

**DEPARTMENT OF PARKS  
AND COMMUNITY SERVICES**

**CITY OF SACRAMENTO**  
CALIFORNIA

1231 I STREET  
SUITE 400  
SACRAMENTO, CA  
95814-2977

ROBERT P. THOMAS  
DIRECTOR

June 9, 1989

916-449-5200

G. ERLING LINGGI  
ASSISTANT DIRECTOR

DIVISIONS:  
CROCKER ART MUSEUM  
GOLF  
METROPOLITAN ARTS  
MUSEUM AND HISTORY  
PARKS  
RECREATION  
ZOO

WALTER S. UEDA  
DEPUTY DIRECTOR  
Budget and Finance Committee/  
Transportation and Community Development Committee  
Sacramento, California

Honorable Members in Session:

Subject: Street Tree Maintenance/Ordinance Revision

Summary:

This report details the status of the City's street tree trimming operation. Additionally, this report recommends that the City's street tree ordinance be amended reflecting title changes, and clarifying definitions of street tree, City street tree and maintenance responsibilities. The intent is to match the existing City tree care resources with City tree care responsibility and to provide enhanced tree care public education efforts.

Background Information:

The City of Sacramento is renowned for its progressive street tree operation. Sacramento has been honored with the Tree City USA award for the eleven consecutive years since the award's inception. The magnificent trees themselves provide the greatest testimony to the value of the City's ongoing tree care efforts.

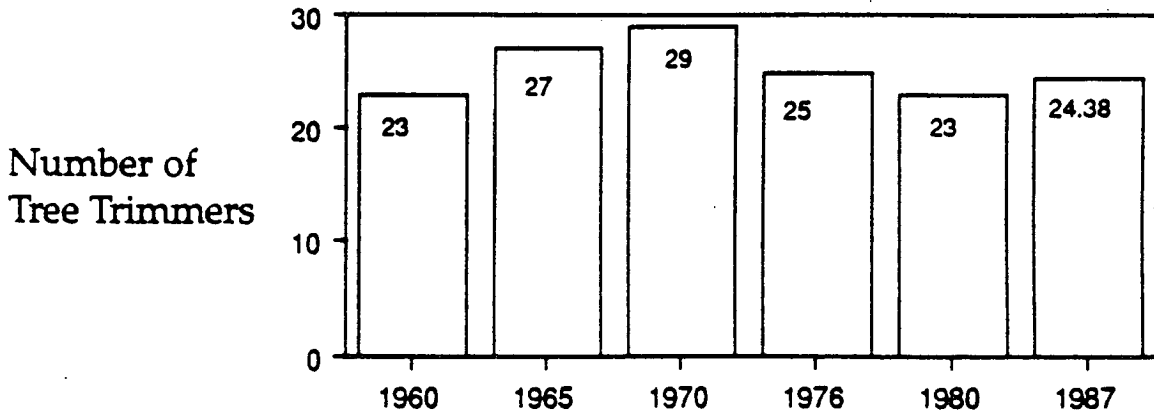
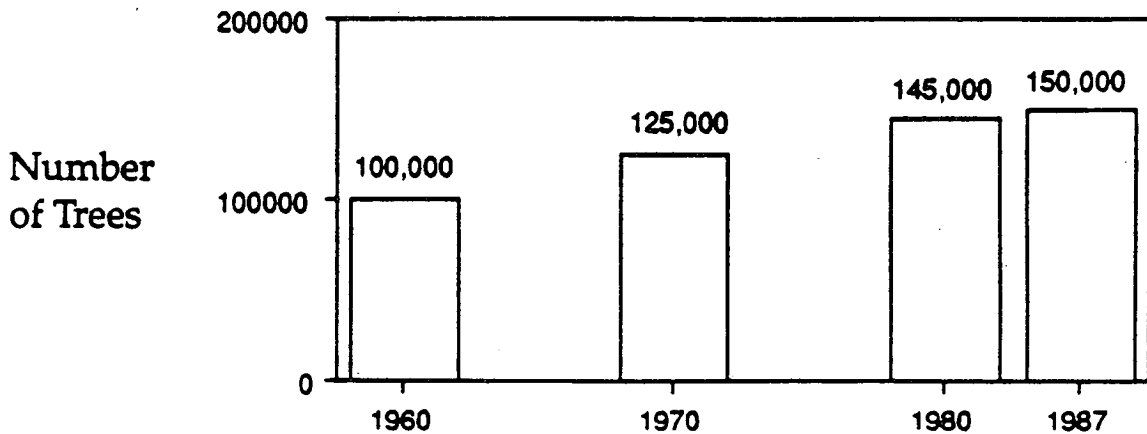
Sacramento's population of City maintained trees increased from an estimated 100,000 trees in 1960 to an estimated 150,000 trees in 1988. While the City is not legally responsible for maintenance of private street trees, we have been providing that maintenance where possible within budgetary limitations. The City of Sacramento is currently responsible for maintenance of all street trees within budgetary limitations as provided by the Director. Exhibit A of this report provides a comprehensive history and detailed analysis of the conditions, service levels and maintenance needs of trees and compares Sacramento's existing maintenance levels with other cities nationally.

Sacramento's street tree resource is estimated to have a value in excess of \$300 million (based on the Valuation of Landscape Trees, Shrubs and Other Plants

published by the International Society of Arboriculture). Such a valuable resource deserves adequate care. Trees, just like historic buildings or antique cars, require ongoing maintenance or they deteriorate.

Sacramento currently employs 24.38 FTE (full time equivalent) tree trimmers. Employment peaked in 1971-72 with 30 tree trimmers. With current staff levels, the trimming rotation for a tree is over 20 years. This rotation is inadequate and results in a crisis management approach to tree care. Sacramento schedules tree work based on individual citizen requests rather than on a planned and timely rotation. Deadwood, damaged trees, and low limbs, are inspected when a citizen complains. Work is only scheduled where there is an emergency need. This situation is not without consequences. Citizen requests for legitimate tree trimming needs are waiting as much as eighteen months until crews are available. As of January, 1989, the scheduled work file contained 940 requests dating back to June 1987.

**Sacramento Tree Population Compared to Number of Tree Trimmers**



Number of Trees per Tree Trimmer	4,380	4,310	5,434	6,153
City Population	191,667	261,627	283,024	327,000

2

In order to reduce the turn around time for tree trimming and reduce the citizen request backlog this report recommends clarifying that the maintenance responsibility for private street trees rests on the private property owner. This would be accomplished with revision of the City Code Chapter 45, relating to trees. Exhibit B of this report provides the existing ordinance with the recommended changes noted. City crews would then supply routine maintenance only for City street trees. City street trees are those planted on the actual street easement or other public property. The City is presently maintaining all sidewalks with a similar policy. Sidewalks are inspected and bids to complete any necessary work are solicited by the City and the work is paid for by the property owners.

This proposal provides for continuation of services to City street trees and would increase frequency of service. Private street trees would no longer be provided with the following services: insect control, trimming, tree removal, or emergency response unless the public right of way is impacted. Private street trees are those trees planted on private property in the front yard within 12 1/2 feet of the back of the curb. Services which would continue for private street trees would include, emergency response where the public right of way is impacted, inspection to evaluate tree maintenance needs, tree planting, mistletoe tool loan program, neighborhood self-help program, and continued efforts to educate the public about proper tree care.

