

Town of Newborn

Newton County

Atlanta MSA

2003 Population Estimate 623; +15.6% change from 2000 Census.

Tree City USA for 6 years.

Town Tree Board with 6 members; no meeting frequency required by ordinance.

Tree Ordinance

First adopted 2000. No revisions.

Addresses public and private property.

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Tree Ordinance Administrative Guidelines (August 23, 2001)

- Introduction
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Preferred that contact
information not be published.

BE IT ORDAINED by the Mayor and Council of the TOWN OF NEWBORN, Georgia and IT IS HEREBY ORDAINED as follows:

NEWBORN TREE ORDINANCE

Section One (1) - Intent and Purpose

The intent of this Ordinance is to:

1. Recognize trees to be a valuable asset providing oxygen and a healthier and more beautiful environment in which we live;
2. Recognize that trees are economically beneficial in improving property values; provide shade and cooling effects; mitigate air and noise pollution;
3. Recognize that trees also prevent soil erosion and assist in flood control and storm water management;
4. Establish standards limiting the removal of, and insuring replacement of trees sufficient to safeguard the ecological and aesthetic environment necessary to a healthy, happy community; and
5. Not be punitive or to cause hardship to any individual, private or public company that uses care and diligence to protect trees within the Town.

The public purpose of this Ordinance is to:

1. Protect the aesthetic quality provided by the natural tree cover on tracts of land being converted to urban development;
2. Protect and enhance the aesthetic quality provided by street and park trees;
3. Prevent soil erosion and reductions in the drainage holding capacity of land;
4. Prevent increases and promote reductions in air pollution and carbon dioxide levels in the air;
5. Provide for future planting of trees on Town property and the removal of dangerous trees;
6. Provide for penalties for violations of this Ordinance;
7. Establish a Board to develop a plan to implement the purposes of this Ordinance and to study and investigate any matter or subject which will promote the objectives of this Ordinance, and to make recommendations as may be appropriate resulting from such studies and investigations;
8. Establish tree protection regulations and a tree planting program in order to preserve, protect and enhance trees as a most valuable natural resource for the health, safety and welfare of the citizens, thus making Newborn a better place to live; and
9. Provide for other purposes necessary to carry out the intent of this Ordinance.
10. Provide food and shelter for wildlife.

Section Two (2) - Authority and Power

There is hereby created and established a Town Tree Board for the Town of Newborn, which shall consist of six (6) members, citizens and residents of this town, who shall be appointed by the Mayor with the approval of the Town Council. Members of the board shall serve without compensation. The Town Tree Board may appoint ex-officio non-voting members.

Section Three (3) - Term of Office

The term of the six persons to be appointed by the Mayor shall be three years, except that the term of the members appointed to the first tree board shall be for three members to serve three years and three members to serve two years. In the event that a vacancy shall occur during the term of any member, his or her successor shall be appointed for the unexpired term. The chairman of the tree board shall recommend to the Mayor and Town Council the successor.

Section Four (4) - Applicability

This ordinance provides the full power and authority over all trees, plants and shrubs located within street rights-of-way, parks and public places of the town; and to trees, plants and shrubs located on private property that constitute a hazard or threat as described herein and on new commercial and residential development in the Town of Newborn. The Town Tree Board has the authority to require, review, approve or deny landscaping plans for new residential and commercial development.

Section Five (5) - Administrative Guidelines

The Administrative Guidelines which define the methods of tree planting, maintenance, protection, and preservation in the Town of Newborn are an addendum to this ordinance. The Town Tree Board may (as required) update or change the Administrative Guidelines.

Section Six (6) - Maintenance of Public Trees

The maintenance of public trees shall be done in accordance with ANSI A 300, (Part 1 and Part 2), ANSI Z133.1, and other standards and guidelines as provided in the Administrative Guidelines.

Section Seven (7) - Insurance

a) Before an arborist or tree removal service may engage in the business of removing, pruning or treating street trees on town property, said business must file evidence of possession of workman's compensation (if required) and general liability insurance with the Town Clerk. The minimum amounts of which must be \$500,000 for bodily injury and \$500,000 property damage, indemnifying the Town of Newborn of any personal injury or damage resulting from the pursuit of endeavors herein described.

b) Requirement is waived for public utility companies or government agencies for operations assuring uninterrupted utility and governmental services and unobstructed passage on public rights-of-way.

c) Requirement is waived for employees of the Town of Newborn, designated by Mayor and Council for the removal of trees damaged by lightening, wind, ice or other disasters to the extent that public safety is endangered.

