

**2014  
CITY OF MARION**

**EMERALD ASH BORER**

**READINESS PLAN**



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## **Introduction:**

The City of Marion recognizes the need to be prepared to respond to the presence of the emerald ash borer (EAB), a destructive, highly invasive, non-native insect that has the potential to affect the City's urban forest for years to come.

## **Goal:**

The goal of this Plan is to identify appropriate and effective response actions to be taken in the event that the emerald ash borer is discovered within Marion city limits. These actions include prevention, detection, communication, and management activities. The City is committed to using the best available science, and information about the economic, environmental, and social consequences of the available options, as the basis for making appropriate management and control recommendations.

## **Objective:**

The objective of the Plan is to minimize the destructive effects of EAB on Marion's ash tree population. Ash trees are a valuable component of our forests. They are widely planted throughout our parks, right-of-way, common areas, and privately owned areas. The EAB has recently been confirmed within 30 miles of the City of Marion border. Taking a proactive approach to this invasion will enable Marion to address public and private needs in an efficient and effective manner. This response plan will continue to be an evolving document with revisions being made as more information becomes available on the EAB and its control.

## **Background:**

The emerald ash borer, *Agrilus planipennis*, is a small, slender, elongated (3/4-inch long, 1 1/8 inch wide), bright metallic green beetle, native to Asia. It likely arrived in the United States (in Michigan) from China some time in 2001, probably traveling with ship cargo. The borer has a one-year life cycle, emerging between May and July. The borer kills trees relatively quickly and affects North American ash whether healthy or stressed. The beetle deposits eggs on the surface or in cracks of ash tree bark, which hatch in 7 to 10 days, to release larvae that feed on the tree's inner bark. Within several weeks, this feeding creates S-shaped tunnels in the tree's inner bark that wind back and forth, becoming progressively wider and disrupting the trees ability to transport water and nutrients, eventually killing the tree. Adult beetles emerge from trees headfirst, creating very small (1/8-inch diameter) D-shaped exit holes that leave minimal evidence of infestation until the canopy begins to die back. Affected trees quickly decline in the second growing season and are usually dead by the third season.

## **Responsibilities:**

The City is responsible only for trees located in the right-of-ways, parks, city owned properties and green spaces. All trees located on private property are the responsibility of the property owner. **The City does have the authority to address and remove any possible safety risk to the public, which may be caused by an infested tree located on private property.**

## **Ash Tree Populations:**

In 2011 the City of Marion and Trees Forever developed a Street Tree Inventory Data Base. Information from this study will be used to help guide the City as it addresses the EAB issue.

**Public Trees:** Marion has 3,055 deciduous trees located on its city right-of-way, with 764 being ash trees or 25% of the right-of-way tree population. It is estimated that 700 ash trees exist on other city property including parks and green space. The City's right-of-way tree population consists of more than 18 species of trees, with maple being the most common genus at over 40% of the total. The ash tree population in Marion can be considered an average age urban forest, with tree diameters ranging from 2" to 42". The percentage and number of ash trees varies significantly by subdivision.

**Private Trees:** The city does not have an inventory of privately owned trees; it is estimated that private ash tree numbers equal the right-of-way ash tree estimate. It is the responsibility of the property owners to follow the regulations and laws pertaining to the disposal of the pest (if discovered) or the affected tree/wood.

## **Prevention/Treatment Options:**

There has been confusion and debate surrounding the question of whether insecticides are an effective management option for EAB. Research and experience has shown that insecticides can protect ash trees from being killed by EAB; however, success is not guaranteed. In some university trials, insecticide treatments were effective, but in other trials the same treatments failed. Some studies conducted over multiple years revealed that EAB infestations continued to increase despite ongoing treatment programs. Research suggests that the best control can be achieved when insecticide treatments are started in the earliest stages of infestation before visible symptoms are present or possibly the year before trees are infested. Insecticide treatments must be repeated each year. Any company that offers chemical treatment services must have a Pesticide Application Business License as well as a Pesticide Application Certification through the Iowa Department of Agriculture.

Research studies have shown that annual systemic treatments of *Imadicloprid* or other approved chemical options in early spring may prove useful in preventing EAB infestation. It has been shown that healthy trees have a higher chance of surviving than declining trees. Due to the expense and frequency of these applications it is the recommendation of the Marion Tree Board that the City does not try to treat all of their trees. Significant, sizable or otherwise important ash trees may be primary candidates for special management, such as preventative treatment. The City's approach is to continue to monitor the progress made by studies being conducted to determine whether insecticide treatment can be used successfully. Until that is determined, Marion will continue to remove infested trees as they are identified.

### **Monitoring/Detection:**

Until all ash trees have been removed and properly discarded from the City, there will be the potential for EAB presence.

