

City of Stockbridge – Tree Ordinance

ARTICLE V. TREES

Sec. 6-129. Short title.

This article shall be known as the Village of Stockbridge's Tree Ordinance for vegetation located within the village's right-of-way, easements, and parks. This ordinance shall be referred to as "this article".

(Ord. No. 01-2-1, § 2, 2-5-2001)

Sec. 6-130. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Park trees means trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the village, or to which the public has free access as a park.

Street trees means trees, shrubs, bushes and all other vegetation within in the streets right-of-way, being land lying between property lines on either side of all streets, avenues or ways within the village improved and unimproved.

(Ord. No. 01-2-1, § 2, 2-5-2001)

Sec. 6-131. Public tree care, permits for tree planting, care removal.

The village manager shall have control over all trees located within the street right-of-way, village easements, and public parks in the village and the planting, care and removal thereof, subject to the regulations contained in this chapter. The owner of land abutting on any street may, upon obtaining prior written permission of the village manager, prune, spray, plant or remove trees in that part of the street abutting his land which is not used for public travel, but no person shall otherwise prune, spray, plant or remove any tree in any street or park. Every such permit shall specify the extent of the authorization and the conditions to which it is subject.

The village manager shall prepare and have available for the public an application consistent with the requirements of this article.

(Ord. No. 01-2-1, § 2, 2-5-2001)

Sec. 6-132. Public tree removal.

The department of public works shall have the right to plant, trim, spray, preserve and remove trees, plants and shrubs within the right-of-way lines of all streets, alleys, avenues, lanes, easements, and parks of the village, as may be necessary to ensure safety or to preserve the symmetry and beauty of such property. The village manager may remove, cause or order to be removed, any tree, or part thereof which is an unsafe condition, which is of a prohibited species or which is infested with any injurious disease, fungus, insect or other pest. The DPW shall not be required to notify adjoining property owners, prior to exercising the rights and responsibilities set forth in this section.

Whenever the department of public work shall remove any tree, plant or shrubs, solely for the purpose of constructing any public works, the village manager shall, if practicable, replace the same at public expense, at some nearby location by planting another tree, not necessary of the same type. Any new or replacement plantings required for restoration work shall be consistent with the requirements of this article.

(Ord. No. 01-2-1, § 2, 2-5-2001)

Sec. 6-133. Tree planting regulations.

(a) No tree of any prohibited species shall be planted in any street or park, nor shall such tree be planted on any private property within 50 feet of any street or sidewalk right-of-way or any sewer or sewer extension. Shade trees planted in any street right-of-way shall be spaced not less than 40 feet apart.

(b) The owner of a lot may, in order to provide a shade or ornamental tree in front of his property, secure permission to plant a tree closer than 40 feet from an existing tree, but in no case shall such planting be within 30 feet of any existing tree, within the right-of-way.

(Ord. No. 01-2-1, § 2, 2-5-2001)

Sec. 6-134. Utilities--Street trees.

(a) No street tree, other than those species listed as small trees in section 6-136 of this article may be planted under or within ten lateral feet of any over head utility wire or, over or within five feet of any under ground water line, sewer or transmission line or other utility.

(b) When trees are planted in the right-of-way every effort will be made to plant such trees on the side of the right-of-way free of utilities, if possible.

(c) No tree shall be planted nearer to the intersection of any street than 20 feet from the corner of such intersection.

(d) No person shall place within the street right-of-way any stone, brick, sand, concrete or other material which will in any way impede the full and free passage of water, air or fertilizer to the roots of any tree, except a sidewalk of authorized width and location.

(Ord. No. 01-2-1, § 2, 2-5-2001)

Sec. 6-135. Same--Trees on private property.

(a) No person shall plant any tree on private property within the village unless the distance from the center of the trunk of such tree to nearest street of way line measures six feet or more.

(b) No person shall plant on private property within the village any tree listed as a small tree within five lateral feet of any underground water line, sewer line, transmission line or other utility.

(c) No person shall plant on private property within the village any tree listed as a medium tree within ten lateral feet of any underground water line, sewer line, transmission line or other utility.

(d) No person shall plant on private property within the village any tree listed as a large tree within 15 lateral feet of any underground water line, sewer line, transmission line or other utility.

(e) The following trees are not recommended for planting on public or private property:

TABLE INSET:

Poplar	Silver Maple
Box Elder	Common Catalpa
Basswood	Horse Chestnut
Willow	Chinese Elm
Tree of Heaven	

(f) No person shall plant on private property within the village any tree enumerated in either section 6-135(e) or section 6-136 within 25 lateral feet of any underground water line, sewer line, transmission line or other utility.

(g) No person shall plant on private property or on a public street any tree without contacting Miss Dig prior to beginning excavation.

(Ord. No. 01-2-1, § 2, 2-5-2001)

Sec. 6-136. Street tree species to be planted.

The following list constitutes the official street tree species for the Village of Stockbridge. No species other than those included on this list may be planted as street trees without written permission of the village manager.

TABLE INSET:

Small Trees	Medium Trees	Large Trees
Serviceberry	Hedge Maple	Norway Maple
Flowering Crab	Coffee Tree	Red Maple
Hawthorn	Green Tree	White Ash

Magnolia	Sassafras	Ginkgo
Mountain Ash	Yellowwood	Honey Locust
Redbud	Amur Cork Tree	London Plane
Washington Thorn		White Oak
		Pin Oak
		Sycamore
		Thornless Locust
		Sugar Maple

(Ord. No. 01-2-1, § 2, 2-5-2001)

Sec. 6-137. Trees prohibited in street rights-of-way less than 50 feet.

Street trees will not be allowed in street rights-of-way narrower than 50 feet in width.

These streets include, but are not limited to:

Garfield Street.

Hill Street.

Old Orchard Lane.

Spring Street.

Rice Street.

(Ord. No. 01-2-1, § 2, 2-5-2001)

Sec. 6-138. Penalty.

Any person, firm or corporation violation or failing to comply with any of these provisions of this article shall be guilty of a municipal civil infraction under section 1-6(b).

(Ord. No. 01-2-1, § 2, 2-5-2001)

Secs. 6-139--6-165. Reserved.