Section Eight (8) - Landscaping on New Developments

A development permit will be required for new subdivisions of three (3) or more lots or when the development of commercial property occurs. The Town Tree Board shall require and review landscaping plans (which includes an onsite visitation) and has the authority to require the protection of existing trees, plants and shrubs and the planting of trees, plants and shrubs in the development and in street rights-of-way, parking lots, parks or other public places abutting lands henceforth developed and/or subdivided. No land use change or disturbance shall occur before the landscaping plan is approved and a development permit is issued.

Section Nine (9) - Community Forest Management Tree Planting, Maintenance and Removal

a) Tree Species - The Town Tree Board will maintain a list of desirable trees for street planting in three (3) size classes: small, medium and large. The list is included in the attached Administrative Guidelines.

b) Utilities - No street trees, plants or shrubs other than those species listed herein as small trees may be planted under or within ten (10) lateral feet of any overhead utility wire, or over or within five (5) lateral feet of any underground water line, transmission line or other utility.

c) Distance from Street Corners and Fire Hydrants - No tree shall be planted closer than thirty (30) feet to any street corner, measured from the point of nearest intersection of curbs or curb lines; except in special planting designed or approved by the Town Tree Board. No street tree shall be planted closer than ten (10) feet to any utility pole or fire hydrant, or within fifteen (15) feet of driveways and alleys.

d) Tree Topping - Topping is defined as the severe cutting back of limbs to stubs larger than three (3) inches in diameter within the tree's crown to such a degree as to remove the normal canopy and disfigure the tree. It shall be unlawful as a normal practice for any reason, for any firm, person, town department, or public utility to top any street tree or other tree on public property. 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 determination of the Town Tree Board.

Section Ten (10)- Private Trees, Plants and Shrubs - Pruning

Every owner of any tree, plant or shrub on private property in which the branches overhang any street or right-of-way within the Town of Newborn shall prune the branches so that such branches shall not obstruct the view of any street intersection. The branches shall not block the view of any traffic control device or sign. The branches shall not interfere with the visibility of

any driver. The branches shall not obstruct the safe passage of pedestrians on sidewalks. Said owners shall at their expense, within thirty (30) days after notification by the Town Tree Board, remove all dead, diseased or dangerous trees, or overhanging, broken or decayed limbs which constitute a menace to the safety of the public. The town shall have the right to prune any tree, plant or shrub on private property when it interferes with the view of any street intersection or public thoroughfare.

Section Eleven (11) - Private Trees, Plants and Shrubs - Removal

The town shall have the right to cause the removal of any dead or diseased trees, plants or shrubs on private property within the town, when such trees, plants or shrubs constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the town. The Town Tree Board will notify the owners, in writing, of such trees, plants or shrubs. Removal shall be done by said owners at their own expense within sixty (60) days after the date of notice. In the event of failure of owners to comply with such provisions, the town shall have the authority to remove such trees, plants or shrubs and charge the cost of removal to the owners.

Section Twelve (12) - Protection of Public Trees

a) No person shall plant, remove, prune, damage or disturb the crown, trunk, limbs, or roots of any tree, plant or shrub on the street rights-of-way, parks, or other public property without written approval from the Town Tree Board. Any of the before mentioned activity, after approval is granted, shall be in accordance with the standards set forth in this tree ordinance and the Administrative Guidelines attached

b) Construction Work - Protection of Trees Required - No person shall engage in any construction work on private or public property without first taking steps to protect public trees, plants or shrubs from damage to trunk, branches or roots, or damage by soil compaction, disturbance, cutting, filling, or contamination. All trees, plants or shrubs on any street or other publicly owned property near any excavation or construction of any building, structure or street work shall be adequately protected in accordance with guidelines established by the Town Tree Board. Protective measures are provided in the Administrative Guidelines attached. A copy of the Tree Ordinance and Administrative Guidelines shall be provided to any person requesting a building permit.

Section Thirteen (13) - Interference

It shall be unlawful for any person to prevent, delay or interfere with the Town Tree Board, or any of its agents, while engaging in the planting, cultivating, mulching, pruning, spraying, or removing of any public trees, plants or shrubs or trees, plants or shrubs on private property as authorized in this ordinance.