All ash trees should be on a routine inspection for possible EAB infestations. Conducting debarking surveys on selected ash trees is recommended. Once the City starts prioritizing and removing higher risk ash trees, it shall be required that the trees be debarked and inspected for possible EAB infestation.

**All appropriate city staff and contracted tree removal companies shall be trained in the proper procedure for bark-stripping and identification of EAB larva, pupa, and emerging adults.**

Residents and local tree services are encouraged to look for signs of possible EAB infestations, and to notify the Parks and Recreation Department at (319) 447-3580, or the ISU Insect Diagnostic Clinic at (515) 294-0581, if they suspect that they have discovered EAB within the City.

### **Removal of Trees:**

**Public Trees:** If the Emerald Ash Borer is positively identified by the Iowa Department of Natural Resources (Iowa DNR) within the City, the City plans to aggressively remove these trees. Removal is an important strategy in attempting to contain the spread of EAB because removal and destruction of infested trees kills the larvae and prevents the further spread of adult beetles. Removal limits the area to which the adult beetle can easily spread, which should slow the spread of any infestation. As these trees are removed, they will be disposed of following the proper protocol.

The City will use an inventory of all public ash trees to manage the removal of all species of ash. The inventory will be used to establish a budget and time frame for the removals. Prioritization of the removals will be based on risk abatement, nuisance, and budget. Critical Risk and High Risk trees will be prioritized and removed first within the City's budget. The trees will be marked and tracked for removal. Trees that need to be removed will be handled in accordance with current Iowa Department of Agriculture and Land Stewardship standards, such as transportation, chipping the tree to the proper chip size recommendations, and ensuring that the logs are properly processed at their final location.

**Unless specifically mandated by the State of Iowa, the City does not plan to remove healthy ash trees.**

**Private Trees:** The City Forester, or designated representative, will perform visual inspections of ash trees on private property if the property owner requests one, or if a privately owned tree is observed to be showing visible symptoms of an infestation. As discussed earlier, preventative insecticide treatment of ash trees has been shown, under certain conditions, to be effective in preventing EAB infestations. However, there is no treatment that is guaranteed to prevent EAB infestations. The City will provide homeowners with literature, resources, and guidance on various treatments that they may consider that might help prevent EAB infestations, should they wish to treat their healthy ash trees. Unless specifically mandated by the State of Iowa, the City of Marion does not plan to require removal of healthy ash trees from privately owned properties. In order to best manage EAB throughout the community, privately owned infested trees will have to be removed in a timely manner in accordance with City Code of Ordinance Chapter 152.06 (Trees on Private Property). This would require that property owners remove and destroy infested trees within a specified period of time after notice has been served. A provision can be added to amend the ordinance delaying removal if the property owner can show proof of proper annual treatment of the tree with an insecticide approved for EAB control. Removals on private property shall be the responsibility of the property owner. All removals shall be done in a manner compliant with the current regulations provided by (IDAL). Any deviations from these regulations shall be reported to the proper agencies

### **Disposal of Debris:**

In the event that EAB is identified within the City limits, it will be crucial to properly handle infected wood debris. The City shall establish a local **Holding /Marshalling** yard that is within the city limits or in close proximity thereof. The City should explore partnering with nearby governments/communities to share a holding yard.

The holding yard shall be 2 to 8 acres in size and be located away from high risk areas, with a high presence of ash trees.

The City should look for potential markets to offset the cost of processing tree debris; with biomass energy production and sawmilling being two of the possible markets.

Debris of trees infested by EAB shall be taken to locations specified by the City of Marion or the IDNR.

## **Reforestation:**

The Marion Tree Board shall have oversight of all tree replacement programs within the city limits. As the budget permits, all ash trees will be replaced with species that are appropriate to the planting site and increase overall species and age diversity of public trees.

### **Tree Replacement Programs**

**Street Trees** – The Marion Tree Board will have oversight of and will continue to implement the City’s annual street tree replacement program. Street trees will be replaced at no cost to adjacent home owners.

**Private Trees** - The City of Marion will reimburse a resident of Marion for 50% of the cost of one tree, up to a maximum reimbursement of \$100 (reimbursement is for the cost of the tree only, not planting, etc.) in its 50-50 residential shade tree program. Residents can apply for this reimbursement every other year with a maximum of two trees under this program. After purchasing and planting of the tree on their property, resident should submit their receipt to the Marion Parks and Recreation Department for reimbursement. Reimbursement takes 4 to 6 weeks to process and will be sent directly to the resident. Replacement trees shall be selected from the Marion Tree Boards approved species list, to be eligible for this program.

### **Diversification**

Species diversification is especially important when species-specific pest problems arrive (such as Dutch Elm Disease or Emerald Ash Borer). Without diversification, our community is much more vulnerable to catastrophic losses. In general, no species should make up more than 10% of the right-of-way population, and no genus should make up more than 20%. The City will work toward this goal for our entire street tree inventory. City residents will be encouraged to plant trees to replace any ash tree removed due to EAB. Recommend replacement trees are listed in the EAB information packet.