The new emphasis for City tree care on city street trees would be accompanied with renewed efforts to complete a street tree management plan, increase the City tree care education program, and promote tree planting.

City Tree Services will proceed with the development of a comprehensive tree management plan. This plan will follow the Street Tree Master Plan Outline guidelines provided by the 1987 Street Tree Task Force and endorsed by Sacramento Tree Foundation. (See Exhibit C) Work on the Tree Management Plan will continue through allocation of labor and materials from the 1989-90 Tree Services operating budget totalling approximately \$25,000 per year for the next three years.

Enhanced education efforts will include the development of an educational presentation geared to various age groups with emphasis on elementary school children. Tree Services will also develop a general information handout that will be made available to the public through all tree services staff and Community Centers. This program will be developed under the direction of the City Arborist. Staffing for the increased education program will be provided by the reallocation of (.46) FTE Tree Trimmer Trainees presently assigned to the six month a year mistletoe tool loan program and 1.08 FTE Tree Maintenance Worker I(s) presently assigned to watering trees and pest control. These positions would have a change in responsibilities under the new ordinance and would be combined into one career position Tree Maintenance Worker II or other appropriate title. The primary responsibility for this new position would be to assist the City Arborist in presenting the programs to elementary schools and other audiences throughout the year. The program would be available to all City of Sacramento schools and interested community groups. This employee would also continue the on-going operation of the popular mistletoe tool loan program.

Tree Services will also accentuate its efforts to encourage tree planting. Tree planting will be an integral part of the education program and the City Tree Services will continue its active participation in the local "Trees for Tomorrow" campaign to plant one million trees by the year 2,000. Tree Services will also continue to work with Sacramento Tree Foundation in its planting projects, and to carry out the City's existing tree planting program. The City program provides one street tree for every 40 feet of street frontage where space permits in the City of Sacramento.

Sacramento will retain its strong image as a Tree City USA award recipient. The per capita expenditure on trees will remain unchanged. If this report is approved, the per tree expenditure will increase enabling the City to provide a quality service on City street trees it continues to maintain. Additionally, the City's liability will be diminished by reducing the number of city maintained street trees and by increasing service on those it is responsible to maintain.

Surrounding local communities are adopting similar approaches to tree care. The recently adopted West Sacramento and Folsom Tree Ordinances assign tree maintenance responsibility to the private property owner. These cities do not assume any tree care maintenance responsibilities.

The Sacramento Tree Foundation, Environmental Council of Sacramento, and Sacramento Old City Association have reviewed this report. The Environmental Council deferred to the Tree Foundation as the organization with greatest expertise and membership affiliated with both organizations. The Tree Foundation Technical Advisory Committee sent a motion to the Foundation's Executive Board which supported additional tree crews as first priority with the understanding that a shift of service from street trees to city street trees would be recommended if funding for additional crews could not be found. The Tree Foundation Executive Board passed a motion which supports increased funding for tree maintenance and supports both the management plan and education components of this proposal. Sacramento Old City Association has recommended that the City fund an additional five tree trimming crews without any further qualification. The cost for five additional crews is approximately \$1.2 million annually. All the above groups support increased funding as the solution to maintenance needs; however, they will not oppose the proposed ordinance change. This report was reviewed by the Parks and Recreation Citizen's Advisory Committee at its May 25, 1989 meeting.

#### FINANCIAL DATA

Increased responsibility to provide more education and develop the tree management plan creates a need for assistance to the arborist. Current limited term employees (1.54 FTE) will be reallocated to a 1.00 employee career FTE with no net change in cost and no additional funds required.

There are no other costs anticipated as a result of the ordinance change.

2

POLICY CONSIDERATIONS

Policy considerations include revision of the City's Street Tree Ordinance to clarify that responsibility for tree maintenance on private property rests on the property owner. Other policy changes are the renewed emphasis on tree education, tree planting, and development of the street tree management plan.

MBE/WBE EFFORTS

No impact.

RECOMMENDATION

It is recommended that the Budget and Finance Committee and the Transportation and Community Development Committee approve this report and forward it to the full City Council and that the City Council, by resolution:

1. Enact the proposed ordinance amending Chapter 45 of the City Code pertaining to trees.
2. Approve the concept of reallocation of 1.54 Limited Term FTE to one career FTE Tree Maintenance Worker II or other appropriate title to develop and present tree education programs, targeting all age groups, concentrating on elementary school children and community groups. These adjustments will be in the proposed 1989-90 operating budget.

Respectfully Submitted,

*fn - G. Eiling Loring*  
Robert P. Thomas, Director  
Parks and Community Services

Recommendation Approved:

*Solon Wisham, Jr.*  
Solon Wisham, Jr.  
Assistant City Manager

All Districts

Attachments: Exhibits A-D

Contact Person to  
Answer Questions:

