

# **CITY OF MARION**

## **ARBORICULTURAL SPECIFICATIONS**

**AND**

## **STANDARDS OF PRACTICE**

**Approved April 17, 2008**

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This document has been developed in conjunction with the Tree Ordinance for the City of Marion, Iowa, to detail the specifications and standards of practice concerning trees within the city.

**I. PERMITS**

Before any street tree can be planted, sprayed, fertilized, pruned, cut above or below ground or otherwise disturbed, a permit must be obtained. This permit may be obtained at no cost from the City Forester at the Marion Parks and Recreation Department, 343 Marion Blvd, Marion, IA; (319) 447-3580.

- a. Trees not allowed. From and after January 1, 2003, no person except city personnel or agents for city purposes, shall plant any tree or shrub upon city owned property, including property dedicated or used for right-of-way purposes.
- b. Variances. The Tree Board may grant a variance from the provisions of subsection (a) above when: (1) there is no drain tile or other utilities in the right-of-way that tree roots might reasonably be expected to interfere with or (2) in unique situations where trees in the right-of-way are deemed to serve a public purpose of a higher order than the elimination of interference with drain tile. The granting of a variance may be upon such conditions as the Marion Tree Board determines are necessary to protect public interests.

Prior to digging or doing any underground work, utilities must be located. Locations can be obtained free of charge by calling Iowa One-Call; 1-800-292-8989.

Before any work can take place in the street right-of-way, a street occupancy permit or tree permit must be obtained. A tree permit will cover only the planting or maintenance of a tree or shrub. If the property owner is doing the work, proof of Homeowner Personal Liability Insurance is required. If the property owner has hired another person or contractor to do the work, the contractor shall provide the City of Marion with a Certificate of Insurance showing the following minimum required limits of coverage:

Commercial General Liability Insurance with limits of not less than five hundred thousand dollars (\$500,000) per occurrence and Workers Compensation Insurance coverage at statutory limits of any and all employees.

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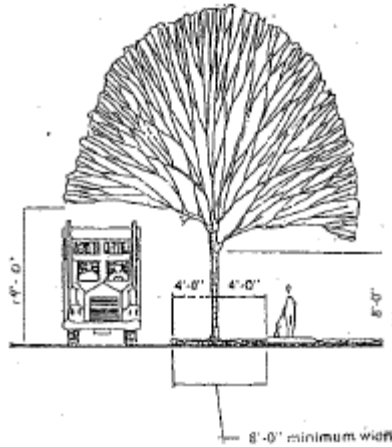
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**II PLANTING**

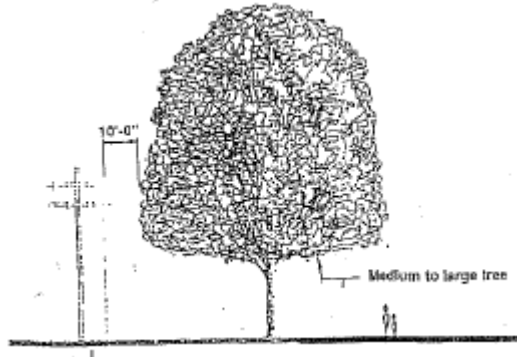
A) Site Evaluation: Not all sites are appropriate for trees. Before planting, thought should be given to how the mature tree will fit the site.

1. Spacing – The spacing of trees is dependent upon the species size class as established for the City of Marion, Iowa. Medium Trees: no closer than 30 feet; Large Trees: no closer than 40 feet. Exceptions may be made for special plantings designed or approved by a landscape architect.

2. Distances – No tree shall be planted closer than four (4) feet from the back of the curb or four (4) feet from the outer line of the sidewalk. Trees shall be planted no closer than thirty (30) feet from an intersection as measured from the back of curb of the intersecting street. Trees shall be no closer than ten (10) feet from any driveway edge.



3. Utilities – No street tree 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 line.



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B) Diversity: Due to potential threat from pests or disease, it is desirable to plant trees from a variety of tree species. An inventory of trees grown in the area where the new tree is planned should be taken to ensure diversity in the species, genus and family of the tree.

C. Procedure: To promote the healthy and continued growth of any tree, care should be given to its planting. Proper procedures vary according to tree species and type. For detailed instructions consult a local nursery, the Iowa State University Extension Service or the local Trees Forever office.

D. Species: To ensure trees planted in the right-of-way are suitable for urban areas, certain trees are recommended for planting, while certain species cannot be planted on street right-of-way.

