Urban Forestry Assistance Available to Tennessee Cities

Carol C. Hewlett
*Municipal Technical Advisory Service*

4-5-1983

Follow this and additional works at: [http://trace.tennessee.edu/utk_mtastech](http://trace.tennessee.edu/utk_mtastech)

Part of the *Public Administration Commons*

The MTAS publications provided on this website are archival documents intended for informational purposes only and should not be considered as authoritative. The content contained in these publications may be outdated, and the laws referenced therein may have changed or may not be applicable to your city or circumstances.

For current information, please visit the MTAS website at: [mtas.tennessee.edu](http://mtas.tennessee.edu).

**Recommended Citation**

[http://trace.tennessee.edu/utk_mtastech/182](http://trace.tennessee.edu/utk_mtastech/182)
URBAN FORESTRY ASSISTANCE AVAILABLE TO TENNESSEE CITIES

by

Carol C. Hewlett, MTAS Librarian

Tom Simpson, state-wide urban forester, is your contact for the Tennessee Urban Forestry Program, a service available to all Tennessee municipalities.

Begun in February 1980, the Urban Forestry Program of the Tennessee Division of Forestry is designed to help cities with a variety of tree-related problems and projects. Some of the services provided include:

- Identification and methods of controlling insects and/or diseases in city trees.
- Instruction on proper methods of selecting, planting, and maintaining trees in the city, including such aspects as how to treat wounds and when to fertilize and prune trees.
- Conducting inventory of existing tree population and identifying forestry and beautification needs.
- Assistance in establishing goals and objectives for long range planning in urban forestry.

The Urban Forester is also the contact for participation in various conservation-related programs: Tree City USA, National Register of Big Trees, Historic Trees, Arbor Day.

Simpson will help you design a municipal tree ordinance (sample attached), which is one requirement for participation in the Tree City USA program. Some Tennessee cities that have received this designation are Athens, Maryville, and Norris. Norris is also the first Tennessee city to receive the National Urban and Community Forestry Leaders Council Award for achievements in urban forestry.

For more information on how your city can participate in one of these programs or take advantage of some of the other services listed, contact:

Tom Simpson, Urban Forester
P. O. Box 2666, Knoxville, TN 37901
Telephone: (615) 525-6119

or your MTAS Consultant.
Related materials available from the MTAS Library include:


The sample ordinance was designed for use in midwestern communities of average population. The ordinance that your community ultimately develops should be designed to fit its specific needs.

**SAMPLE CITY TREE ORDINANCE**

Be it ordained by the City Commission of the City of __________ State, that:

**Section 1. Definitions**

Street trees: "Street trees" are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or streets in the City. Park Trees: "Park trees" are herein defined as trees, shrubs, bushes and all other woody vegetation in public parks having individual names and all access owned by the City, or to which the public has free access as a park.

**Section 2. Creation and Establishment of a City Tree Board**

There is hereby created and established a City Tree Board for the City of __________ State which shall consist of five members, citizens and residents of this city, who shall be appointed by the mayor with the approval of the Commission.

**Section 3. Term of Office**

The term of the five persons to be appointed shall be three years except that the term of two of the members appointed to the first board shall be for only one year and the term of two members of the first board shall be for two years. In the event that a vacancy shall occur during the term of any member, his successor shall be appointed for the unexpired portion of the term.

**Section 4. Compensation**

Members of the Board shall serve without compensation.

**Section 5. Duties and Responsibilities**

It shall be the responsibility of the Board to study, investigate, council 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 City Commission and upon their acceptance and approval by the mayor constitute the official comprehensive city tree plan for the City of __________ State.

The Board, when requested by the City Commission, shall consider, investigate, make findings, report and recommend upon any special matter of question coming within the scope of its work.

**Section 6. Operation**

The Board shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business.

**Section 7. Street Tree Species to be Planted**

The following list constitutes the official street tree species for __________ State. No species other than those included in this list may be planted as Street Trees without written permission of the City Tree Board.