Section Fourteen (14) - Heritage Trees

The Town Tree Board shall designate Heritage trees by age, size, species, location or historical

association. These trees will be designated in the official records and it shall be unlawful to cut, prune, top, remove or disturb the soil within the dripline of any Heritage tree without the written permission of the Town Tree Board.

Section Fifteen (15) - Permits and Permit Procedure

- a) All applications for a development permit shall include a landscaping plan. The landscaping plan need not be certified, but may be a simple free-hand drawing rendered by the applicant.
- b) All landscaping plans and related documentation shall be submitted to the Town Clerk to be reviewed by the Town Tree Board for conformity to the provisions of this article and either approved, returned for revisions, or denied within forty-five (45) days of receipt of the application by the town. If denied, the reason for denial shall be annotated on the landscape plan or otherwise stated in writing. Refer to Section 17, (subsection c) for appeal process. Written permission (with approval from the Mayor and Town Council) from the Town Tree Board is required for activities described in sections eight (8) and twelve (12) above. The Town Tree Board will write a letter of recommendation to the Mayor and Council. Applicant will be notified in writing within the forty-five (45) day time frame.
- c) If the forty-five (45) day deadline is missed by the Town Tree Board or the Mayor and Council, then recommendation is to approve application.
- d) Issuance of an approved landscape plan and development permit shall constitute an approval of the required landscape plan and conformity to the provisions of this article.
- e) Written permission is not required by public utility companies and government agencies for the conduct of operations having the purpose of assuring uninterrupted utility and governmental services and unobstructed passage on public rights-of-way.
- f) Written permission and permit requirements are waived when trees to be removed are dead or have been damaged by lightning, wind, ice or other disasters to the extent that public safety is endangered.

Section Sixteen (16) - Enforcement

The Newborn Tree Board and/or their designee shall have the authority to enforce the rules, regulations and specifications in this tree ordinance.

Section Seventeen (17) - Penalties, Claims and Appeals

- a) Any person who violates any rule, regulation or specification of this tree ordinance is subject to a fine of \$50.00 per violation.
- b) In addition to the penalty set forth, any person who removes, damages, or destroys a tree, plant or shrub in violation of the ordinance shall pay the actual cost to the Town of Newborn of replacing the tree, plant or shrub and any landscaping material necessary, or if irreplaceable, its value as determined pursuant to the valuation formula adopted by the International Society of Arboriculture. Any and all amounts paid or collected pursuant to this subsection shall be deposited into a fund to be used by the Town Tree Board for replacing and planting trees.
- c) Appeal from Town Tree Board. Any person or persons severally or jointly aggrieved by a decision of the Town Tree Board may appeal such decision to the Mayor and Town Council.

Said appeal must be filed with the Town Clerk within thirty (30) days after the decision is rendered. The Town Council may approve, modify or reject the decision if the Council finds that the Town Tree Board or its designee abused its discretion in reaching its decision.

Any person or persons severally or jointly aggrieved by any decision of the Town Council may appeal by mandamus to the Newton County Superior Court. All appeals shall be filed within thirty (30) days from the date of the decision of the Mayor and Council.

Section Eighteen (18) - Review by Town Council

The Town Council shall have the right to review the conduct, acts, and decisions of the Town Tree Board. Any person may appeal any ruling or order of the Town Tree Board to the Town Council who may hear the matter and make a final decision.

Section Nineteen (19) - Operation

The Town Tree 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 constitute a quorum for the transactions of business. The Town Tree Board shall meet at least six (6) times per year or as required by a call of the majority of the Board. The failure of a member to attend at least one half of the regularly scheduled meetings shall be grounds for removal from the Board by a majority vote of members.

Section Twenty (20) - Severability

In the event that any section, subsection, sentence, clause, or phrase of this ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, sentences, clauses, or phrases of this ordinance, which shall remain in full force and effect, as if the section, subsection, sentence, clause, or phrase so declared or adjudged invalid or unconstitutional were not originally a part thereof.

Section Twenty-one (21) - Exempted Activities

This tree ordinance shall not apply to bonafide agricultural activities and tree harvesting activities on land zoned Agricultural or Rural Estate Residential. The following activities are exempt from the provisions of this Ordinance:

1. Bonafide agricultural activities on land zoned A-Agricultural or Rural Estate Residential, including crop cultivation and clearing pastures for raising livestock.
2. Clear cut tree harvesting and selective tree harvesting on land zoned A-Agricultural or Rural Estate Residential provided that the property shall not have been or be rezoned in the past two years or in the next two years. A written timber management plan shall be available for review and Best Management Practices per the Georgia Forestry Commission shall be implemented.