**Potential Costs:**

The value of shade trees to City residents (appraised value and benefits) greatly exceeds their costs. Trees provide shade and lower summer temperatures by transpiring water through their leaves. Trees provide value by intercepting storm water, preventing erosion, sequestering carbon, removing air pollutants, and releasing oxygen. Trees can also have a positive psychological and sentimental value that is difficult to quantify.

- A) **Removals:** The arrival of the EAB will have a financial impact on the City. It is unlikely all ash trees would have to be removed within one year; however, we anticipate that removals would increase yearly if the EAB has established itself in Marion. There are approximately **764** ash trees located in Marion’s right-of-ways. The estimated cost to remove all of these trees depends on the diameter of each tree due to how the City’s tree removal contract is structured (see table below). The cost for this scenario would be approximately **\$348,605.00** using current tree removal contract pricing.
  
- B) **Replacement:** The estimated cost to replace all of the ash trees located in Marion’s right-of-ways at **\$210.00** per tree is approximately **\$160,440.00**. The U. S. Forest Service estimates that there is roughly the same number of ash trees on private property as there are on public property.

**Tree Removal Budget Table**

DBH*	Cost per Tree	Number of Trees	Total Removal Cost
0”-3”	\$75	15	\$1,125
3”-6”	\$135	65	\$8,775
6”-12”	\$250	223	\$55,750
12”-18”	\$390	198	\$77,220
18”-24”	\$585	148	\$86,580
24”-30”	\$935	73	\$68,255
30-36”	\$1,110	30	\$33,300
36”-42”	\$1,430	10	\$14,300
42”+	\$1,650	2	\$3,300
<b>TOTAL</b>		<b>764</b>	<b>\$348,605</b>

\*Diameter at Breast Height

**Projected Tree Replacement Budget**

Calliper	Purchase Cost	Planting Cost	Trees	Total Planting Cost
1.75”-2”	\$150	\$60	764	\$160,440

## **Public Education:**

### **MARION IS NOW INCLUDED IN THE IOWA EAB QUARANTINE AREA DO NOT TRANSPORT FIRE WOOD OUT OF THE QUARANTINED AREA**

Public outreach will be a key component to how the City is able to manage an EAB infestation. Proper education and communication will enable the City the ability to make proper decisions and mitigate potential negative reaction.

#### **Public information campaigns will focus on asking residents to:**

**Stay informed and follow directives from the Iowa DNR** - Check for periodic updates on these websites:

[www.iowadnr.gov/forestry/eab](http://www.iowadnr.gov/forestry/eab)

[www.emeraldashborer.info](http://www.emeraldashborer.info).

[www.extention.iastate.edu/pme/emeraldashborer.html](http://www.extention.iastate.edu/pme/emeraldashborer.html)

[iowatrepests.com/eabregulations.html](http://iowatrepests.com/eabregulations.html)

**Public outreach meeting** - Attend public meetings that will address the discovery of Emerald Ash Borer in Eastern Iowa. Central to these meetings is the issue of the established quarantine boundary within the state that restricts movement of certain wood products under certain conditions. EAB identification and preventative tree care will be reviewed.

**EAB information distribution** - EAB Educational Information Packets will be available at the following locations: on-line at the City's website ([www.cityofmarion.org](http://www.cityofmarion.org)), the Parks and Receptions offices, City Hall, Public Services and the Library.

**Help monitor and report EAB** - Learn about EAB and monitor your ash trees for the pest. If you believe you have found either the insect or an infested ash tree. Call the Marion Parks & Receptions Department at (319) 447-3580; we will respond promptly to all such calls.

**Care for ash trees** - Care for your private trees routinely, stay abreast of treatment Information. If EAB is within 15 miles, consider treatment as a care option. It is recommended that residents use ISA-certified arborists when hiring tree care companies.

**Plant for diversity** - Do not plant ash trees on your property. Plant underutilized tree species instead. The Marion Tree Board can assist and advise residents of specific species for you to consider.

## **Notification:**

### **If notification is received reporting the possible discovery of the Emerald Ash Borer within the City limits:**

- The City Forester or designated representative will go to the site as soon as possible to investigate the complaint.
- If the City Forester or designated representative believes the tree is infested with EAB, the Iowa DNR Urban Forestry Division shall be contacted (515) 281-5600. A branch debarking sample shall be taken and submitted to the, **STATE ENTOMOLOGISTS OFFICE** at 2230 South Ankeny Blvd. Ankeny, IA 50023; (515) 725-1470.
- The City Manager shall notify the City Council about the possibility of the presence of the EAB within the City limits.