1. Recommended – No list of recommended trees is ever complete or static. New species and cultivars are developed and will provide useful, while old standards will be phased out. The following list, taken from Iowa State University Extension Service Bulletin (Pm-1429e) dated September 1998), should provide a broad selection of trees proven to be tough and attractive additions to the urban landscape. For a more updated list contact the Iowa State University Extension Service. If a tree is recommended in an updated Pm-1429e bulletin, it may be approved for planting in the street right-of-ways unless specified not allowed in the City of Marion. The City Forester shall also have the discretion to approve additional types of trees.

In all cases, trees to be planted in the street right-of-way will be not less than one (1) inch in diameter of trunk at six (6) inches above ground.

For purposes of this document, recommended tree species are divided into two (2) sizes; medium (25-40 feet at maturity); and large (over 40 feet at maturity).

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**Medium to Large Trees Allowed**

<i>Acer platanoides</i> – Norway Maple	<i>Quercus bicolor</i> – Swamp White Oak
<i>Acer saccharum</i> – Sugar Maple	<i>Quercus robur</i> – English Oak
<i>Carpinus betulus</i> – European Hornbeam	<i>Quercus rubra</i> – Red Oak
<i>Celtis occidentalis</i> – Hackberry	<i>Sophora japonica</i> – Scholar – tree
<i>Ginkgo biloba</i> - Ginkgo male only	<i>Tilia Americana</i> – American Linden
<i>Gleditsia triacanthos var. inermis</i> - Thornless Common Honeylocust	<i>Tillia cordata</i> – Littleleaf Linden
<i>Gymnocladus dioica</i> - Kentucky Coffee Tree	<i>Tilia tomentosa</i> – Silver Linden
<i>Ostrya virginiana</i> - American Hophornbeam	<i>Ulmus X “Regal”</i> – Regal Elm
<i>Phellodendron amurense</i> - Amur Corktree	
<i>Pyrus calleryana</i> – Callery Pear (Useful cultivars: “Aristocrat”, “Autumn Blaze”, “Chanticleer” and “Redspire” – “Bradford no longer recommended)	

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**Trees Not Allowed**

2) Not allowed – due to their susceptibility to storm damage, disease, their limited hardiness or because they are considered unusually messy due to dropped fruit and/or limbs, the following tree species will not be allowed to be planted in any street right-of-way within the City of Marion:

<i>Ulmus americana</i> – American Elm	<i>Catalpa speciosa</i> - Catalpa
<i>Ulmus pumila</i> – Siberian Elm	<i>Quercus palustris</i> – Pin Oak
<i>Sorbus aucuparia</i> – European Mountain Ash	<i>Ailanthus altissima</i> – Tree of Heaven
Fruit Trees	<i>Elaeagnus angustifolia</i> – Russian Olive
Nut Trees	<i>Robinia pseudoacacia</i> – Black Locust
<i>Fraxinus americana</i> – White Ash	<i>Acer saccharinum</i> – Silver Maple
<i>Fraxinus pennsylvanica</i> – Green Ash	<i>Populus</i> – Poplar (cotton bearing)
<i>Gleditsia triacanthos</i> – Honeylocust (thorny)	<i>Populus nigra italica</i> – Lombardy Poplar
<i>Betula pendula laciniata</i> – Weeping European Birch	<i>Populus alba</i> – White Poplar
<i>Morus rubrum</i> - Mulberry	<i>Salix species</i> - Willows
<i>Maclura pomifera</i> – Osage Orange (Hedge Apple)	<i>Populus alba bolleana</i> – Bolleana Poplar
<i>Acer negundo</i> – Boxelder	
All evergreens (firs, spruces, conifers)	

3) Shrubs – Shrubs, as defined in the city’s tree ordinance, are not acceptable plantings in the street right-of-way. Any other plantings or ground cover planted in the street right-of-way shall not attain a height greater than eighteen (18) inches at maturity.

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**III. MAINTENANCE**

1. General: To promote their healthy and vigorous growth, trees should be pruned throughout their lifespan. Bulletins and instructions concerning the proper way to prune and maintain trees are available from the Iowa State University Extension Office or the local Trees Forever office.

In order to allow the free passage of vehicular traffic and ensure trees will not obstruct or shade traffic control devices or the view of street intersections, all trees shall be trimmed so any overhanging portions shall be fourteen (14) feet over the traveled portion of the street.

