

City of Melvindale – Tree Ordinance

ARTICLE II. TREES

Sec. 23-26. Permissible planting within street right-of-way.

It shall be unlawful hereafter to plant within the street right-of-way any species of trees except the following:

Small Street Trees

Small street trees for tree rows less than five feet wide or under power lines with a minimum spacing of 30 feet.

TABLE INSET:

Genus	Species	Varieties	Common Name
Acer*	Campestre		Hedge Maple
Amelanchier*	Canadensis	"Trazam"	Trazam Serviceberry
	Grandiflora	"Autumn Brilliance"	Autumn Brilliance Serviceberry
Crataegus*	Inermis	"Cruzam"	Cruzam Hawthorn
	Oxyacantha	"Pauls Scarlet"	Pauls Scarlet Hawthorn
	Punctata	"Ohio Pioneer"	Ohio Pioneer Dotted Hawthorn
	Viridia	"Vaughnti"	Vaughn Hawthorn
Malus		"Amaszam"	Amaszam Crab Apple
		"Jackii"	Jackii Crab Apple
		"Beverly"	Beverly Crab Apple
		"Centzam"	Centzam Crab Apple
		"Hergozam"	Hergozam Crab Apple
		"Prairifire"	Prairifire Crab Apple
	Robusta	"Erecta"	Column Cherry Crab Apple
Pyrus*	Calleryana	"Bradford"	Bradford Callery

			Pear
		"Cleveland Select"	Cleveland Select Pear
		"Favriei"	Korean Callery Pear
		"Redspire"	Redspire Pear
		"Stone Hill"	Stone Hill Pear
		"Celprizam"	Celprizam Pear
		"Valzam"	Valzam Pear

*Denotes most desirable species

Medium Street Trees

Medium street trees for tree rows wider than five feet but less than nine feet with no overhead wires with a minimum spacing of 40 feet.

TABLE INSET:

Genus	Species	Varieties	Common Name
Acer*	Freemani	"Celzam"	Celzam Maple
Acer	Platanoides		Norway Maple
		"Cleveland"	Cleveland Norway Maple
		"Crimson King"*	Crimson King Maple
		"Crimson Sentry"*	Crimson Sentry Maple
		"Deborah"	Deborah Norway Maple
		"Drummondii"	Silver Variegated Norway Maple
		"Emerald Luster"*	Emerald Lustre Maple
		"Emerald Queen"*	Emerald Queen Norway Maple
		"Fairview"	Fairview Norway Maple
		"Royal Red"	Royal Red Norway Maple

		"Summer Shade"	Summer Shade NW Maple
		"Superform"	Superform NW Maple
	Truncatum*	"Norwegian Sunset"	Norwegian Sunset Maple
	Platanoides		
Celtis*	Occidentalis		Common Hackberry
Eucommia*	Ulmoides		Hardy Rubber Tree
Fraxinus*	Pennsylvania	"Cimmzam"	Cimmzam Ash
		"Emerald"	Emerald Ash
		"Newport"	Newport Ash
		"Marshall"	Marshall Seedless Ash
		"Patmore"	Patmore Ash
		"Summit"	Summit Ash
		"Urbanite"	Urbanite Ash
Ginko Biloba (male only)*			Maidenhair Tree
Gleditsia Triacanthos	Inermis	"Imperial"	Imperial Honey Locust
		"Skyline"	Skyline Honey Locust
		"Sunburst"	Sunburst Honey Lucust
		"Trueshade"	Trueshade Honey Locust
		"Moraine"	Moraine Honey Lucust
		"Shademaster"	Shademaster Honey Lst.

Phellodendron	Amurense		Amur Cork Tree
Querus*	Acutissima		Sawtooth Oak
Tilia*	Cordata		Little Leaf Linden
		"Chancole"*	Chancellor Linden
		"Corzam"*	Corzam Linden
		"Glenleven"	Glenleven Linden
		"Greenspire"*	Greenspire Linden
		"Gocrozam"	Grocrozam Linden
	Tomentosa	"Sashazam"	Sashazam Linden

Large Street Trees

Large street trees for tree rows wider than nine feet with no overhead power lines with minimum spacing of 40 feet.

TABLE INSET:

Genus	Species	Varieties	Common Name
Corylus*	Columna		Turkish Filbert
Liquidambar	Styraciflua		Sweet Gum
Querus	Frainetto	"Schmidt Forest Green"	Forest Green
			Hungarian Oak
	Imbricaria*		Shingle Oak
	Palustria*		Pin Oak
	Robur	"Pyramich Skymaster"	Skymaster English Oak
	Rubar*		Red Oak
Zelkova*	Serrata	"Green Wise"	Green Vase Zelkova

		"Halka"*	Halka Zelkova
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*Denotes most desirable species

Large Open Area Trees

Large open area trees for locations with no underground sewers or water mains, no overhead and no pavement within ten feet.