### **Upon positive identification:**

- The City Forester or designated representative will notify the City Manager about the positive identification.
- The City Manager shall share the information about the positive identification with the City Council.
- A press release will be prepared and sent to media contacts.
- E-News article will be prepared and posted on City webpage newsletter.
- Door hangers will be prepared and distributed to neighboring properties.
- Trees within 2 miles of positive find will be assessed for EAB activity within a reasonable time frame. If additional EAB detection is found in an area, an expanded survey will be initiated within 2 miles of the new find.
- Wood from EAB infested tree must be taken to pre-approved location for disposal.
- Regulatory and control activities will be initiated as necessary.

**Communication Plan:**

If the Emerald Ash Borer is positively identified within the City residents, landowners, and businesses within the immediate area will have a need for pertinent, current information. The public will be notified only after the presence of EAB has been confirmed by the proper authorities. Communications will take place via the following:

**Press Release:**

The City will prepare an initial press release within two days of confirmation of the EAB that will include:

- Announcement of find
- Summary of events leading to find
- The latest regulatory issue/what happens now?
- Partners in response (relevant agency officials if any)

An example press release copy is attached to this plan as Appendix A.

**E-News:**

Information about the finding will be posted in the City's newsletter and the City's website. An example press release copy is attached to this plan as Appendix B.

**Door Hangers:**

Information about the finding will also be included in a handout/door hanger to distribute to properties in close proximity of the infested tree. An example door hanger copy is attached to this plan as Appendix C.

## **Marion Tree Board EAB Action Plan/Checklist:**

- **Update and revise appropriate public ordinances.**
  - Review current ordinance, address both public and private trees.
  - The city will need to establish its authority in the removal of all dead, dying or diseased ash trees on private property.
  - Declare ash trees (living infected) or (dead) a public nuisance.
  - Prohibit the planting of ash trees.
  - Establish authority to inspect ash nursery stock and ash products.
  - Establish authority to inspect private ash trees.
  - Establish authority to require removal of public ash tree.
  - Affirm authority of the City Forester for maintenance and management decisions regarding ash trees.
  - Define a penalty for the violation of above provisions.
  - Define provisions of which ash trees be treated, as opposed to removal.
  
- **Establish a complete public tree inventory, which includes the following: street trees, park trees, wood lots.**
  - Prioritize that it is critical that the inventory be kept up to date.
  - Locate all public ash trees with GPS coordinates and measure diameter at breast height (DBH).
  - Establish a condition rating and establish a recommended maintenance plan.
  
- **Determine the City's comprehensive ash tree plan.**
  - A comprehensive plan describes how the City intends to manage ash trees in a variety of scenarios and directs the decision making process with regards to the following issues:
    - Public Ash Trees
    - Private Ash Trees
    - Treatment Options
    - Woodlot Management
    - Monitoring
    - Establishing a Local Holding/Marshalling Yard
    - Replanting Plan
    - Public Education and Communication
  
- **Train Personnel, Tree Contractors, Tree Board, and City Council. Conduct surveys to look for EAB.**
  - Identify and educate the core internal team. Provide staff training to Forestry, Parks, Public Service and other local tree authorities.
  - Explore opportunities for professional service work/contract with a Certified Arborist.
  - Explore opportunities for staff certification as a Municipal Arborist.
  - Educate Mayor, City Council, and other city officials; advise them on the potential for tree loss in the community and the potential cost of tree loss and replacement programs.

- **Locate a possible holding/marshalling yard for large quantities of wood and develop procedures for dealing with infested material.**
  - Explore opportunities and partnerships with other local governments/communities.
  - Determine costs associated with processing and shipping of infested material.
  
- **Establish replanting program.**
  - Review current tree planting programs.
  - Update recommended street tree species planting guide
  - Research private tree removal hardship program
  - Explore new planting program opportunities.
  - Explore program funding sources.
  - Development of a replanting program budget.
  
- **Develop and strengthen community education and outreach.**
  - Develop a local outreach program to inform citizens that identifies local protocols.
  - Develop EAB informational packet.
  - Stay networked by attending meetings and workshops.
  - Include public officials and decision makers in the public awareness and training events when appropriate.
  
- **Tree Removals.**
  - Review in-house equipment needs.
  - Review in-house labor and training needs.
  - Evaluate insurance rate associated with mass tree removal operations.
  - Review current tree removal contracts.
  - Develop contract specifications.
  - Develop a Request for Proposal/ bid document.
  - Development of a tree removal budget.
  - Research tree Service permit requirement process.

## APPENDIX A - PRESS RELEASE

\*\*\*(Date)\*\*\*

### City of Marion Discovers the Presence of Emerald Ash Borer

The City of Marion is the latest community to discover the presence of the highly destructive insect known as the Emerald Ash Borer (EAB). The Emerald Ash Borer is a small, metallic green, non-native invasive pest whose larvae feast on the trunks of ash trees, ultimately disrupting their ability to transport nutrients and causing the tree's eventual decline and death. The EAB infestation in Marion was discovered at (location) on (date) when (circumstances).