This ordinance shall take effect and be in force from and after its adoption, the public welfare demanding it.

Signed _____
Sheridan Davis, Mayor of Newborn

Signed _____
Denise Turner, Town Clerk

Adoption date October 30, 2000

Effective date October 30, 2000

Town of Newborn

Tree Ordinance Administrative Guidelines

Introduction

These administrative guidelines are a supplement to the Town of Newborn's Tree Ordinance. They provide detailed information on how trees shall be managed within the Town Limits. They are revised regularly by the Town of Newborn Tree Board.

Definitions

Arborist	A person who cares for trees using professionally accepted practices.
Certified Arborist	An individual certified by the International Society of Arboriculture as an arborist through a testing system and requirements for continuing education during the certification period.
Critical Root Zone	The surface area and area below ground within the dripline of a tree, or extending out from the trunk 1.5 feet for every 1 inch in trunk diameter at 4.5 feet above the ground, <i>whichever is greater</i> .
Crown	That portion of a tree consisting of the large structural limbs, branches, twigs, and leaves.
DBH	Diameter at breast height, with breast height standard at 4.5 feet above the groundline. The dbh of trees with forked stem is measured just below the fork. The dbh of multi-trunked trees is equivalent to either the largest trunk diameter, or is the combination of all trunk diameters at 4.5 feet above the ground, whichever is most applicable.
Development	Any alteration of the landscape—soil or vegetation—on a site for the purpose of changing the land use or constructing a structure, either now or in the future.
Large Tree	A tree greater than 50 feet tall at maturity.
Medium Tree	A tree 25 to 50 feet tall at maturity.
Roots	That portion of a tree located beneath the ground and consisting of large, woody roots and small, fibrous roots.
Small Tree	A tree less than 25 feet tall at maturity.
Tree	A woody plant that achieves at maturity a total height of at least 15 feet and a trunk diameter at 4.5 feet above the ground of at least 3 inches.
Tree Board	The Town of Newborn Tree Board, appointed by the Town Council, an official body of the Town of Newborn, established by ordinance, and responsible for providing community tree management guidance
Tree Protection Zone	The area around a tree, generally beneath and within the tree's dripline, that should remain free from damage or harmful activities to preserve the health of tree roots, trunk, and crown.
Trunk	The main stem of the tree and that portion above ground that supports the crown.

Approved Tree List

Deny

August 23, 2001

Tree Value

Trees have many environmental, social, and economic benefits that result in each having a specific monetary value. In cases where a tree's monetary value must be determined, the Town of Newborn shall use the methods outlined in the current edition of the Guide for Plant Appraisal developed by the Council of Tree and Landscape Appraisers to determine tree value. A copy of the Guide is available for review at the Newborn Town Hall. Tree values should only be calculated by Certified Arborists who are experienced in Tree Appraisal.

Public Tree Management

There are many activities involved in tree management. Guidelines for public tree protection, planting, general maintenance, pruning, and removal are listed below.

TREE PROTECTION

Each and every tree located on public property shall be protected from damage to the roots, trunk, and crown during daily activities and during construction or infrastructure repair or installation. When trees cannot be adequately protected from damage that will result in the tree having an unacceptably high risk of failure, the tree shall be removed.

Those portions of private property trees located on public property, whether tree roots, trunk, or crown, shall also be protected from damage. Those portions of private property trees located on adjacent private property shall also be protected from damage.

Trees shall be protected from damage by fencing or other high visibility barrier at the critical root zone, and by other methods discussed below.

Roots, and the soil in which they are growing, shall be protected from damage within the critical root zone of trees. The following activities shall be avoided within the critical root zone:

- Soil compaction from vehicle, equipment, or pedestrian traffic
- Materials storage
- Trenching
- Soil contamination
- Equipment washouts
- Soil cuts
- Soil backfill
- Change in water drainage patterns and water levels

Tree roots can be protected from soil compaction using a thick (4-6" deep layer of mulch) within, and beyond the critical root zone. Bridging using 2" x 4" lumber and plywood panels may also be used.

