

## Chapter 324, TREES

[HISTORY: Adopted by the City Council of the City of Roseville 2-28-1984 by Ord. No. 895 as Art. I of Ch. 324 of the 1984 Code; amended in its entirety at time of adoption of Code (see Ch. 1, General Provisions, Art. II). Subsequent amendments noted where applicable.]

### GENERAL REFERENCES

Christmas tree sales -- [See Ch. 103.](#)  
Posting notices on [trees](#) -- [See Ch. 165.](#)  
Pavement damage caused by [trees](#) -- [See Ch. 290, § 290-27.](#)  
Uncontrolled growth and trimming of [trees](#) -- [See Ch. 364.](#)

#### § 324-1. Authority of City Manager; appeal.

A. The City Manager or designee shall have authority over all [trees](#) growing on public lands under city jurisdiction. The City Manager shall assign the responsibility to the Director of Public Works and Public Works Department to implement and carry out a plan and program for the care, preservation, trimming, pruning, planting, removing, or similar practice for these public [trees](#).

B. Persons aggrieved by a ruling, regulation, charge or other public-tree-related practice by the Director of Public Works or Public Works Department employees shall have direct access and appeal rights to the City Manager or designee. The City Manager or designee may confirm, reinforce, modify or repeal any such ruling, directive or charge.

#### § 324-2. Interference with city forestry operations.

A. It shall be unlawful for any person to prevent, delay or interfere with, or to cause, authorize or procure any interference with, the Director of Public Works or in any forestry operations or in removing any device attached to any tree, plant or shrub. It shall also be unlawful for any person to procure any interference with the Director of Public Works or any employees or agents while they are engaged in the execution of enforcement of the provisions of this chapter.

B. Nothing herein shall be construed as an attempt to prohibit a public hearing or the permitting of any remedy, legal or equitable, in any court of competent jurisdiction for the protection of property rights by the owner of any property within the city.

### **§ 324-3. List of official street tree species.**

The species set forth in this section shall constitute the official street tree species for the City of Roseville. Species other than those included in this section may not be planted as street **trees** without written permission of the Director of Public Works. The minimum diameter for each tree planted shall be two inches in diameter at one foot above ground with a minimum height of eight feet.

A. Large **trees** (50 or more feet):

(1) English oak (*Quercus robur*).

(2) White ash (*Fraxinus americana*).

(3) Littleleaf Linden (*Tilia cordata*).

(4) Emerald Queen Norway maple (*Acer platanoides*/Emerald Queen).

(5) Autumn Blaze Freeman maple (*Acer x freemani*/Jeffersed).

B. Medium **trees** (30 to 50 feet):

(1) Redspire pear (*Pyrus calleryana* Redspire).

(2) Bradford pear (*Pyrus calleryana* Bradford).

(3) Sunburst locust (*Gleditsia triacanthos* Sunburst).

(4) Crimson King maple (*Acer platanoides*/Crimson King).

(5) Norwegian Sunset maple (*Acer truncatum*/Norwegian Sunset maple).

C. Small **trees** (15 to 30 feet):

(1) Redbud (*Cercis canadensis*).

(2) Snowdrift crab (*Malus snowdrift*).

(3) Thornless cockspur hawthorn (*Crataegus crus-galli inermis*).

- (4) Hedge maple (*Acer campestre*).
- (5) Amur Maple (*Acer ginnala*/Tree form).

**§ 324-4. Location of trees.**

A. The spacing of street trees will be in accordance with the three species size classes listed in § 324-3, and no trees may be planted closer together than the following, except as approved in writing by the Director of Public Works:

- (1) Small trees: 20 feet.
- (2) Medium trees: 30 feet.
- (3) Large trees: 40 feet.

B. The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the three species size classes listed in § 324-3, and no trees may be planted closer to any curb or sidewalk than the following:

- (1) Small trees: two feet.
- (2) Medium trees: three feet.

(3) Large **trees**: four feet.

C. No street tree shall be planted closer than 25 feet from any street corner as measured from the point of intersecting curblines. No street tree shall be planted closer than 10 feet from any fire hydrant.

#### **§ 324-5. Tree care.**

The city shall have the right to plant, prune, maintain and remove street **trees**, park **trees**, plants and other vegetation within the lines of all streets, alleys, avenues, lanes, squares, rights-of-way and public grounds as may be necessary to ensure public safety or to preserve and enhance the symmetry and beauty of such public grounds. The Public Works Department 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 public utilities or other public improvements, or is affected with any injurious fungus, insect or other pest. This section shall not prohibit the planting of street **trees** by adjacent property owners, provided that the selection and location of said **trees** is in accordance with the provisions of this chapter.

#### **§ 324-6. Permit required.**

No person shall plant, remove, prune, cut, molest, break, deface, destroy, spray, repair or do surgery work upon any tree or part thereof or in any manner interfere with, disturb or injure any tree that is now or may hereafter be growing upon any public property within the city, nor shall any chemical, either solid or fluid, seep, drain or be emptied on or about any tree that is now or may be planted upon any public highway with the city, without first obtaining a written permit from the city.

#### **§ 324-7. Attaching articles to **trees**.**

No person shall be permitted to hitch any animal to any tree nor fasten to, for the purpose of anchorage, any wire, rope, chain or cable, nor shall any person nail, tie or in any other manner fasten any cards, signs, posters, boards or any other article to any tree that is now or may hereafter be growing upon any public property within the city.

**§ 324-8. Pruning of branches by tree owners; pruning by city.**

A. Every owner of any tree overhanging any street right-of-way within the city shall prune the branches so that such branches shall not obstruct the light from any streetlamp or obstruct the view of any street intersection and so that there shall be a clear space of eight feet above the surface of the street and eight feet above the surface of the sidewalk. Said owners shall remove all dead, diseased or dangerous **trees** or broken or decayed limbs that constitute a menace to the safety of the public.

B. The city shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a streetlight or interferes with the visibility of any traffic control device or sign or presents an obstruction to a public thoroughfare, including but not limited to sidewalks, streets or alleys.

**§ 324-9. Removal of dead or diseased **trees** on private property.**

A. The city shall have the right to cause the removal of any dead or diseased tree or parts thereof on private property within the city when such **trees** or parts thereof constitute a hazard to life and property or harbor insects or disease that constitute a potential threat to other **trees** and/or private property within the city.

B. The Director of Public Works shall send notice by first-class mail to the owner

of the private property with a copy of such notice sent by first-class mail to the occupant. Removal shall be done by said owners or occupants at their expense within 30 days after the date of mailing of notice, or sooner if conditions warrant earlier removal.

C. In the event of failure of owners or occupants to comply with such provisions, the city shall have the authority to remove such **trees** and charge the cost of removal on property owner's ad valorem real property tax bill. In addition, the city may elect to recover such amount through court action.

#### **§ 324-10. Violations and penalties.**

Any person who shall violate any provision of this chapter or any lawful order issued in pursuance of the provisions hereof shall be punished as provided in Chapter 1, General Provisions, Article I. Imposition of any penalty for a violation of this chapter shall not be construed as a waiver of the right of the city to collect the costs of removal of such **trees** or plants or parts thereof, repair damages and/or replace such **trees** or plants in accordance with the provisions of this chapter.