The EAB was first discovered in North America in 2001 in the Detroit and Ontario areas. It is unclear how the pests arrived, but they most likely arrived with ship cargo. Since their arrival, the pests have spread to sixteen states and tens of millions of ash trees have been lost.

The City has been preparing for the eventual arrival of the EAB by formulating an EAB Readiness plan. Mayor (name) stated, "In preparation for the Emerald Ash Borer's arrival, the City has inventoried trees on right-of-ways and other public property. During this inventory, it was found that ash trees make up approximately 25% of the City's total canopy, so this infestation could be devastating to our community's tree population. Right now, the City is working to monitor the progression of the infestation, manage the public ash tree population, and educate our residents as to their options regarding their privately owned ash trees. Fortunately, as a Tree City USA community with an active Tree Board, Marion discontinued planting ash trees in public right-of-ways in recent years and ash trees are not advised in any new developments."

The **EAB Team** comprised of officials from ISU, IDALS and the DNR efforts are targeted at slowing the spread of the disease throughout the State. The EAB team will work with the City to determine what steps will be required to control the spread of EAB.

Unlike some other communities that are choosing to remove and eliminate perfectly healthy ash trees from their neighborhoods, the City of Marion will remove ash trees on public property after positive confirmation of the EAB, or as they begin to decline. Since it was previously thought that the ash tree was a very hardy, easy to care for species, many neighborhoods host large populations of the trees and these neighborhoods will see dramatic changes in their landscape over the next few years.

Residents concerned about their privately owned ash trees can check for the following symptoms, since these symptoms are usually apparent before the bugs are spotted:

Canopy/crown dieback, 1/8" D-shaped exit holes on trunk or branches, irregular branching with suckers sprouting at the back of the trunk, and Woodpecker flecking activity on tree branches.

Residents can contact the Parks and Recreation Department with questions or for confirmation of suspected EAB. For more information contact the Marion Parks and Recreation Department at (319) 447-3580.

## **APPENDIX B - E-NEWS SUBMISSION**

### **Emerald Ash Borer Discovered in City**

The City of Marion is the latest community to discover the presence of the highly destructive insect known as the Emerald Ash Borer (EAB). The EAB is a small, metallic green, non-native invasive pest whose larvae feast on the trunks of ash trees, ultimately disrupting their ability to transport nutrients and causing the tree's eventual decline and death. The infestation in Marion was discovered at (location) on (date) when (circumstances).

Ash trees make up approximately 25% of the Marion's total canopy, so this infestation could be devastating to our community's tree population. The City of Marion will act quickly to remove ash trees on public property after positive confirmation of the EAB, or as they begin to decline.

Residents concerned about their privately owned ash trees can check for the following symptoms, since these symptoms are usually apparent before the bugs are spotted:

Canopy/crown dieback, 1/8" D-shaped exit holes on trunk or branches, irregular branching with suckers sprouting at the back of the trunk, and Woodpecker flecking activity on tree branches.

Residents can contact the Parks and Recreation Department with questions or for confirmation of suspected EAB. For more information contact the Marion Parks and Recreation Department at (319) 447-3580.

## APPENDIX C - DOOR HANGERS

### City of Marion Discovers the Presence of Emerald Ash Borer

Dear Neighbor:

On (date) the City of Marion discovered the presence of the highly destructive insect known as the Emerald Ash Borer (EAB). The Emerald Ash Borer is a small, metallic green, non-native invasive pest whose larvae feast on the trunks of ash trees, ultimately disrupting their ability to transport nutrients and causing the tree's eventual decline and death. The EAB infestation in Marion was discovered at (location) when (circumstances).

While the EAB does not pose any health risk, it does threaten our ash tree population. The Iowa DNR is the lead agency in creating policy related to the EAB. The Department's primary efforts are targeted at slowing the spread of the disease throughout the State. The Iowa DNR will work with the City of Marion to determine what steps will be required to control the spread of EAB. Unlike some other communities that are choosing to remove and eliminate perfectly healthy ash trees from their neighborhoods, the City of Marion will remove ash trees on public property only after positive confirmation of the EAB, or as they begin to decline.

Please help us combat the EAB infestation by doing the following:

- Inspect all ash trees on your property and look for symptoms of EAB.
  - If you suspect that EAB has infested your tree, contact the Marion Parks and Recreation Department at (319)447-3580.
  - If you see no signs of the pests, you may want to consider treating ash trees with a preventative pesticide. While there is some controversy about the effectiveness of pesticide, it is the only currently available option for prevention. Go to [www.emeraldashborer.info](http://www.emeraldashborer.info) for more information.
- Do not move firewood; the EAB can easily be transported in firewood.