TABLE INSET:

Genus	Species	Varieties	Common Name
Acer	Rubrum		
		"Autumn Flame"	Autumn Flame Red Maple
		"Northwood"	Northwood Red Maple
		"October Glory"	October Glory Red Maple
		"Frankserd Red Sunset"	Red Sunset Red Maple
	Saccharinum		Silver Maple
	Saccharinum		Sugar Maple
		"Adirzam"	Adirzam Maple
		"Bonfire"	Bonfire Sugar Maple
		"Commemoration"	Commemoration Sugar Maple
		"Green Mountain"	Green Mountain Sugar Maple
		"Legacy"	Legacy Sugar Maple
		"Majesty"	Majesty Sugar Maple
Platanus	Acerifolia	"Blood Good"	London Plane Tree
		"Columbia"	Columbia London Plane Tree
		"Liberty"	Liberty London Plane

			Tree
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*Denotes most desirable species
 (Ord. No. 333, § 1, 8-18-65; Ord. No. 533, § 1, 8-17-94)

Sec. 23-27. Regulations as to planting in street right-of-way.
 No bush or shrub shall be planted within the street right-of-way except within center parkways on divided streets. Any bush or shrub now within the street right-of-way, except as above provided, shall be removed.
 (Ord. No. 200, § 2, 6-17-53)

Sec. 23-28. Regulations in the interest of public safety.
 In order to provide for the safety of pedestrians and vehicular traffic, the owner and occupant shall comply with the following regulations in respect to all planting on the property or within the street right-of-way adjacent thereto:

- (1) Trees having branches overhanging the curb shall be trimmed and maintained so that no such branches are less than 12 feet above the pavement.
- (2) Trees having branches overhanging a public sidewalk shall be trimmed and maintained so that no such branches are less than eight feet above the sidewalk.
- (3) Trees near a street light shall be trimmed and maintained so that the foliage does not interfere with the illumination provided by the street light.
- (4) In the case of a corner lot, bushes and shrubs within 35 feet of the street intersection shall be trimmed and maintained so as not to stand more than three feet above the ground. The street intersection shall be taken as the intersection of the projection of the two curbs adjoining the lot.
- (5) Bushes and shrubs near the street right-of-way shall be trimmed so that no part thereof extends beyond the lot line facing the street or streets.
- (6) Whenever the chief of police, commissioner or ordinance officer shall determine that any tree, bush or shrub is in such condition or location as to create a hazard, the same shall, on notice, be trimmed, repaired or removed so as to eliminate such hazard.

(Ord. No. 200, § 3, 6-17-53; Ord. No. 533, § 1, 8-17-94)

Sec. 23-29. Prohibited species.
 It shall be unlawful to plant any American Elm, Chinese Elm, Poplars, Willows, Box Elders, Tree of Heaven and Sycamore or any tree of similar species upon any public or private property. Whenever the roots of any tree, bush or shrub of any species interfere with or obstruct a sewer, the tree, bush or shrub shall be removed.
 (Ord. No. 200, § 4, 6-17-53; Ord. No. 533, § 1, 8-17-94)

Sec. 23-30. Excessive maintenance costs on trees within street right-of-way.
 All trees within the street right-of-way in excess of more than one tree for each 40 feet of frontage shall be considered as excess trees to be cared for, in all respects, by the owner and the occupant. Whenever the city determines to effect a general trimming, pruning, repairing or spraying of trees within the street right-of-way at city expense, the owner and occupant shall, on notice and at his own expense, effect similar trimming, pruning, repairing or spraying of such excess trees, and such work shall be done conformably to the standards and general plan followed by the city; otherwise, the city may do the work,

and in such case the cost thereof shall be immediately payable by the owner and by the occupant, and in default of payment, it shall be assessed against the property.
(Ord. No. 200, § 5, 6-17-53)

Sec. 23-31. Removal of unlawful trees.

The lot owner and the occupant of the lot shall each be under a duty to comply with the provisions of this article in respect to all trees, shrubs and bushes on the lot or within the street right-of-way adjoining the lot. When a tree, bush or shrub is planted or maintained contrary to the provisions of this article, such owner and occupant shall remove the same and in default thereof, the city council, after notice, may direct the removal at the expense of the owner and the occupant. Such expense shall be immediately due and payable by the owner and by the occupant and, in default of payment, it shall be assessed against the property.

(Ord. No. 200, § 6, 6-17-53)

Sec. 23-32. Approval from director of public works required to remove or top certain trees.

No person, corporation, limited liability company or business shall cut down, remove or top any public tree with a diameter of more than three inches at a point two feet above grade without first obtaining approval from the office of the director of public works. Proof of valid insurance coverage including commercial liability and statutory workers compensation may be required.

(Ord. No. 363, § 1, 8-21-68; Ord. No. 721, art. I, 5-17-06)

Sec. 23-33. Removal, disposal of trimmings, debris; storage of firewood.

Any person, corporation, limited liability company or business which cuts down, removes, trims or tops any tree, shrub or bush, public or private, from any location shall be responsible for the prompt appropriate removal and disposal of all such trimmings, debris, branches, logs, trunks and stumps caused by such activities. Any firewood voluntarily kept by a homeowner or business must be cut into useable lengths and stacked neatly away from public view and elevated a minimum of 12 inches above the ground.

(Ord. No. 363, § 2, 8-21-68; Ord. No. 721, art. I, 5-17-06)

Sec. 23-34. Reserved.

Editor's note: Ord. No. 721, art. I, adopted May 17, 2006, deleted § 23-34, which pertained to a tree removal permit fee and was derived from Ord. No. 363, § 3, adopted Aug. 21, 1968.

Sec. 23-35. Violations.

Any person, firm or corporation who shall violate any provision of this article shall be responsible for a municipal civil infraction and fined as prescribed in section 1-18 of this Code.

(Ord. No. 361, § 4, 7-3-68; Ord. No. 557, § 4, 10-16-96)

Secs. 23-36--23-50. Reserved.