- **Small Trees**
  - Apricot
  - Crape Myrtle
  - Flowering (up)
  - Golden Rain Tree
  - Hawthorne (up)
  - Pear, Bradford
  - Redbud
  - Soapberry
  - Lilac, Jab Tree
  - Peach, Flowering
  - Plum, Purpleleaf
  - Serviceberry

- **Medium Trees**
  - Ash, Litten
  - Honeylocust
  - Linden or Basswood
  - Mulberry, Red
  - Oak, Red
  - Redbud Mulberry
  - Robinia (sp.
  - Pecan
  - Hickory
  - Osage Orange
  - Maple, English
  - Plum, White
  - Sassafras

- **Large Trees**
  - Cottonwood
  - English Elm
  - London plane
  - English Walnut
  - Kentucky Sycamore
  - Mesquite
  - Mulberry, Red
  - Oak, Bur

**Section 8. Spacing**

The spacing of Street Trees will be in accordance with the three species size classes listed in Section 7 of this ordinance, and no trees may be planted closer together than the following: Small Trees, 30 feet; Medium Trees, 40 feet; and Large Trees, 50 feet, except in special plantings designed or approved by a landscape architect.

**Section 9. Distance from Curb and Sidewalk**

The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the three species size classes listed in Section 7 of this ordinance, and no trees may be planted closer to any curb or sidewalk. Small Trees, 2 feet; Medium Trees, 3 feet; and Large Trees, 4 feet.

**Section 10. Distance from Street Corners and Fireplugs**

No Street Tree shall be planted closer than 35 feet of any street corner, measured from the point of nearest intersecting curbs or curblines. No Street Tree shall be planted closer than 10 feet of any fireplug.

**Section 11. Utilities**

No Street Trees other than those species listed as Small Trees in Section 7 of this ordinance may be planted under or within 10 lateral feet of any overhead utility wire, or over or within 5 lateral feet of any underground water line, sewer line, transmission line or other utility.

**Section 12. Public Tree Care**

The City 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 insure public safety or to preserve the symmetry and beauty of such public grounds.

The City Tree Board 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 a street tree or plant by the owner of any property providing that the selection and location of said trees is in accordance with Sections 7 through 11 of this ordinance.

**Section 13. Tree Topping**

It shall be unlawful for any person, firm, or city 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 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 the pruning practices are impractical may be exempted from this ordinance at the determination of the City Tree Board.

**Section 14. Pruning, Corner Clearance**

Every owner of any tree or right-of-way within the City shall prune the branches so that such branches shall not obstruct the light from any street lamp 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. Trees shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The City 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 street light or interferes with visibility of any traffic control device or sign.

**Section 15. Dead or Diseased Tree Removal on Private Property**

The City shall have the right to cause the removal of any dead or diseased trees on private property within the city, 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 city. The City Tree Board will notify in writing the owners of such trees. Removal shall be done by said owner at their own expense within sixty days after the date of service of notice. In the event of failure of owners to comply with such provisions, the City shall have the authority to remove such trees and charge the cost of removal on the owners property tax notice.

**Section 16. Removal of Stumps**

All stumps of street and park trees shall be removed below the grade of the ground so that the top of the stump shall not project above the surface of the ground.

**Section 17. Interference with City Tree Board**

It shall be unlawful for any person to prevent, delay or interfere with the City Tree Board, 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 ordinance.

**Section 18. Arborists License and Bond**

It shall be unlawful for any person or firm to engage in the business of or occupation of pruning, treating, or removing street or park trees within the City without first applying for an arborist's license and bond. The license fee shall be $50 annually in advance; provided, however, that no license shall be required of any public service company or City employee doing such work in the pursuit of their public service endeavors. Before any license shall be issued, each applicant shall first file evidence of possession of liability insurance in the minimum amounts of $30,000 for bodily injury and $100,000 for property damage indemnifying the City or any person injured or damaged resulting from the pursuit of such endeavors as herein described.

**Section 19. Review by City Commission**

The City Commission shall have the right to review the conduct and licensed decisions of the City Tree Board. Any person may appeal from any ruling or order of the City Tree Board to the City Commission who may hear the matter and make final decision.

**Section 20. Penalty**

Any person violating any provision of this ordinance shall be, upon conviction or a plea of guilty, subject to a fine not to exceed $_____.

*Please note: The above species are offered as size-class examples only and may not be suitable for planting in your area. Please check with local sources to develop a species list for your area.*