Addressing the presence of the EAB in the City will be an involved process. Currently, the only effective method of stopping the spread of the pest is to remove and destroy all infested ash trees in an area.

# APPENDIX D - CITY OF MARION CODE OF ORDINANCES

## CHAPTER 152

### TREES

**152.01 Definition**  
**152.02 Tree Board**  
**152.03 City Forester**  
**152.04 Arboricultural Specifications and Standards of Practice**

**152.05 Trees on Public Property**  
**152.06 Trees on Private Property**  
**152.07 Enforcement**

**152.01 DEFINITION.** For use in this chapter, the following terms are defined:

1. “City Arboricultural Specifications and Standards of Practice” means the document containing the detailed performance standards and specifications to be used in carrying out the provisions of this chapter.
2. “Contractor” means any person, business or organization who receives compensation for the performance of work done.
3. “Park” means all public parks having individual names and maintained by the City.
4. “Parking” means that part of the right-of-way in the City not covered by sidewalk, between the lot line and the curb line. On unpaved streets, it is that portion between the lot line and portion usually traveled by vehicular traffic.
5. “Private tree” means any and all trees growing on private property.
6. “Property owner” means a person owning private property in the City, as shown by the County Auditor’s Plat of the City.
7. “Public property” means any and all property located within the confines of the City and owned by the City or held in the name of the City by any of the departments, commissions or agencies within the City government.
8. “Public tree” means any and all trees growing on public property including but not limited to street right-of-ways.
9. “Right-of-way” means a parcel of land intended to be occupied for streets, sidewalks, utilities and other public purposes.
10. “Shrubs” means woody vegetation usually growing with multiple stems and a height less than ten (10) feet.
11. “Street trees” means any and all trees growing on the parking including but not limited to street right-of-ways.  

*(Ord. 08-06 – Aug. 08 Supp.)*
12. “Topping” means heading, stubbing, rounding, tipping, or “dehorning,” which means the drastic removal of large branches, severely cutting back 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.
13. “Trees” mean woody vegetation usually growing with a single stem and a height over 10 feet.

14. “Tree Board” means the duly established board responsible to study, investigate, counsel and develop a written plan for the care, preservation, trimming, planting, replanting, removal or disposition of trees and shrubs within the City.

### **152.02 TREE BOARD.**

1. Establishment. There is established a seven member Tree Board. The Board shall be appointed by the Mayor and confirmed by the City Council. The Mayor in appointing the initial Board shall appoint four members to four year terms and three members to three year terms. After the initial appointments, all subsequent appointments shall be for four years. The Board shall determine its officers, bylaws and meeting schedule.

*(Ord. 08-06 – Aug. 08 Supp.)*

2. Duties. The Tree Board shall have the following duties:

A. Study, investigate, counsel, develop, update annually and administer a written plan for carrying out the purposes of this chapter.

B. Present their plan to the Council. Upon the Council’s acceptance and approval of the plan, the plan shall constitute the official tree plan for the City.

C. The Tree Board may draft and recommend to the Council amendments to the Zoning Ordinance, Subdivision Ordinance and other chapters of this Code of Ordinances, so as to require additional planting of street trees and/or privately owned trees, or both, in association with property development or redevelopment in the City.

D. The Tree Board may draft and recommend to the City Manager changes to staff procedures, so as to make them consistent with the intent of this chapter. These procedures may include, but are not limited to, tree trimming and excavation procedures of the City.

E. The Tree Board shall act as the final step in an appeals process regarding disputes between the City Forester and citizens.

3. Responsibilities. The Tree Board shall:

A. File with the Clerk for public inspection copies of the minutes and other action taken by the Tree Board within fourteen (14) days of the date on which the action was taken.

*(Ord. 08-06 – Aug. 08 Supp.)*

B. Utilize the central staff and auxiliary services of the City administration and refrain from duplicating them or from establishing incompatible procedures.

### **152.03 CITY FORESTER.**

1. Establishment. There is established the position of City Forester, who shall be the Director of the Marion Parks and Recreation Department. The City Forester shall serve as an ex-officio member of the Tree Board.

*(Ord. 08-06 – Aug. 08 Supp.)*

*Supp.)*

2. Authority. The City Forester shall have the authority and jurisdiction of regulating and planting, maintenance and removal of trees on publicly owned property to ensure safety or preserve or enhance the aesthetics of these public sites. The City Forester shall have the authority to supervise, inspect, or both, all work done under a permit issued in accordance with terms of this chapter. The City Forester shall have the authority to formulate and publish a master tree

plan with the advice, hearing and approval of the Tree Board. The City Forester has the general authority to do all of the following:

- A. Direct, manage, supervise and control the planting, removal, maintenance and protection of all trees and shrubs on public areas;
- B. Guard all trees and shrubs within the City to prevent the spread of disease or pests;
- C. Eliminate dangerous tree and shrub conditions within the City that may affect the life, health or safety of persons or property.

