

Tree Protection Ordinance for the Village of Amesville

An ordinance relating to protection of trees on public property which serve the public interest by providing oxygen, mitigating storm water runoff, stabilizing of the soil, preventing of erosion, providing shelter for wildlife and conservation of energy by providing shade, filtering air, and adding to the beauty of Amesville; and providing when this ordinance shall take effect.

Whereas, trees provide a setting with a variety of color unsurpassed in shade and hue; and

Whereas, trees are an invaluable psychological counterpart to the man-made urban setting; and

Whereas, trees absorb a high percentage of carbon dioxide and return oxygen, a vital ingredient to life; and

Whereas, trees are a valuable asset that can affect an area economically; and

Whereas, the Village of Amesville has determined that the protection of trees on public property within the Village is not only desirable but essential to the present and future health, safety and welfare of all citizens; and

Whereas, the Village of Amesville recognizes that trees on public property are valuable contributors to the environment;

Now, therefore, be it ordained by the Village of Amesville, Ohio.

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 ways within the Village.

Park trees: "Park trees" are herein defined as 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.

Section 2. Street Trees to be Planted

The following list constitutes the official Street Tree species for Amesville, Ohio. No species other than those included in this list may be planted as Street Trees without written permission of the Village.

See Attached List of Approved Species

Section 3. Spacing

The spacing of street trees will be in accordance with the three species classes listed in Section 2 of this ordinance, and no trees may be planted closer together than the following: Small trees, 20 feet; Medium trees, 30 feet; Large trees, 40 feet, except in special plantings approved by council.

Section 4. Distance from Curb or 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 3 of this ordinance, and no trees may be planted closer to any curb or sidewalk than the following: Small trees, 1.5 feet; Medium trees, 2 feet; Large trees, 3 feet.

Section 12. Penalty

A person violating any provision of this ordinance shall be, upon conviction or a plea of guilt, subject to a fine not to exceed \$500.00.

Section 13. Conflict

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Recommended Street and Park Trees for Amesville

Large Species (45' plus): plant large trees in wider curb strips (5-6') and avoid overhead utility wires.

Norway Maple, <u>Acer platanoides</u> varieties	Bur Oak, <u>Quercus macrocarpa</u>
Red Maple, <u>Acer rubrum</u> varieties	Chinkapin Oak, <u>Quercus muehlenbergii</u>
Sugar Maple, <u>Acer saccharum</u> varieties	Chestnut Oak, <u>Quercus prinus</u>
Black Alder, <u>Alnus glutinosa</u>	English Oak, <u>Quercus robur</u>
Sugar Hackberry, <u>Celtis laevigata</u>	Red Oak, <u>Quercus rubra</u>
Hackberry, <u>Celtis occidentalis</u>	Shumard Oak, <u>Quercus shumardi</u>
Dwarf Redwood, <u>Metasequoia glyptostroboides</u>	Black Oak, <u>Quercus velutina</u>
Black Tupelo, <u>Nyssa sylvatica</u>	Japanese Pagoda, <u>Sophora japonica</u>
London Planetree, <u>Platanus acerifolia</u>	Baldcypress, <u>Taxodium distichum</u>
White Oak, <u>Quercus alba</u>	American Linden, <u>Tilia americana</u>
Swamp White Oak, <u>Quercus bicolor</u>	Littleleaf Linden, <u>Tilia euchlora</u>
Scarlet Oak, <u>Quercus coccinea</u>	Crimean Linden, <u>Tilia cordata</u>
Shingle Oak, <u>Quercus imbricaria</u>	Silver Linden, <u>Tilia tomentosa</u>
Japanese Zelkova, <u>Zelkova serrata</u>	* Thornless Honeylocust, <u>Gleditsia triacanthos</u> varieties
Ginkgo, <u>Ginkgo biloba</u>	Kentucky Coffeetree, <u>Gymnocladus dioica</u>
White Ash, <u>Fraxinus americana</u>	* American Sycamore, <u>Platanus occidentalis</u>
Green Ash, <u>Fraxinus pennsylvanica</u>	Tupelo or Black Gum, <u>Nyssa sylvatica</u>
Blue Ash, <u>Fraxinus quadrangulata</u>	Disease resistant Elms, <u>Ulmus spp.</u>
Chestnut oak, <u>Quercus robur</u>	
Hickories, <u>Carya spp.</u>	

Medium Species (30-45'): These trees may be planted in smaller areas and can be planted under utility wires

Hedge Maple, <u>Acer campestre</u>	Magnolia Hybrids, <u>Magnolia sp.</u>
River Birch, <u>Betula nigra</u>	American Hophornbeam, <u>Ostrya Virginiana</u>
European Hornbeam, <u>Carpinus betulus</u>	Amur Cork Tree, <u>Phellodendron amurense</u>
Katsura Tree, <u>Cercidiphyllum japonicum</u>	Sargent Cherry, <u>Prunus sargentii</u>
American yellowwood, <u>Cladrastis lutea</u>	* Callery Flowering Pear, <u>Pyrus calleryana</u>
Hardy Rubber Tree, <u>Eucommia ulmoides</u>	Sawtooth Oak, <u>Quercus Acutissima</u>
Goldenrain tree, <u>Koelreuteria paniculata</u>	Lacebark Chinese elm, <u>Ulmus parvifolia</u>
Japanese Pagoda Tree, <u>Sophora japonica</u>	Sourwood, <u>Oxydendron arboreum</u>
Ohio buckeye, <u>Aesculus glabra</u>	yellow buckeye, <u>Aesculus octandra</u>
Walnut, <u>Juglans nigra</u>	English walnut, <u>Juglans regia</u>

Section 5. Distance from Street Corners and Fireplugs

No street tree shall be planted closer than 20 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 6. Utilities

No street trees other than small trees may be planted under or within 10 lateral feet of any primary utility wires.

Section 7. Public Tree Care

The Village, with the consent of the property owner, 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 or enhance the symmetry and beauty of such public grounds. The Village, with the consent of the property owner, may remove or cause 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 lines, gas lines, water lines, or other public improvements, or is affected with any injurious fungus, insect or pest.

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.

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 this ordinance.

Section 8. Tree Topping

It shall be unlawful as a normal practice 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 other pruning practices are impractical may be exempt from this ordinance at the determination of the Village.

Section 9. Abuse or Mutilation of Trees

It shall be a violation of this ordinance to abuse, mutilate, or destroy any tree, shrub, or plant on public land or right of way. No wire, rope, poster, handbill, or chain shall be attached to any trees on public land or right of way. No gaseous, liquid, or solid substance which is harmful to trees shall be permitted to come into contact with roots or leaves.

Section 10. Pruning, Corner Clearance

Pruning shall be governed by Section 93.06 of the Ohio Basic Code as adopted by the Village of Amesville. (ORC 715.20)

Section 11. Interference with the Village

It shall be unlawful for any person to prevent, delay or interfere with the Village, while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any street or park trees as authorized in this ordinance.

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