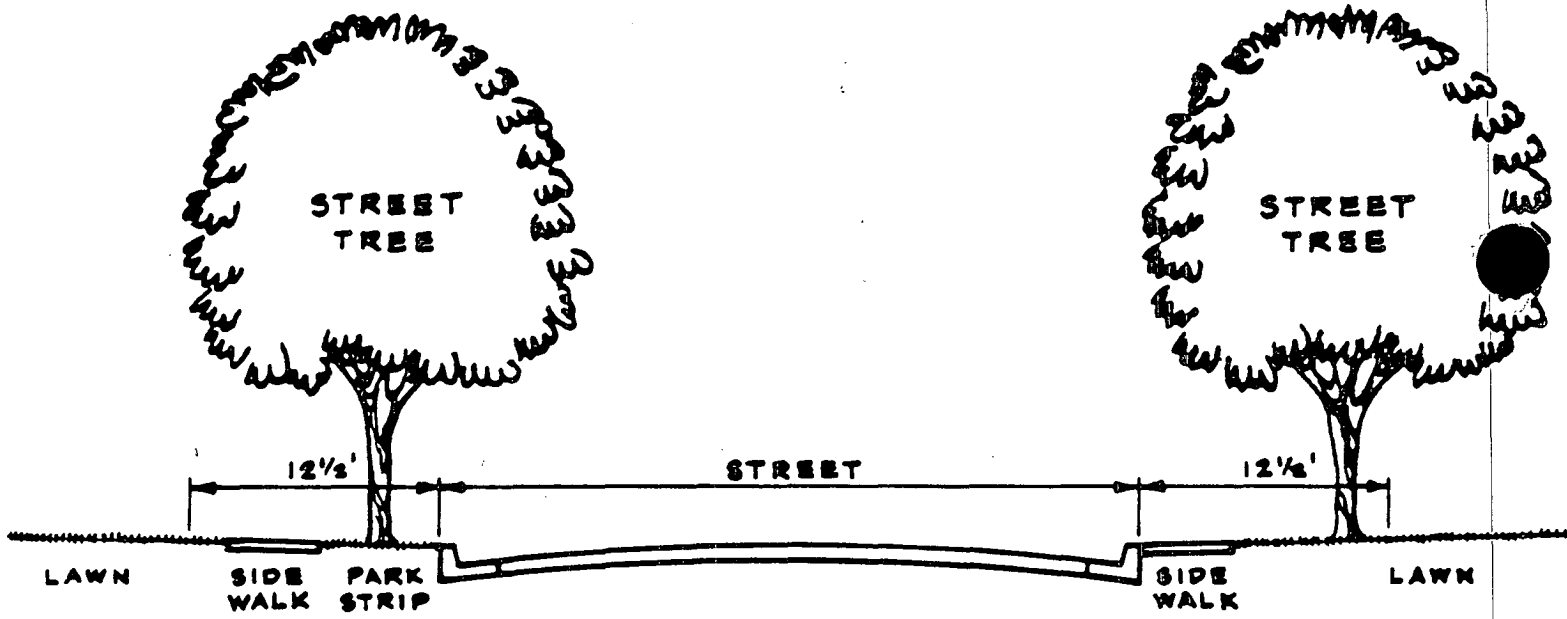
MARTIN FITCH, PARKS SUPERINTENDENT  
TREE SERVICES  
449-5304

ILLUSTRATION OF PROPOSED  
CITY MAINTAINED AND PROPERTY  
OWNER MAINTAINED STREET TREES

2/28

MAINTAINED  
BY CITY

MAINTAINED BY  
PROPERTY OWNER



TYPICAL SECTION

Exhibit A

## SACRAMENTO'S TREE RESOURCE

Urban trees are described in American Forests, May/June 1987 as most vigorous from the time their trunk reaches 5-inches in diameter until thirty years of age (Moll, 1987). By this standard the majority of Sacramento's trees are relatively old and, therefore, require increased maintenance.

Sacramento's present tree inventory includes approximately 18,000 elm, 20,000 ash and 20,000 plane trees. These trees represent the majority of older trees in the City, and they account for a proportionately greater share of the maintenance needs. Sacramento has a reputation among professional arborists for having more larger trees than other cities. The elm trees generally range in age from 50 to 110 years. Maintenance needs include annual treatments to control elm leaf beetle, deadwooding, low-limb, and removal of dead or structurally defective trees. The ash trees range in age from 20 to 50 years. Ash trees require maintenance for many conditions including mistletoe, ash plant bug, ash borer and anthracnose leaf blight, surface roots, major limbs splitting, and dead trees. The plane trees are 50 to 80 years in age. Maintenance needs for plane trees include treatment for scale insects, anthracnose leaf blight, powdery mildew, deadwood, and low limbs.

Tree Services currently spends approximately 65% of its resource on City street trees and 35% on private street trees. There are no counts as to the actual number of City street trees versus street trees. A rough estimate would be 75,000 City street trees and 75,000 street trees. The greater expenditure for City street trees reflects the greater age and size of the City street trees as compared to street trees.

Public liability presents an additional concern. Proper tree maintenance is essential to reduce the potential for property or personal injury which can result from neglected or postponed street tree maintenance (Moll, 1987). This proposed ordinance change will reduce the city's liability exposure with reference to trees, but rather clarifies the division of responsibility. It reduces the City expense which currently arises from our maintaining trees which are not City responsibility and from our expending fewer than all available resources on City street trees.

In response to both the liability question and public demand for improved tree management within current budgets, City Tree Services has developed two tree evaluation forms. These forms assist in providing a uniform evaluation system and increase credibility in removing and replacing the City's declining older trees. The form, "Guide for Evaluating Tree Condition", evaluates tree condition on a point system using the following factors: trunk and limb structure, crown development, insect or disease infestation, tree vigor, and neighborhood impact. The "Nuisance Tree Evaluation" assists City Tree Services, property owners, and neighbors in evaluating nuisance trees for possible solutions (Bramble, 1987). The forms have been well received by the community, and are a step in the right direction. However, Sacramento is still reactive in its approach to tree maintenance. A proactive management plan and tree service operation is needed. Tree maintenance with City crews now consists primarily of the following services:

Exhibit A (Continued)

- 1) Elm leaf beetle control.
- 2) Aphid and other honeydew producing insect control.
- 3) Trimming for low limbs, building clearance, street light clearance, and traffic control clearance.
- 4) Dead and diseased tree removal.
- 5) Emergency response for limbs or trees down, split, or broken and hanging.
- 6) New tree planting.
- 7) Inspection to evaluate tree maintenance needs.
- 8) Mistletoe tool loan program.
- 9) Neighborhood self-help program, i.e. city supervised tree work paid for by the property owner.

SACRAMENTO TREE CARE COMPARED TO OTHER MUNICIPALITIES

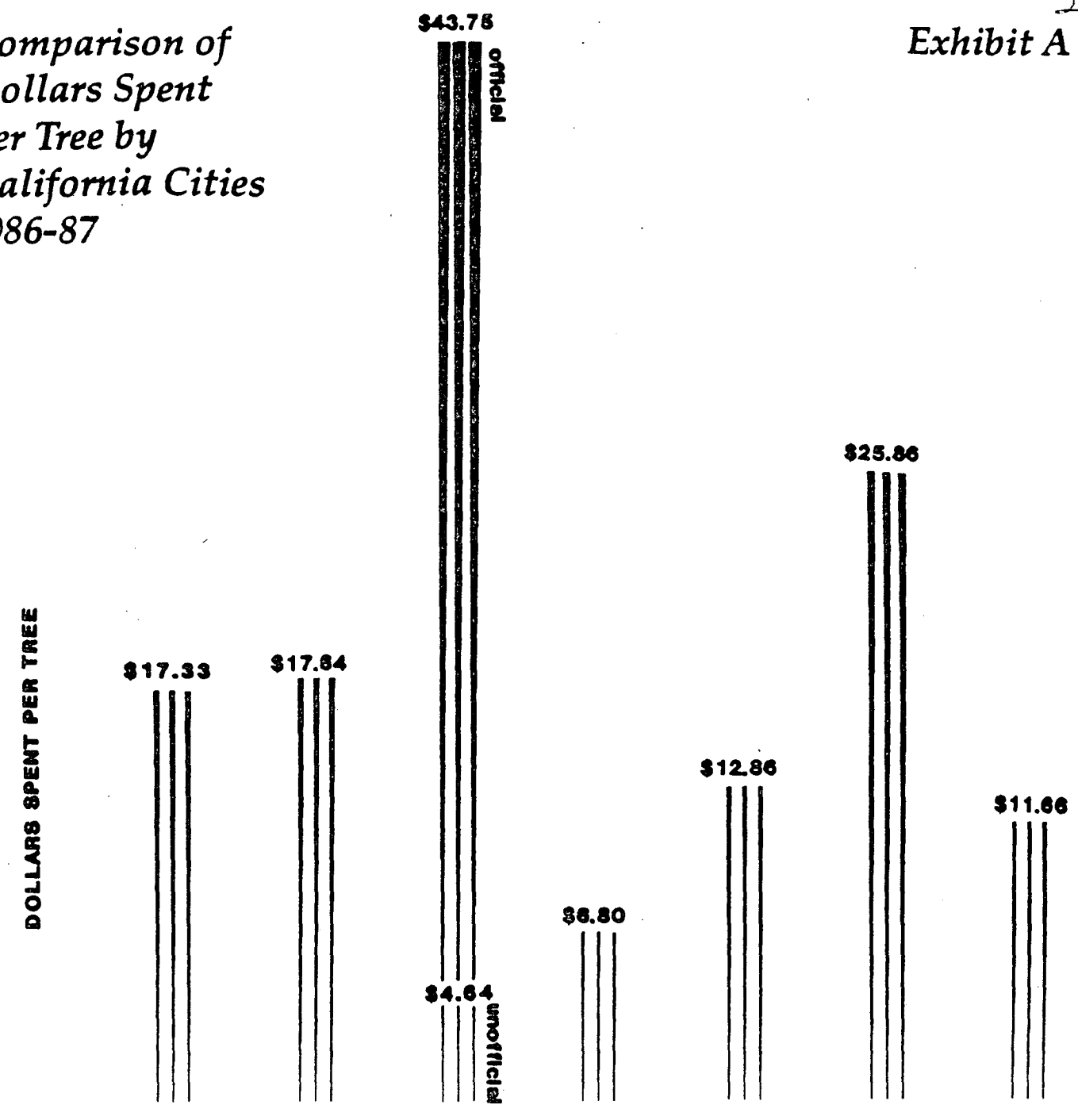
Sacramento's tree maintenance expenditures are falling behind when compared to other tree conscious cities throughout the nation. Sacramento spends \$17.33 per tree per year compared to \$17.64 in Modesto, \$25.00 in Seattle, \$23.00 in Milwaukee, and \$18.00 in Minneapolis. Comparison between Sacramento's tree maintenance program and those of Modesto, Seattle, Minneapolis, and Milwaukee indicates that the responsibilities are essentially the same: maintenance of street trees in front of each property. Seattle is the exception, maintaining trees only on public property. A comparison with a random sample of similar sized California Cities shows Sacramento's tree expenditure to be about average. It should be noted that the majority of California cities have no tree program at all. Approximately 150 of California's 450 cities have tree programs. However, most of California's larger cities do have established formal tree care programs.