**152.04 ARBORICULTURAL SPECIFICATIONS AND STANDARDS OF PRACTICE.**

1. Establishment. There is hereby established an Arboricultural Specifications and Standards of Practice document of and for the City. This document shall include but shall not be limited to: species of street trees allowed and banned; the spacing between street trees and distances from fixed objects; proximity of street trees to utility lines; and topping.

2. Authority. The performance standards and specifications contained within the City Arboricultural Specifications and Standards of Practice shall be considered a part of this chapter and made subject to all its provisions.

**152.05 TREES ON PUBLIC PROPERTY.**

1. Conditions Under Which Trees Allowed. From and after July 1, 2010, no person, except City personnel, agents for City purposes, or authorized tree permit holders shall plant any tree or shrub upon any City owned property, including property dedicated or used for right-of-way purposes. Only trees from the City of Marion Approved Street Trees List may be planted in the public right-of-way.  
*(Ord. 10-15 – Aug. 10 Supp.)*

2. Insurance. The City Forester shall have the authority to require any permit holder to show adequate insurance coverage to cover potential damages that occur during the execution of the work. In the case of the property owner doing the work, proof of homeowner personal liability insurance may be required. If the property owner has hired another person or contractor to do the work, the contractor shall provide the City with a certificate of insurance. The certificates shall show the following minimum required limits of coverage of Commercial General Liability Insurance with limits of not less than \$500,000 per occurrence and Worker’s Compensation insurance coverage at statutory limits on any and all employees.

3. Public Utilities. A public utility may be issued a permit to treat, trim or remove any tree or shrub on any street or other public place. The work shall be limited to the actual necessities of the service of the company in the area specified on the permit. This work shall be done in accordance with the Arboricultural Specifications and Standards of Practice as established for the City. The City Forester may assign an inspector to supervise the provisions of the permit. The cost of the service shall be charged to the public utility. In the event severe weather has caused a tree to damage utility lines, the utility company, the City, or their agents may trim or remove trees necessary to repair the damaged utility lines without first obtaining a permit. A permit should be obtained before any additional trimming not required for repair of the utility line is done.

4. Maintenance. The maintenance of all street trees or shrubs shall be the responsibility of the City Forester. Street trees may be trimmed and maintained to allow free passage of pedestrians and vehicular travel and so they will not obstruct or shade street lights, traffic lights, signs or any traffic control devices or the view of any street intersection. Such detailed information is contained in the City’s Arboricultural Specifications and Standards of Practice. If in the opinion of the City Forester trimming of a street tree is necessary, the adjacent property

owner shall be notified and in the event the adjacent property owner disagrees with the Forester's decision, an appeal may be filed. 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 thereby injuring any individual or causing property damage, the offending branch, limb or tree shall be considered a hazard and may 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.

5. Removal. If in the opinion of the City Forester removal of a street tree becomes necessary, the adjacent property owner shall be notified. In the event the adjacent property owner requests the removal of a street tree or shrub and the City Forester does not consider the removal necessary, the property owner may appeal the City Forester's decision to the Tree Board.

6. Traffic Control. In the event the planting, maintenance or removal of any tree requires equipment or material to be located on or fall onto the street right-of-way, the permit holder shall provide for traffic control. All traffic control shall conform to the requirements and specifications of the current edition the Manual of Uniform Traffic Control Devices (MUTCD). In all cases the disruption of smooth traffic flow shall be kept to a minimum. Additional warning devices or precautionary measures may be necessary to control pedestrian traffic.

7. Protection. No person shall intentionally damage, cut, carve, attach any rope, wire, nails, advertising posters or other contrivance to any street tree; allow any gaseous, liquid, chemical or solid substance harmful to such trees to come in contact with them, or set fire or permit fire to burn when such fire or the heat will injure any portion of any tree.

8. Permit. No person except the City or person hired by the City shall spray, fertilize, preserve, prune, remove, cut above or below ground or otherwise disturb any tree on City property without first filing an application and obtaining a permit from the City Forester. The person receiving the permit shall abide by the Arboricultural Specifications and Standards of Practice as adopted by the City.

9. Permits. The Tree Board may issue a permit for the planting of a tree in the public right-of-way when: (1) The proper permit fee has been paid in full to the City; (2) The proposed site has been reviewed and approved by the City Forester; and (3) Species and planting technique have been reviewed and found to meet City standards.

*(Ord. 10-15 – Aug. 10 Supp.)*

1. Establishment of Fees. The City Council shall adopt by resolution a permit fee for the issuance of a tree permit. Said fees may be amended by resolution at the discretion of the City Council.