Tree trunks shall be protected from damage. Types of damage include:

- Impact damage from equipment, vehicles, tools, or other heavy objects
- Wounds
- Girdling by wires, straps, or sharp objects
- Penetration by nails, screws, staples, or other devices used to affix signs, mail boxes, lighting, wires, or other such structures
- Fire and excessive heat

Trunks of trees in areas where a high risk of damage exists may be protected by wrapping the trunk with 2" x 4" lumber combined with heavy cardboard and metal strapping, or other protective material during construction. The material should not be attached to the trunk by any invasive means (nails, screws, etc.).

Tree crowns shall be protected from damage. Types of damage include:

- Topping
- Improper pruning
- Broken branches
- Fire and excessive heat

Tree crowns can be protected from damage by maintaining a physical tree protection zone around a tree using fencing or other barrier. The raising (pruning up) of tree crowns prior to construction will be helpful in avoiding broken branches.

TREE PLANTING

Significant tree canopy shall be maintained on public property. Trees shall be planted annually throughout Town on the public street rights-of-way and on other public property where adequate planting spaces exist.

Trees shall only be planted where there is adequate space for the roots, trunk, and crown, considering the mature size of the tree. Only small maturing tree species shall be planted beneath overhead utility lines.

Except in cases where a special planting design has been developed and approved by the Tree Board, the following required planting distances shall be required along the public street rights-of-way:

- small trees shall be planted at least 25 feet apart
- medium trees shall be planted at least 35 feet apart
- large trees shall be planted at least 50 feet apart
- all trees shall be planted at least 30 inches from the curb or edge of pavement to avoid injury by vehicles

The tree species selected for planting on public property shall be limited to those on the list of "Recommended Tree Species for Planting in Newborn, Georgia" maintained by the Tree Board. Other species not listed that have a good record of performance (minimal maintenance requirements, no genetic structural defects, no noxious or invasive characteristics) within the Town may also be planted on public property in small numbers.

Tree species selected for planting shall have characteristics that match the existing site conditions, including size of the growing space, soil type and moisture, sunlight, and climatic conditions. Native tree species are preferred over non-native species.

Trees selected for planting shall be of good quality, with a health and extensive root system, straight trunk without wounds, a single central leader (no forked stems) free from included bark, and a full, well-balanced crown.

Trees shall be planted during the months of December through February. Trees may be containerized, bare root, or balled and burlapped.

Prior to tree planting, underground utilities shall be located and marked. In compacted soils, the area around the planting hole 5 times the width of the root ball shall be tilled to create suitable conditions for root growth. Otherwise, the width of the planting hole shall be at least 2 times width of the root ball. The planting hole shall be no deeper than the root ball. Soil amendments shall not be added to the planting hole.

Tree planting techniques shall conform to standards and professionally accepted methods. Accepted practices include the following:

- Move the tree using only the root ball or container—avoid using the tree trunk as a “handle” to move the tree.
- Plant the root ball at or slightly above ground level, never below.
- Remove all tags, wires, strings, straps, burlap, containers, and wire baskets from the root ball.
- Backfill the planting hole with the original soil.
- Water thoroughly when the planting hole is half full of soil, and again when the hole is full of soil, to eliminate air pockets.
- Do not create a water ring around the tree unless the soil conditions are very dry; remove rings after one year.
- Newly planted trees shall not be staked unless they are unable to stand upright on their own. All staking, when used, shall be removed after one (1) year.

The establishment period for trees shall be considered to extend throughout the first three (3) years after planting. Maintenance during the establishment period shall consist of mulching, watering, and pruning to develop a good quality structure.

All newly planted trees shall be mulched annually for at least 3 years after planting. Mulch following the guidelines presented under “General Tree Maintenance”.

All newly planted trees shall be watered during the growing season at least once per week with 1” of water in the absence of adequate rainfall, throughout the establishment period.

Newly planted trees shall not be fertilized until the second growing season after planting, and then only in accordance with the results of a soil test and standards for tree fertilization.

Tree pruning shall be done at time of planting only to remove broken, crossed, or rubbing branches. Additional pruning shall be done in the second and third growing seasons to develop strong branching structure.

TREE PRUNING

All public trees shall be pruned for risk reduction and crown cleaning, if necessary, at least once every 10 years. Newly planted trees shall be pruned during the establishment period as described above.

Tree topping is an unacceptable practice and shall not be allowed on public trees, and shall be discouraged for private property trees. Climbing spurs or

spikes shall never be used for pruning trees, except in as a life saving measure. Climbing spurs or spikes may be used for tree removal.