Tree care professionals recommend urban tree trimming on a minimum five to six year rotation for each tree. This rotation is achieved in the cities of Milwaukee, Seattle, Minneapolis, and Modesto (Skiera, Clark, Devoto, Gilstrap, 1987). Sacramento's 20 year plus tree trimming rotation capability is four times longer than the recommended professional standard.

222

Exhibit A

Comparison of Dollars Spent per Tree by California Cities 1986-87

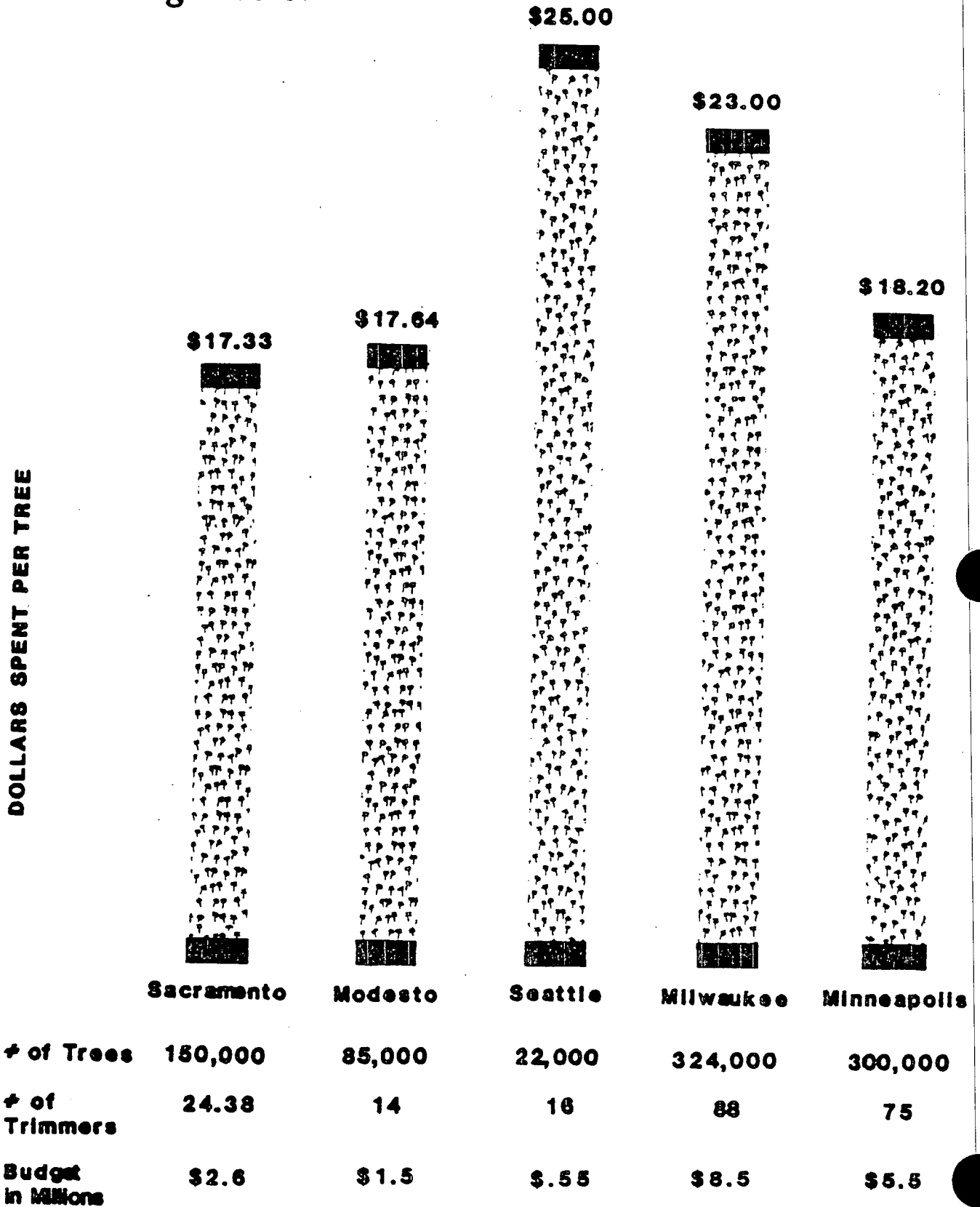


	Sacramento	Modesto	Oakland	San Jose	Stockton	Anaheim	Fresno
# of Trees	180,000	85,000	40,000*	250,000	70,000	58,000	120,000
# of Trimmers	24.38	14	26	13	14	26	21
Budget in millions	\$2.6	\$1.5	\$1.75	\$1.7	\$ .9	\$1.5	\$1.4
Population	327,000	132,500	360,000	740,000	180,000	254,000	300,000
Program Head	Fitch	Gilstrap	Newman	Beaudoin	Feldkamp	Crump	Hallam

\*Oakland has 40,000 official trees and 275,000-400,000 unofficial trees.  
 Note: Of California's approximately 450 cities only 150 have formal city tree care programs.