2. The Tree Board of the City shall adopt a City of Marion Approved Street Trees List by 7/1/2010.

*(Ord. 10-15 – Aug. 10 Supp.)*

3. Establishment of Urban Forest Utility. An urban forest utility is hereby established to provide for the collection and use of public tree management fees, tree permit fees and other fees as applicable for use to maintain trees on City owned property and provide for the disposal or re-use of tree-related materials.

4. Public Tree Management Fees. The City Council shall, by resolution, set fees for the management of trees on City owned property. This includes the initial establishment of fees and subsequent changes to the fees as deemed necessary by the City Council.

*(Ord. 10-16 – Aug. 10 Supp.)*

## **152.06 TREES ON PRIVATE PROPERTY.**

1. Maintenance. The property owner is responsible for the maintenance and care of any tree located on private property. Certain regulations apply to trees whose branches, limbs, roots or other parts extend into or over the street right-of-way. The property owner is responsible for ensuring private trees are trimmed to sufficient height to allow free passage of pedestrians and vehicular travel and so they will not obstruct or shade street lights, traffic lights, signs or any traffic control devices or the view of any street intersection. Detailed information is contained in the City's Arboricultural Specifications and Standards of Practice. If it becomes necessary to trim trees or shrubs on private property to comply with this chapter, the City Forester shall declare the tree or shrub a nuisance. Whenever the City Forester is notified or becomes aware of a dead or diseased tree or broken or dead branch or limb in any private tree which is in imminent danger of falling and thereby injuring any individual or causing property damage to adjacent property, the City Forester may 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 may cause the hazard to be removed. For purposes of removing the hazard, City crews or City agents shall be allowed on private property. Attempts should be made to notify the property owner before entering onto private property. (*Ord. 08-06 – Aug. 08 Supp.*)

2. Traffic Control. In the event the planting, maintenance or removal of any private tree requires equipment or material to be located on or fall onto the street right-of-way, the homeowner or the homeowner's agent shall provide for traffic control. All traffic control shall conform to the requirements and specifications of the current edition of the Manual of Uniform Traffic Control Devices (MUTCD). In all cases the disruption of smooth traffic flow shall be kept to a minimum. Additional warning devices or precautionary measures may be necessary to control pedestrian traffic.

## **152.07 ENFORCEMENT.**

1. Appeals. Any person who receives an order from the City Forester and objects to all or part of the order may, within ten (10) days of the receipt of the order, notify the City Forester and City Tree Board in writing of the nature of the objection and request a hearing on the order thereon. The hearing shall be held within thirty (30) days of notice to the appellant. Within ten (10) days the Chair of the Tree Board shall notify the appellant and City Forester of the final decision.

2. Interference. No person shall hinder, prevent, delay or otherwise interfere with the City Forester or any assistants in the execution or enforcement of this chapter.

3. Violation. If, as a result of a violation of any provision of this chapter, the injury, mutilation or death of a tree, shrub or other plant located on City-owned property is caused, the cost of repair or replacement of the tree, shrub or other plant shall be borne by the party in violation. The value of shrubs shall be determined in accordance with the latest revision of *A Guide to the Professional Evaluation of Landscape Trees, Specimen Shrubs and Evergreens* as published by the International Society of Arboriculture.

# **CITY OF MARION**

## **ARBORICULTURAL SPECIFICATIONS**

**AND**

## **STANDARDS OF PRACTICE**

**Approved April 17, 2008**

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:

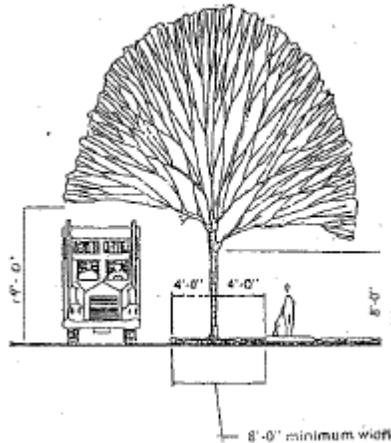
Commercial General Liability Insurance with limits of not less than five hundred thousand dollars (\$500,000) per occurrence and Workers Compensation Insurance coverage at statutory limits of any and all employees.

## II PLANTING

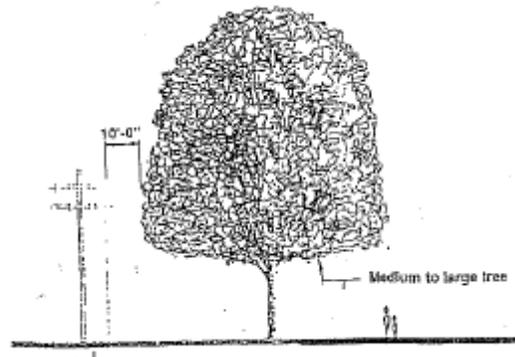
A) Site Evaluation: Not all sites are appropriate for trees. Before planting, thought should be given to how the mature tree will fit the site.

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.



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).

### 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)	

### 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.

### **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).

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.

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.