Only qualified and certified individuals shall be allowed to prune trees near energized electrical lines.

Trees shall be inspected before climbing for pruning to determine the presence and extent of trunk decay or defects. The Town of Newborn shall be notified of trees with decay or defects that have a high risk for failure.

The objectives of tree pruning shall be identified before pruning takes place. Only qualified and experienced individuals shall prune public trees.

Pruning and shall be done in accordance with professionally accepted practices and current standards published by the American National Standards Institute. These standards include:

**ANSI A300 Standards for Tree Pruning
Z133 Safety Standards for Tree Care Operations**

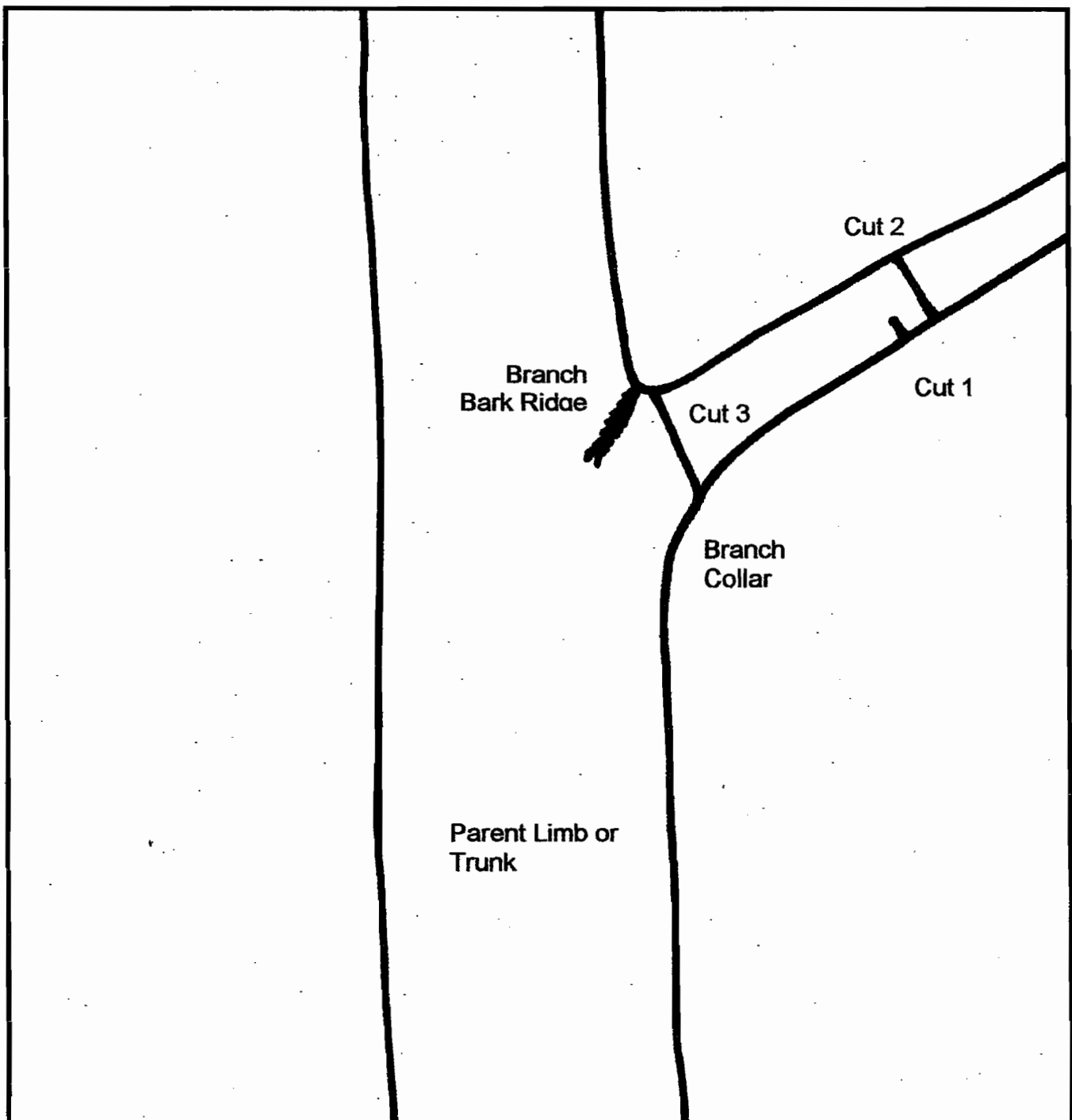
Copies of these standards are available for review at the Newborn Town Hall.