*National Comparison  
of Dollars spent per  
Tree during 1986-87*

Exhibit A



22

CITY OF SACRAMENTO  
PARKS DIVISION GUIDE FOR EVALUATING TREE CONDITION

DATE	TREE SPECIES
ADDRESS	DIAMETER BREAST HEIGHT
PROPERTY OWNER	CROWN SPREAD
INSPECTOR	TOTAL HEIGHT

Sketch of Tree Location Attached; Yes

CONDITION CATEGORIES AND CORRESPONDING POINT VALUES

Very Good Condition...86 to 100 points	Poor Condition.....31 to 50 points
Good Condition.....71 to 85 points	Removal Recommended.....20 to 30 points
Fair Condition.....51 to 70 points	Removal Required....less than 19 points

<u>EVALUATION CRITERIA</u>	<u>CHECK CONDITIONS THAT APPLY</u>	<u>POINT VALUE</u>
----------------------------	------------------------------------	--------------------

**General View:**

Overall appearance of tree  
is representative of species . . . . . ( ) . . . . . (10) \_\_\_\_\_

Overall appearance of tree  
deviates from that which is  
representative of species . . . . . ( ) . . . . . ( 5) \_\_\_\_\_

COMMENTS \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Location:**

Adequate space is available for  
development of structures and  
form characteristic of species . . . . . ( ) . . . . . (10) \_\_\_\_\_

Adequate space is not available  
for development of structures and  
form characteristic of species . . . . . ( ) . . . . . ( 5) \_\_\_\_\_

COMMENTS \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

22

Root Area:

- No visible defects observed . . . . . ( ) . . . . . (10) \_\_\_\_\_
- Invasive roots damaging private property . . . . . ( ) . . . . . (-1) \_\_\_\_\_
- Roots lifting sidewalk creating minor displacement of normal grade . . . . . ( ) . . . . . ( 5) \_\_\_\_\_
- Roots lifting sidewalk creating major displacement of normal grade . . . . . ( ) . . . . . (-1) \_\_\_\_\_
- Roots displacing curb or gutter from normal alignment . . . . . ( ) . . . . . (-1) \_\_\_\_\_
- Extensive portions of the root system have been cut . . . . . ( ) . . . . . (-10) \_\_\_\_\_
- Crown root area displays signs or symptoms of wood deterioration . . . . . ( ) . . . . . (-5) \_\_\_\_\_
- Crown root area decayed more than 30% of tree's cross-section . . . . . ( ) . . . . . (-25) \_\_\_\_\_
- Root area subject to over watering . . . . . ( ) . . . . . (-1) \_\_\_\_\_

COMMENTS \_\_\_\_\_

Trunk Area:

- No visible defects observed . . . . . ( ) . . . . . (10) \_\_\_\_\_
- Bark missing from trunk;
  - Less than 10% of trunk circumference . . . . . ( ) . . . . . ( 8) \_\_\_\_\_
  - 10% to 30% of trunk circumference . . . . . ( ) . . . . . ( 5) \_\_\_\_\_
  - Greater than 30% of trunk circumference . . . . . ( ) . . . . . ( 3) \_\_\_\_\_
- Trunk displays signs or symptoms of wood deterioration . . . . . ( ) . . . . . (-5) \_\_\_\_\_
- Trunk area decayed more than 30% of tree's cross-section . . . . . ( ) . . . . . (-10) \_\_\_\_\_
- Unequal weight distribution due to trunk lean . . . . . ( ) . . . . . (-1) \_\_\_\_\_
- Trunk crack(s) observed . . . . . ( ) . . . . . (-10) \_\_\_\_\_

COMMENTS \_\_\_\_\_

2/10

Onset of Canopy:

- No visible defects observed . . . . . ( ) . . . . . (10) \_\_\_\_\_
- Narrow angles of branch attachment  
and/or embedded bark observed . . . . . ( ) . . . . . (-1) \_\_\_\_\_
- Branch(es) nearly as large  
as main trunk . . . . . ( ) . . . . . (-1) \_\_\_\_\_
- Branch attachment area displays  
signs or symptoms of wood deterioration . . . . . ( ) . . . . . (-15) \_\_\_\_\_
- Decay in more than 30% of cross-section . . . . . ( ) . . . . . (-25) \_\_\_\_\_
- Crack(s) observed . . . . . ( ) . . . . . (-5) \_\_\_\_\_
- Evidence of split-out scaffolds . . . . . ( ) . . . . . (-5) \_\_\_\_\_
- Cluster of multiple branches;  
uncharacteristic of species . . . . . ( ) . . . . . (-1) \_\_\_\_\_
- Double leader . . . . . ( ) . . . . . (-1) \_\_\_\_\_

COMMENTS \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Limb Structure:

- No visible defects observed . . . . . ( ) . . . . . (10) \_\_\_\_\_
- One major or several minor dead limbs . . . . . ( ) . . . . . ( 8) \_\_\_\_\_
- Two or more major dead limbs . . . . . ( ) . . . . . ( 5) \_\_\_\_\_
- Signs or symptoms of wood deterioration . . . . . ( ) . . . . . (-5) \_\_\_\_\_
- Decay in more than 30% of  
limb's cross-sectional area . . . . . ( ) . . . . . (-10) \_\_\_\_\_
- Crack(s) observed . . . . . ( ) . . . . . (-5) \_\_\_\_\_
- Narrow angles of branch attachment  
and/or embedded bark observed . . . . . ( ) . . . . . (-1) \_\_\_\_\_
- Large horizontal branches . . . . . ( ) . . . . . (-1) \_\_\_\_\_
- Evidence of split-out branch(es) . . . . . ( ) . . . . . (-1) \_\_\_\_\_
- Multiple branches from heading cuts . . . . . ( ) . . . . . (-1) \_\_\_\_\_

COMMENTS \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

22

Canopy Features:

- Canopy full and balanced . . . . . ( ) . . . . . ( 5) \_\_\_\_\_
- Canopy full and unbalanced . . . . . ( ) . . . . . ( 3) \_\_\_\_\_
- Canopy unbalanced . . . . . ( ) . . . . . ( 1) \_\_\_\_\_
- Full canopy lacking . . . . . ( ) . . . . . (-1) \_\_\_\_\_
- Foliage concentrated in the upper 1/3 of the tree . . . . . ( ) . . . . . (-1) \_\_\_\_\_
- Canopy dieback . . . . . ( ) . . . . . (-1) \_\_\_\_\_
- Foliage is representative of species . . . . . ( ) . . . . . ( 5) \_\_\_\_\_
- Foliage is not representative of species . . . . . ( ) . . . . . (-1) \_\_\_\_\_

COMMENTS \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Annual Twig Growth:

- Current twig growth more than 6 inches . . . . . ( ) . . . . . (10) \_\_\_\_\_
- Current twig growth between 2 to 6 inches . . . . . ( ) . . . . . ( 8) \_\_\_\_\_
- Current twig growth less than 2 inches . . . . . ( ) . . . . . ( 5) \_\_\_\_\_

COMMENTS \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Insect and Disease:

- No pests observed . . . . . ( ) . . . . . (10) \_\_\_\_\_
- Signs or symptoms of one pest observed . . . . . ( ) . . . . . ( 8) \_\_\_\_\_
- Signs or symptoms of two or more pests observed . . . . . ( ) . . . . . ( 6) \_\_\_\_\_
- Pests create an intermittent and temporary nuisance . . . . . ( ) . . . . . ( 1) \_\_\_\_\_
- Pests create a recurring and permanent nuisance . . . . . ( ) . . . . . (-1) \_\_\_\_\_
- Pests threaten well-being of adjacent trees . . . . . ( ) . . . . . (-1) \_\_\_\_\_

COMMENTS \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

28

Impact on Block:

Tree significantly impacts shade, aesthetics and architectural design of block . . . . . ( ) . . . . . (10) \_\_\_\_\_

Tree does not significantly impact shade, aesthetics and architectural design of block . ( ) . . . . . ( 5) \_\_\_\_\_

COMMENTS \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

TOTAL POINTS \_\_\_\_\_

RECOMMENDATION(s) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PARKS DIVISION NUISANCE TREE EVALUATION

5/15/86

2.1

Property Owner	Address
Inspector	Tree Species
Date	Pest(s)

