

CHAPTER 2
COMMISSIONS AND BOARDS
Article 15. City Tree Board

§2-1501 TREE BOARD; TREE AND FOREST DEFINITIONS.

Street Trees: "Street trees" are defined as trees, shrubs, bushes, and all other woody vegetation on land lying between the property lines on either side of all streets and avenues within the City.

Park Trees: "Park trees" are defined as trees, shrubs, bushes and all other woody vegetation in public parks.

Public Community Forest: "Public community forest" is defined as all street and park, and other trees owned by the City as a total resource.

Private Community Forest: "Private community forest" is defined as all trees within municipal boundaries but not owned by the City.

Community Forest Director: The "Community forest Director" is defined as the Park Director official representative of the Tree Board and as such is responsible for administration of the community forestry program.

§2-1502 CREATION AND ESTABLISHMENT OF A TREE BOARD.

There is hereby created and established a City Tree Board for the City of Crete, Nebraska, which shall consist of five (5) members, citizens and residents of this City, who shall be appointed by the Mayor with the approval of the City Council. The Community Forest Director shall be an ex-officio member of the City Tree Board.

§2-1503 TREE BOARD; TERM OF OFFICE. The term of the five persons to be appointed by the Mayor shall be three years except that the term of two of the members appointed to the first Board shall be for only one year and the term of two members of the first Board shall be for two years. In the event that a vacancy shall occur during the term of any member, a successor shall be appointed for a new three year term.

§2-1504 TREE BOARD; COMPENSATION. Members of the Tree Board shall service without compensation.

§2-1505 TREE BOARD; DUTIES AND RESPONSIBILITIES. It shall be the responsibility of the Tree Board to study, investigate, counsel and develop and/ or update annually, and submit to the City Administrator written plans (annual and long range) for the care, replacement, maintenance, and removal or disposition of trees and

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shrubs in parks, along streets and in other public areas. Such plan will be presented annually to the City Council by the City Administrator, and upon their acceptance and approval, shall constitute the official comprehensive City tree plan for the City of Crete, Nebraska.

The Tree Board, when requested by the City Administrator, shall consider, investigate, make finding, report and recommend upon any special matter or questions relating to trees. (Amended Ord. No. 1895, 5/20/14)

§2-1506 TREE BOARD; OPERATION. The 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 be a quorum for the transaction of business.

§2-1507 TREE BOARD; STREET TREES, SPECIES TO BE PLANTED. The City of Crete, Nebraska, shall maintain an extensive list of recommended trees for planting in public areas. The purpose of this listing will be to maintain diversity in the total tree population. This list shall be available to residents of the City upon request to aid in the selection of trees for private and public properties. The list of recommended trees shall be updated periodically to reflect new developments or species that will affect the population of the community forest.

§2-1508 TREE BOARD; DISTANCE AND CLEARANCES FOR PLANTING. Street trees may be planted in the tree lawn where there is more than six feet between the edge of the sidewalk and the curb of the street. Street trees shall be planted no closer than three feet from a sidewalk, driveway or street.

No street tree shall be planted closer than thirty-five feet (35') from any street corner, measured from the point of the nearest intersection of curbs or curblines.

No street tree shall be planted closer than ten feet (10') from any fireplug.

Special permission must be obtained from the Public Works Director when planting street trees within ten feet (10') of any point on a line on the ground immediately below any overhead utility wire.

§2-1509 TREE BOARD; PUBLIC TREE CARE. The City shall have the right to plant, prune, maintain, and remove trees, plants and shrubs within the right-of-way or bounds of all streets alleys, lanes, squares, and public grounds, as may be necessary to insure the public safety.

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The City may remove or cause or order to be removed any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to electric power lines or other public improvements or is seriously affected with any fatal disease.

§2-1510 TREE BOARD; CLEARANCE OVER STREETS AND WALKWAYS. The abutting property owners shall have the right to perform normal tree care on all street trees.

§2-1511 TREE BOARD; PERMITS REQUIRED. No person shall plant a street tree without first obtaining a permit from the Community Forest Director. There will be no fee for such permit.

§2-1512 TREE BOARD; COMPENSATORY PAYMENTS. No person shall remove any public tree without replacing such tree with a tree or trees of equivalent dollar value in the vicinity of the removed tree. The value of trees shall be determined by the Community Forest Director in accordance with regulations considering the species, location, size and condition of trees adopted by the Tree Board. If no suitable location exists in the vicinity of the tree removed or if the replacement tree is of lesser value, the person causing the tree to be removed shall make a compensatory payment to the City equal to the difference in value between the tree removed and any replacement tree. Such compensatory payment shall be paid into a fund established by the Director of Finance and used solely for the purpose of enhancing the Community Forest.

§2-1513 TREE BOARD; CLEARANCE OVER STREETS AND WALKWAYS. Clearance over streets and walkways shall be the responsibility of the abutting property owner. A clearance of eight (8') feet must be maintained over walkways and a clearance of twelve (12') feet must be maintained over streets and alleys. Property owners are responsible for trees on their own property as well as trees on the public way that abuts their property.

§2-1514 TREE BOARD; DEAD OR HAZARD TREE REMOVAL. The City shall have the right to cause to be removed any tree within the city limits that is dead or has been declared a hazard. Hazard trees are defined as trees with severe structural defects or splits. The City will notify in writing the owners of such trees. Removal is the responsibility of the owners of such trees and shall be accomplished within time limits set by the Community Forest Director.

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§2-1515 TREE BOARD; INTERFERENCE WITH THE TREE BOARD. It shall be unlawful for any person to prevent, delay or interfere with the Tree Board or any of its representatives or agents, while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any trees within the public community forest.

§2-1516 TREE BOARD; ACCESS. It shall be unlawful for any person to prevent, delay or interfere with access to private property by the City or its representative in the legal performance of any section of this ordinance.