Branches overhanging sidewalks shall be trimmed to a minimum height of ten (10) feet. Good pruning practices should be followed at all times. The possibility exists that in order to balance the tree, additional pruning may be necessary over the sidewalk to match the minimum height of the limbs hanging over the street. It is the policy of the City that the difference of pruning heights between the street side and sidewalk side should be no more than four (4) feet.

To ensure the ability of motorists to see any traffic control device, trees shall be kept trimmed to the specifications listed here: All traffic light or regulatory sign (as defined in the current edition of the Manual on Uniform Traffic Control Devices (MUTCD) shall be visible from a distance no less than two hundred (200) feet as measured from the signal or sign to the center of the street. An exception has been made for No Parking signs; these should be visible from a distance of one hundred (100) feet as measured from the sign to the center of the street.

2. Street Trees: If it becomes necessary in the opinion of the City Forester to trim, remove or otherwise maintain any street tree, the City Forester shall notify the adjacent property owner. Notification shall be followed by a confirmation written Notice to Abate as outlined in Code of Ordinances of the City of Marion, Iowa (Chapter 50.06).

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Before the property owner can trim, remove or otherwise maintain any street tree, they must first obtain a permit. If the property owner is doing the work, proof of Homeowner Personal Liability Insurance shall be required. If the property owner has hired another person or contractor to do the work, the contractor shall provide the City of Marion with a Certificate of Insurance showing the following minimum required limits of coverage:

Commercial General Liability Insurance with limits of not less than five hundred thousand dollars (\$500,000) per occurrence and Workers Compensation Insurance coverage at statutory limits of any and all employees. (See Page 1, Item 1 – Permits)

Removal of trees shall be complete and the work site shall be cleaned up promptly. All tree trunks, limbs, branches, twigs and brush shall be collected and disposed of in an authorized manner. Stumps and all surface roots shall be ground down below normal ground line, debris cleaned up and the hole shall be backfilled with black dirt.

Whenever the City Forester is notified or becomes aware of a dead or broken branch or limb in any street tree or a dead street tree which is in imminent danger of falling and has the potential of thereby injuring any individual or causing property damage, the offending branch, limb or tree shall be considered a hazard and be removed. Subsequent trimming of the tree which contained the dead or broken branch or limb should occur after notification of the adjacent property owner as outlined above.

Care must be taken when any construction work is taking place in the vicinity of any street tree. The piling of dirt or any loose material within the dripline of a tree is not allowed. The storage of any type of building material within the dripline of a street tree is not allowed.

Care should be taken to reduce the number of roots of any street tree that may be cut during construction projects. The cutting of more than  $\frac{1}{4}$  (one-fourth) of the tree roots within the dripline is not allowed.

Topping, as defined in the City of Marion Tree Ordinance, shall not be used as a way to prune any street tree.



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3. Private Trees: The property owner is responsible for the maintenance of any tree on their property. If it becomes necessary to trim trees or shrubs on private property to comply with the specifications set forth in this document, the City Forester shall notify the owner of the property upon which the tree or shrub is growing. Notification shall be by first contacting the owner by phone or in person. In the event the property owner cannot be notified in this manner, the notice shall be served according to Chapter 50 of the City Code (Nuisances). If the property owner still cannot be notified, the notice may be served on the occupant of the property.

If the property owner fails to comply with the trimming of the tree or shrub within thirty (30) days after receipt of the above stated notice, the City Forester shall have the tree or shrub trimmed. The exact cost of such work shall be certified by the City Clerk to the County Auditor of Linn County, Iowa to be collected with and in the same manner as general property taxes.

In the event the property owner receives an order from the City Forester and objects to all or part, the property owner must appeal the order in writing to the City Forester and Tree Board within ten (10) days of receipt of the order, stating the nature of the objection and request a hearing. The hearing shall be held within thirty (30) days. Within ten (10) days, the chair of the Tree Board shall notify the appellant and the City Forester of the final decision.

Whenever the City Forester is notified or becomes aware of a diseased or dead tree or broken or dead branch or limb in any private tree which has the potential of falling and thereby injuring any individual or causing property damage to an adjacent property, the City Forester shall declare the tree, branch or limb a hazard and order the property owner to remove the hazard in an expedient manner.

If the property owner fails to remove the hazard, the City Forester shall cause the hazard to be removed. For purposes of removing the hazard, city crews or a city agent shall be allowed on private property. Attempts should be made to notify the property owner before entering onto private property. The exact cost of such work shall be certified by the City Clerk to the County Auditor of Linn County, Iowa, to be collected with an in the same manner as general property taxes.