planted closer to any curb or sidewalk than the following:

Small Trees 2 feet
Medium Trees 3 feet
Large Trees 4 feet

No Street Tree shall be planted within 35 feet of any street corner. No Street Trees shall be planted within 10 feet of any fire plug.

20-1-7

PROHIBITED TREES

The following undesirable tree species or their varieties shall not be planted on any city owned property as a Street Tree, except in special circumstances where because of characteristics of adaptability or landscape effect, they can be used to public advantage.

<u>Common Name</u>	<u>Common Name</u>
Silver Maple	Willow
Catalpa	Spruce
Chinese Elm	Pines
Cottonwood	Junipers
Tree of Heaven	Boxelder
Mulberry	Paper Birch

20-1-8

PUBLIC TREE CARE

The City shall have the right to plant, prune, maintain, and remove all trees and plants designated within the city limits on city owned property.

The City and any of its agents may remove any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to

sewers, gas lines, water lines, electric power lines, or other public improvements. The City or its agents may also cause any tree or part of a tree that is affected by any injurious fungus, insect, or disease pest to be removed.

20-1-9

PLANTING REGULATIONS

A. Tree Size--Trees when planted shall have a minimum size in accordance with the three specie size classes listed in Section VI.

Small Trees -- shall have a trunk diameter of one to one and one-half inches (measured at ground level) or a minimum height of four feet.

Medium Trees -- shall have a minimum trunk diameter of one and one-half inches or a minimum height of six feet.

Large Trees -- shall have a trunk diameter of two inches or a minimum height of six feet.

- B. Trees when planted shall be free of infectious disease or insect infestation.
- C. Trees shall be planted on the centerline of the parkways or in line with the existing row of trees.
- D. No tree shall be placed so as to cause a traffic hazard.
- E. All trees from one and one-half inches in diameter or over six feet tall at the time of planting must be protected and supported by tree guards (stakes). Two stakes set at least eight to twelve inches away from the trunk of the tree. The tree guards should be maintained for a minimum of two years.

20-1-10

INJURY TO STREET TREES

No person shall, without a written permit from the City Tree Maintenance Supervisor in the case of a Street Tree, do or cause to be done by others, any of the following acts:

- A. Secure, fasten, or run any rope, wire, sign, unprotected electrical installation, or other device or material to, around, or through a tree or shrub.
- B. Break, injure, mutilate, deface, kill, or destroy or permit any fire to burn where it will injure any Street Tree.

- C. Permit any toxic chemical, gas smoke, salt, brine, oil, or other injurious substance to seep, drain, or be emptied upon or about any Street Tree.
- D. Erect, alter, repair, or raze any building or structure without placing suitable guard around all nearby public trees or shrubs which may be injured by such operations.
- E. Remove any guard, stake, or other device or material intended for the protection of a public tree.

20-1-11

TREE TOPPING AND DEHORNING

Tree Topping or Dehorning as a normal practice shall be prohibited. Topping shall be defined as the removal of the whole top of a tree for safety reasons or to prevent it from touching overhead wires. Dehorning shall be defined as the removal of all fine and medium sized branches over the entire tree crown.

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 ordinance at the discretion of the City Tree Committee.

20-1-12

REMOVAL OF STUMPS

All stumps resulting from Street Tree removal 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. If possible, all tree stumps shall be removed no later than thirty days following the removal of any Street Tree.

20-1-13

PRUNING, CORNER CLEARANCE, AND OBSTRUCTION

Every owner of any tree overhanging any street or right-of-way within the City shall prune the branches so that such branches shall not obstruct the view of any street intersection or obstruct the light from any street lamp, and so that there shall be a clear space of eight feet above the surface of the street or sidewalk. The City shall have the right to prune any tree on private property when it obstructs the spread of light from street lamps or interferes with the visibility of intersections or traffic control signs or interferes with any over head electrical lines.

General trimming and/or pruning of any tree on or overhanging public property shall be permitted upon the prior approval of the City Tree Committee. Such trimming and/or pruning shall be conducted for purposes of cosmetics or to remove dead or diseased branches. This work must be performed by a properly licensed and insured contractor.

20-1-14

VIOLATION AND PENALTY

Any person, firm or corporation violating any provision of this Ordinance shall be fined of not less than One Hundred Seventy-Five Dollars (\$175.00) nor more than Five Hundred Dollars (\$500.00) for each separate offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Amended April 5, 2010; Amended October 5, 2011

20-1-15

CITY COUNCIL REVIEW

The St. Elmo City Council shall have the right to review the conduct, acts, and decisions of the City Tree Committee. Any person may appeal from any ruling or order of the City Tree Committee to the City Council who may hear the matter and make the final decision.