Describe pest problem? \_\_\_\_\_

Is the pest infestation	Yes	<input type="checkbox"/>	Comments: _____
in this tree more serious	Unknown	<input type="checkbox"/>	_____
than in neighboring	Re-evaluate	<input type="checkbox"/>	_____
trees?	No	<input type="checkbox"/>	_____

Has the City attempted to	Yes	<input type="checkbox"/>	Comments: _____
control the pest?	Unknown	<input type="checkbox"/>	_____
Describe the control	Re-evaluate	<input type="checkbox"/>	_____
and the results.	No	<input type="checkbox"/>	_____

Is the tree likely to be	Yes	<input type="checkbox"/>	Comments: _____
infested from neighboring	Unknown	<input type="checkbox"/>	_____
trees?	Re-evaluate	<input type="checkbox"/>	_____
Please comment.	No	<input type="checkbox"/>	_____

Is the pest present three	Yes	<input type="checkbox"/>	Comments: _____
or more months out of the	Unknown	<input type="checkbox"/>	_____
year?	Re-evaluate	<input type="checkbox"/>	_____
List the months.	No	<input type="checkbox"/>	_____

Does the presence of the	Yes	<input type="checkbox"/>	Comments: _____
pest interfere with the	Unknown	<input type="checkbox"/>	_____
resident's lifestyle?	Re-evaluate	<input type="checkbox"/>	_____
Please comment.	No	<input type="checkbox"/>	_____

272

Has the homeowner attempted to control the pest? Describe control and results.

Yes	<input type="checkbox"/>	Comments: _____
Unknown	<input type="checkbox"/>	_____
Re-evaluate	<input type="checkbox"/>	_____
No	<input type="checkbox"/>	_____

Is there evidence of property damage due to the pest's activity? List.

Yes	<input type="checkbox"/>	Comments: _____
Unknown	<input type="checkbox"/>	_____
Re-evaluate	<input type="checkbox"/>	_____
No	<input type="checkbox"/>	_____

Has the property value been lowered by the pest's activity? Please comment.

Yes	<input type="checkbox"/>	Comments: _____
Unknown	<input type="checkbox"/>	_____
Re-evaluate	<input type="checkbox"/>	_____
No	<input type="checkbox"/>	_____

Would removal of the tree have a positive effect on the surrounding environment? Comment.

Yes	<input type="checkbox"/>	Comments: _____
Unknown	<input type="checkbox"/>	_____
Re-evaluate	<input type="checkbox"/>	_____
No	<input type="checkbox"/>	_____

Is the property owner willing to have the tree removed and replaced?

Yes	<input type="checkbox"/>	Comments: _____
Unknown	<input type="checkbox"/>	_____
Re-evaluate	<input type="checkbox"/>	_____
No	<input type="checkbox"/>	_____

Are other residents willing to have the tree removed and replaced?

Yes	<input type="checkbox"/>	Comments: _____
Unknown	<input type="checkbox"/>	_____
Re-evaluate	<input type="checkbox"/>	_____
No	<input type="checkbox"/>	_____

Inspection recommendation: \_\_\_\_\_

Reason for recommendation: \_\_\_\_\_

AN ORDINANCE AMENDING ARTICLE I  
OF CHAPTER 45 OF THE SACRAMENTO CITY CODE,  
RELATING TO TREES

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

Section 1

Article I of Chapter 45 (**Sections 45.1 - 45.14**) of the Sacramento City Code is hereby amended to read as follows:

Article I. In General

Sec. 45.1 Findings.

The City council finds and determines that the planting and preservation of trees enhances the natural scenic beauty, increases lifegiving oxygen, promotes ecological balance, provides natural ventilation, air filtration, and temperature, erosion, and acoustical controls, increases property values, improves the lifestyle of residents, and enhances the identity of the City.

Sec. 45.2 Definitions.

When used in this article, the following words and phrases shall apply:

(a) City street tree. "City street tree" shall mean and include any tree growing on City-owned real property or growing on an easement dedicated to the public pursuant to Section 40.318.

(b) Director. "Director" shall mean the Director of the Department of the Department of Recreation **Parks and Community Services** or the Director's designated representative.

(c) Maintain or maintenance. "Maintain" or "maintenance" shall mean and include trimming, pruning, spraying, injecting, fertilizing, cabling, treating for disease or injury, and any other similar acts which promote the life, growth, health or beauty of trees, excepting only watering, unless specifically so stated.

(d) Maintenance strip. "Maintenance strip" shall mean a strip of land parallel to a public street and adjacent thereto, which is twelve and one-half feet wide, measured from the back of the curb of the street, or the edge of the paved portion of the street if the street does not have a curb at that location. **A maintenance strip may consist of City-owned real property, public easements, privately-owned property, or any combination thereof.**

B  
2

(e) Planting List. "Planting list" is the list of trees which is approved by the Director for planting as street trees.

(f) Property Owner. "Property Owner" shall mean and include the person listed as the owner of the property on the then current assessor's role.

(g) Public utility. "Public utility" shall mean and include every pipeline corporation, gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation, sewer system, and heat corporation, where the service is performed for or the commodity delivered to the public or any portion thereof.

(h) Street tree. "Street tree" shall mean and include any tree growing within a maintenance strip, excepting trees growing on City-owned property.

Sec. 45.3 Planting list; Tree planting.

(a) The Director shall require promulgate a planting list. Such list shall consist of shade and ornamental trees suitable for areas adjacent to sidewalks, streets, utility lines, etc. All new and replacement City street tree plantings shall be confined to trees listed on the then current planting list.

(b) The Director shall require and provide for the planting of City street trees within the maintenance strip of any new subdivision in conformity with Chapter 40 of the City Code, Sections 40.318 and 40.811(i).

Sec. 45.4 Inspection, maintenance, removal and replacement.

Within budgetary limitations, the Director may provide the following tree-related services:

~~(a) The removal of City street trees or limbs therefrom, which are a hazard to public safety, or a public nuisance.; provided however, that the Director shall not cause the removal of any tree other than a City street tree without giving thirty days written notice to the property owner on whose property the tree is located, except in the case of an emergency requiring immediate action. If the owner objects to said tree's removal, the owner may, within said thirty days, file objection in writing with the Director, and shall thereafter be given an opportunity to be heard in support of the objection. If such objection is not heard in support of the objection. If such objection is not sustained, the removal may then occur, but only by written order sustained, the removal may then occur, but only by written order of the Director, and only following expiration of the period for appeal pursuant to Section 45.13, or upon denial of such appeal.~~

(b) The inspection, maintenance, REMOVAL, and replacement of City street trees.

~~(c) The inspection of street trees.~~

28  
27

(d) Upon request of a property owner and Where the Director determines it to be necessary, the maintenance and removal of STREET trees other than City street trees. the removal of street trees or limbs therefrom, which are a hazard to public safety, or a public nuisance; provided however, that the director shall not cause the removal of any tree other than a city street tree without giving thirty days written notice to the property owner on whose property the tree is located, except in the case of an emergency requiring immediate action. If the owner objects to said tree's removal, the owner may, within said thirty days, file objection in writing with the director, and shall thereafter be given an opportunity to be heard in support of the objection. If such objection is not sustained, the removal may then occur, but only be written order of the director, and only following expiration of the period for appeal pursuant to Section 45.13, or upon denial of such appeal. If there is more than one street tree in the maintenance strip on a lot or parcel of land adjacent to a structure, it is the policy of the City to maintain only the City street tree, or if there is no City street tree on that parcel, the street tree closest to the street. No maintenance service shall be provided to any tree standing on private property beyond the maintenance strip or standing in such a position that the use of mechanized equipment is impeded, or where fences and landscaping beneath the tree might be damaged by the work; provided however, an exception to this policy may be made if the condition of the tree presents a hazard to public safety or if such service is necessary to control insects or diseases which threaten the health of a significant number of street trees.