Accepted practices include the following:

- Pruning equipment shall be clean, sharp, and otherwise in good condition.
- Pruning equipment shall be cleaned between cuts and between trees when branches pruned show evidence of disease.
- Pruning cuts shall be made back to the parent branch or a lateral that is at least 1/3rd the diameter of the branch being removed.
- Pruning cuts shall be made just outside of the branch collar.
- Stub cuts or flush cuts are to be avoided.
- Prune off the less desirable of co-dominant (forked) stems.
- Large limbs shall be removed using the 3-cut pruning method (see diagram on the following page).
- Do not remove more than 1/4th of the live branches and leaves in any one year.
- Do not remove more than 1/4th of the live leaves from a branch in any one year.

Utility line clearance pruning of all trees, both public and private, shall conform to current ANSI A300 Standards for Tree Pruning. Natural target pruning methods shall be used for line clearance.

THE 3-CUT PRUNING METHOD



Cut 1 is made first, then Cut 2 is made just outside of Cut 1. At this time the majority of the branch begins to fall, breaks at Cut 1, and is removed without stripping the bark below Cut 1. Cut 3 is then made just outside the branch collar or swelling at the base of the branch and the remainder of the branch or limb is removed.

GENERAL TREE MAINTENANCE

All trees growing on public property shall be mulched at least once per year where practical. Mulch shall be applied according to the following guidelines:

- Mulch shall be a good quality organic material, without non-organic debris; leaves, pine straw, or aged wood chips are preferred.
- Place 3-4" deep and spread evenly—do not mound the mulch up around the tree trunk.
- Cover an area extending out to the tree's dripline, or at least in a 3 foot radius around the tree for small trees, a 5 foot radius around the tree for medium trees, and a 10 foot radius around the tree for large trees.
- Keep mulch at least 5 inches from the base of the tree trunk to avoid encouraging insect, disease, rodent, and other pest problems.

Trees shall be fertilized only if a soil test indicates a need. Fertilization shall be done in accordance with professionally accepted practices and current standards, including ANSI A300 (Part II) Standards for Tree Fertilization. A copy of these standards is available for review at the Newborn Town Hall. Slow release, organic fertilizers with a salt index of less than 50 shall be used.

Native soils shall be preserved wherever and whenever possible, to include preservation of the topsoil and organic layer. Where topsoil must be removed for construction or site grading, the soil shall be stored on site, away from trees, and replaced after grading is complete.

TREE REMOVAL

Public trees shall be removed under the following conditions:

- when they are at a high risk for whole tree failure or are in a hazard condition and their condition is uncorrectable
- when they are dead or in severe decline
- when they are growing in a location that does not provide adequate growing space or is otherwise unsuitable
- when they have created an unresolvable conflict with community infrastructure
- when they are no longer considered an asset to the community

All trees that are removed shall be replaced with a tree of similar or better species quality. If there is not adequate growing space in the original location, then a replacement tree shall be planted in a nearby location that is suitable.

Climbing spurs or spikes may be used for tree removal.

Private Tree Management

The management and maintenance of trees growing on private property shall be the responsibility of the private property owner. Trees should be maintained using the same guidelines listed above for public trees.

PRESERVATION AND PLANTING OF TREES ON DEVELOPMENT SITES

Where development occurs, existing, healthy trees shall be preserved to the greatest extent possible. The Town may require that buildings or infrastructure be redesigned or relocated during the planning phase of project development to preserve existing historic or high value trees. Trees within 30 feet of a building footprint may be removed with permission of the Tree Board. Trees shall be preserved in accordance with the guidelines described under Public Tree Management: Tree Protection.

Whenever any single large tree greater than 9 inches in diameter is removed, or any group of 10 trees smaller than 9 inches is removed, each single tree or each group shall be replaced by one (1) large maturing tree on the site. Small *or medium* maturing trees may be substituted for large trees with the approval of the Tree Board. Trees shall be planted in accordance with the guidelines found under Public Tree Management: Tree Planting.

Trees planted as replacements for those removed on a site during development must be maintained throughout the life of the development, and replaced if they die or are removed.