

CHAPTER 151

TREES

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151.01 PURPOSE. The purpose of this chapter is to beautify and preserve the City. Since the City has the ultimate responsibility for trees planted in public property adjacent to public trafficways (hereinafter in this chapter referred to as the “parking”), it is necessary to establish standards as to species of trees to be permitted, and as to the locations where trees may be planted.

151.02 PLANTING AND REMOVAL OF STREET TREES. As a matter of public policy, property owners adjacent to public property shall be permitted to plant trees in the parking in strict accordance with this chapter. Such permission to plant is permissive only, and shall not give rise to any property or proprietary interest in such trees or plantings, and the City has the absolute right to maintain, trim or remove any such trees, if the Council finds it necessary to do so. Reasons for removal, trimming or other maintenance shall include, but not be limited to, disease, wind damage, obstruction of pedestrian or vehicular traffic, interference with utility lines, incongruity in appearance with respect to the neighborhood or other trees planted in the area, obnoxious character of the tree itself, or for any esthetic reason.

151.03 PERMITTED SPECIES. For the purpose of this chapter, trees planted in the parking shall be known as “street trees.” Permitted street trees are defined as follows:

1. Category A, Small Trees:

Globe Norway Maple	Washington Hawthorne
Globe Red Maple	Purplefeaf Plum
Amur Maple	Carminc Crabapple
Tartarian Maple	American Hophornbeam
Redbud	Japanese Tree Lilac

2. Category B, Medium Trees:

Norway Maple	Little Leaf Linden
Schwedler's Maple	Honeylocust (thornless, seedless)
Crimson King Maple	Marshall's Seedless Ash
Ginkgo (male)	Christine Buisman Elm

3. Category C, Large Trees:

Black Maple	Northern Red Oak
Sugar Maple	American Linden
Green Ash	Sycamore
White Ash	White Swamp Oak
Scarlet Oak	

151.04 PROHIBITED SPECIES. The following are defined as undesirable species and shall not be planted in the parking:

1. Specifically:

Box Elder	Silver Maple
Chinese Elm	Mulberry
American Elm	Pin-Cherry
Walnut	Catalpa
Hickory	Ailanthus
Cottonwood	Fruit trees
Willows	Birches

2. All coniferous trees, such as pine, fir, spruce, etc.

3. Shrubbery of any kind.

151.05 PLANTING REGULATIONS. Street trees, as defined in this chapter, may be planted by property owners in the parking in conformity to the following conditions:

1. To permit trees to attain their full natural development, minimum center-to-center spacing shall be observed as follows:

- A. Category A Trees, twenty-five feet;
- B. Category B Trees, forty feet;
- C. Category C Trees, sixty feet;

When trees of different categories are planted next to each other, the center-to-center spacing shall be not less than that required for the largest tree.

2. At least nine square feet of ground shall be maintained for each street tree and no impervious material shall be placed nearer than twenty-four inches to the trunk of the tree.
3. No street tree shall be planted nearer than two and one-half feet to the curb and sidewalk line and centered in parkings eight feet and less in width. Plantings in parkings over eight feet in width shall be planted four feet from the edge of the sidewalk.
4. No street tree shall be planted closer than thirty feet from the corner of the curb at intersections or closer than ten feet to the edge of a driveway.
5. The minimum spacing from a light standard or transmission pole shall be ten feet for Category A, twenty feet for Category B and thirty feet for Category C, measured from center of street tree to standard or pole.
6. Only the species of Category A Trees may be planted under transmission lines.

151.06 DUTY TO TRIM TREES.

1. The owner or agent of the abutting property shall keep the trees on or overhanging the street or alley trimmed so that all branches will be at least fifteen (15) feet above the surface of the street or alley and ten (10) feet above the sidewalks. If the abutting property owner fails to trim the trees, the City may serve notice on the abutting property owner requiring that such action be taken within fourteen (14) days. If such action is not taken within that time, the City may perform the required action and assess the costs against the abutting property for collection in the same manner as a property tax.
2. Except as allowed in subsection 1, it is unlawful for any person to trim or cut any tree in a street or public place unless the work is done under the supervision of the City.

151.07 DISEASE CONTROL. Any dead, diseased or damaged tree or shrub which may harbor serious insect or disease pests or disease injurious to other trees is hereby declared to be a nuisance.

151.08 INSPECTION AND REMOVAL. The Street Superintendent may inspect or cause to be inspected any trees or shrubs in the City reported or suspected to be dead, diseased or damaged, and such trees and shrubs shall be subject to the following:

1. Public Property. If it is determined that any such condition exists on any public property, including the strip between the curb and the lot line of private property, the Street Superintendent may cause such condition to be corrected by treatment or removal. The Street Superintendent may also order the removal of any trees on the streets of the City which interfere with the making of improvements or with travel thereon. The City shall be responsible for the removal of any dead or diseased trees on public property.

2. Private Property. If it is determined with reasonable certainty that any such condition exists on private property and that danger to other trees or to adjoining property or passing motorists or pedestrians is imminent, the Street Superintendent shall notify by certified mail the owner, occupant or person in charge of such property to correct such condition by treatment or removal within fourteen (14) days of said notification. If such owner, occupant or person in charge of said property fails to comply within 14 days of receipt of notice, the Street Superintendent may perform the required action and assess the costs against the abutting property for collection in the same manner as a property tax.

(Code of Iowa, Sec. 364.12[3b & h])