(f) The pruning of City street tree roots where said roots are damaging a public sidewalk. The Director shall attempt to retain all desirable species of street trees by causing roots to be cut within the maintenance strip adjacent to the sidewalk, and where necessary, trimming tips of trees to balance the loss of roots. This service shall be provided by the City subject to budgetary limitations. Repetitive root pruning service shall not be provided, however, for any individual street tree. If the first pruning fails to alleviate the problem, then the tree may be removed and replaced by the City upon future recurrence of the problem.

**(a) The inspection, maintenance, removal, and replacement of City street trees, including the removal of City street trees, or limbs therefrom, which are a hazard to public safety, or a public nuisance.**

**(b) Inspection of street trees.**

In order to perform the services listed in this section, the Director shall have authority to enter upon any part of the maintenance strip, and where necessary the properties adjacent thereto.

Sec. 45.5 Duties of property owner/tenant and public utilities.

(a) It shall be the duty and responsibility of all property owners to maintain the grounds of maintenance strips ~~on the~~ **adjacent to** the owner's property, regardless of whether such property is developed. This maintenance shall include watering as needed and keeping such strips free from weeds or any obstructions contrary to public safety. Property owners

28

shall be responsible for watering mature City street trees whenever landscaping of the property is changed in such a manner as to deprive the tree of its normal source of moisture. Such watering shall be continued during dry weather until the City street tree becomes acclimated to the new environment, but need not exceed three years. All watering requirements shall be waived to the extent inconsistent with governmental restrictions on water use.

(b) It shall be the duty and responsibility of every person owning or occupying any real property within the City of Sacramento, to keep all trees on that property, including trees located in an easement dedicated to the public, trimmed in such a manner that there is a clearance of at least fourteen feet above any street or alley, and a clearance of at least seven feet over any sidewalk. It shall also be the duty and responsibility of every person owning or occupying any real property within the City of Sacramento to keep all trees on that property trimmed in such a manner that they do not obstruct the view of any traffic sign or device for vehicle traffic in the direction controlled by that traffic sign or device.

(c) A property owner shall be responsible for maintaining all trees on the property owner's property, including street trees. Nothing in this article shall be construed to limit the duty or right of a property owner to remove or perform maintenance at the property owner's own expense on any tree other than a City street tree.

(d) Whenever the Director determines that removal of a street tree or limbs therefrom is necessary to eliminate a hazard to public safety or a public nuisance, the Director may issue a written notice to the property owner specifying the work to be done.

(e) If, in the opinion of the Director, any street tree is in such a condition as to be imminently hazardous to public safety, the Director may arrange to have accomplished such work as is necessary to eliminate the imminent hazard. The cost of such work shall be made a personal obligation of the property owner or shall be assessed against the property as a lien as provided in Article X of Chapter 61 of the City Code.

(f) Nothing contained in this section authorizes any person to remove, trim, prune, cut or otherwise perform any maintenance on any City street tree without first obtaining a permit as required by Section 45.6.

(g) It shall be the duty and responsibility of any public utility installing or maintaining any overhead wires or underground pipes or conduits in the vicinity of a maintenance strip, to obtain permission from the Director before performing any maintenance on said wires, pipes, or conduits, which would cause injury to City street trees. Said public utility shall in no way injure, cut roots, deface, prune, or scar any City street tree until their plans and procedures have been approved by the Director.

28  
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Sec. 45.6 Protection of Trees.

(a) No person shall remove, trim, prune, cut or otherwise perform any maintenance ~~other than mistletoe removal as provided in Sec. 45.10,~~ on any City street tree without first obtaining a permit from the Director pursuant to Sec. 45.7.

(b) No person shall interfere or cause any person to interfere with any tree related work being done pursuant to this article by any employee of the City of Sacramento or any person or firm doing work for the City.

(c) No person shall injure or destroy any City street tree by any means, including but not limited to the following:

(1) Constructing a concrete, asphalt, brick, or gravel sidewalk, or otherwise filling up the ground area around any tree so as to shut off air, light or water from its roots, unless ordered or authorized to do so by the City.

(2) Piling building material, equipment or other substance around any tree so as to injure the tree.

(3) Pouring any deleterious matter on or around any tree or on the surrounding ground, lawn or sidewalk.

(4) Posting any sign, poster, notice, or similar device on any tree, tree stake or guard, or by fastening any guy wire, cable, rope nails, screws, or other device to any tree, tree stake or guard for any purpose other than supporting the tree.

(5) Causing any fire or burning near or around any tree.

**(6) Cutting roots with a diameter of two inches (2") or greater for sidewalk repair or any other purpose; provided, however, that roots with a diameter of two inches (2") or greater may be cut if authorized in advance by the Director.**

(d) The City Engineer and the Planning Director shall notify the Director of any applications for new subdivisions, curb, gutter, sidewalk, street light or driveway installations, or other proposed improvements which might require the removal of or cause injury to, any City street tree, or interfere with the fulfillment of the street tree plantings.

~~(e) Nothing in this article shall be construed to limit the right or duty of a property owner to remove or perform maintenance at his own expense on any tree other than a City street tree.~~

Sec. 45.7 Maintenance and Removal Permits.

(a) The Director shall issue permits ~~to property owners~~ to perform maintenance on or to remove City street trees, only if the following conditions are met:

28

(1) The **applicant** ~~property owner~~ has established, to the Director's satisfaction, that there is need for the proposed work on the tree; and

(2) The **applicant** ~~property owner~~ has established, to the Director's satisfaction, that the persons who are to perform the work are qualified to do so; and

(3) The Director, in his sole discretion, has determined that any potential detriment to the City street tree population entailed by the proposed work, is justified in the individual case. In making this determination, the Director shall consider factors such as the probability that the proposed work will destroy or seriously injure the tree, the tree's health, the desirability of that species as a **City** street tree, whether the tree's condition and size threaten serious damage to property, the condition and number of other City street trees in the vicinity, whether there are other less onerous means of accomplishing the applicant's goals, and other related criteria.

(b) All work performed on City street trees pursuant to a permit issued by the Director under this section shall be done within a sixty day period from the issuance of said permit, or within such longer period as the Director shall specify.

(c) The Director shall condition any permit granted pursuant to this section for the removal of a City street tree, on the permittee removing, and where the Director determines it to be appropriate, replacing the tree. In such case, the full cost of removal and replacement shall be borne by the **permittee owner** and such service shall not be provided by the City.

(d) The Director may condition any permit granted pursuant to this section on any such conditions as the Director determines to be necessary.

(e) The provisions of Sec. 45.12 shall be complied with whenever an **applicant** ~~property owner~~ seeks a permit to remove or trim a City street tree to facilitate moving any building or other structure.

#### Sec. 45.8 Removal Work.

Where the Director has granted a permit to remove a City street tree, removal work shall include removal of the tree stump and nearby roots to a depth of twelve inches, and filling of the hole with clean topsoil. If no replacement tree is required by the Director, then lawn, groundcover, or paving to match the adjacent area shall be provided by the permittee. The permittee shall also repair any damages to the street, curb, or sidewalk caused by the tree's removal.

#### Sec. 45.9 Replacement Trees.

Where the Director has granted a permit to remove a City street tree, and conditioned said permit on the permittee replacing the tree, the permittee shall provide the replacement tree of a size and species determined by the

218

Director, and plant said tree in the location specified by the Director. The minimum replacement tree size shall be as follows:

(a) If the City street tree being removed is six inches or larger in diameter, measured four and one-half feet above ground, then the permittee shall cause to be replanted a tree of at least twenty-four inch box size.

(b) If the City street tree being removed is smaller than six inches diameter, measured four and one-half feet above ground, then the replacement tree shall be a minimum of fifteen gallon can size.

Sec. 45.10 Mistletoe.

~~No permittee shall be required for any property owner to trim or cause to be trimmed any mistletoe from a City street tree on said owner's property, provided that no limb larger than three inches in diameter shall be removed without first obtaining a permit from the Director, and that any limbs removed shall be cut at the nearest fork below the mistletoe, and that care shall be taken not to strip loose the bark below the point of cutting.~~

Sec. 45.11 Dutch Elm Disease.

In the event of discovery of the Dutch Elm Disease fungus, ceratocystus ulmi, infecting any tree in the City of Sacramento, the regulations of Article II of this chapter shall prevail over any conflicting regulation contained in this article.

Sec. 45.12 House Moving.

(a) The City Engineer shall consult with the Director prior to issuing a permit for moving any building or other structure along any City street.

(b) The Director may require the person moving any structure to furnish a bond in an amount sufficient to cover the anticipated damage or destruction of any City street trees or street trees, if the route over which the structure is to be moved necessarily entails damage to City street trees or street trees.

(c) No person shall remove a City street tree to facilitate the moving of a house or other structure, without first complying with the permit provisions of Sec. 45.7. Similarly, if a permit is issued and the tree removed, the person moving the structure shall comply with all other provisions of Secs. 45.7 through 45.9, including stump and root removal, planting an appropriate replacement tree, and repairing any damage to the street, sidewalk, or curb which the tree's removal entails.

(d) Except as otherwise provided in this subsection, no more than two City street trees of desirable species in good and healthy condition, larger than twelve inches diameter, measured four and one-half feet above ground, shall be removed to facilitate the movement of a house or other structure. More than two City street trees may be removed to facilitate the relocation of an historically significant structure as identified by the Historic Preservation Board or City Council, if the Director concludes that the

28

removal of the trees is justified in the individual case. Factors to be considered by the Director include the historical significance of the structure, whether it could be preserved in its present location, the condition, size, and species of the trees to be removed, and other related factors.

Sec. 45.13 Appeals.

~~Any property owner~~ **person** who is denied a permit to remove **or maintain** a City street tree ~~on said owner's property pursuant to section 45.7, or who objects to the removal of a street tree from said property by the City pursuant to Section 45.4(a),~~ may appeal such decision to the City Council pursuant to Section 2.320 et seq. ~~provided however, that the owner must file a written notice~~ **by filing a written notice of appeal** with the City Clerk within ten days of the denial of the permit. The notice shall clearly specify the action or determination appealed from, and the reasons for which a hearing is requested.

Sec. 45.14 Liability.

Nothing in this chapter shall be deemed to impose any liability upon any member of the City Council or the City of Sacramento or any of its officers, agents, or employees, ~~nor~~ **or** to relieve the owner or occupant of any private property from the duty to keep their private property, sidewalks, and **adjacent** maintenance strip ~~on such private property~~ in a safe condition and so as not to be hazardous to public use.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

\_\_\_\_\_

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CITY CLERK

GUIDELINES FOR SACRAMENTO'S  
TREE MANAGEMENT PLAN

## INTRODUCTION (City &amp; Consultant)

- A. History of Plan
- B. Background of City Tree Care
- C. Street Tree Task Force

## I. Existing Trees (City)

- A. Growing Conditions
  - 1. Geography
    - a. Soils
  - 2. Climate
- B. Tree History
- C. Existing Tree Cover
  - 1. Tree Inventory
  - 2. Present Condition of Trees

## II. Design Criteria/Treescape Plan (Consultant)

- A. Species Selection
  - 1. Uniform Species (per block)
  - 2. Mixed Species (Blocks with existing trees)
  - 3. Species Size Considerations
    - a. Building Setbacks
    - b. Depth of Soil
    - c. Size of Planting Area
    - d. Utilities-Underground and Overhead
    - e. Visual Obstructions
    - f. Solar Access
  - 4. Policy and Species Recommendations
    - a. Major Street
      - 1. Arterials
      - 2. Collectors
      - 3. Central Business District
    - b. Residential Streets
      - 1. Homeowner choice within the planting easement
    - c. Medians
    - d. Sound walls
  - 5. Useful Life
    - a. Rotational Reforestation
    - b. Even-Aged Stands
- B. Guidelines for New Development
  - 1. Preserving Existing Trees
  - 2. Providing Adequate Space for New Trees
  - 3. Parking Lot Shade
- C. Guidelines for Street Improvements - Sidewalks, Curbs, Gutters, and the Street.
  - 1. Preserving Existing Trees
    - a. Sidewalk Configuration
  - 2. Providing Adequate Space for New Trees
    - a. Sidewalk Configuration
    - b. Clustering Trees

23

III. Planting (City)

- A. Planting Specifications
  - 1. Size and Depth of Hole
    - a. Penetrating Hardpan
  - 2. Backfill Material
  - 3. Fertilizer
  - 4. Staking
  - 5. Water Basins
    - a. Grates (Consultant)
  - 6. Containers (Consultant)
  - 7. Root Barriers (Consultant)
- B. City Nursery

IV. Maintenance (City)

- A. Young Tree Care
  - 1. Watering
  - 2. Pruning
  - 3. Fertilizing
  - 4. Tree Well and Street Median Weed Control
  - 5. Tree Staking Policy
- B. Mature Tree Care
  - 1. Pruning
    - a. Thinning
    - b. Crown Reduction
  - 2. Removing
    - a. Tree Evaluations
    - b. Public Review
    - c. Stump Removal
    - d. Private Trees
  - 3. Solar Access
- C. Pest Control
  - 1. Spraying
  - 2. Injecting
  - 3. Integrated Pest management
  - 4. Tree Well Weeds
- D. Safety
- E. Emergency Operations
- F. Utility Easements

V. Community Involvement and Education (City)

- A. Public Education and Participation
  - 1. Mistletoe Tool Loan Plan
  - 2. Gifts to Share Program
  - 3. Neighborhood Self-Help Program
    - a. Providing Information and Assistance to Neighborhoods
  - 4. Neighborhood Tree Specialist Program
    - a. Disseminating Information About Street Trees
    - b. Organizing Neighborhood Groups

VI. New Programs (Consultant)

- A. Public Street Tree Surcharge
- B. Other Programs

214

# ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

AN ORDINANCE AMENDING ARTICLE I  
OF CHAPTER 45 OF THE SACRAMENTO CITY CODE,  
RELATING TO TREES

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

Section 1

Article I of Chapter 45 (Sections 45.1 - 45.14) of the Sacramento City Code is hereby amended to read as follows:

CHAPTER 45

TREES

Article I. In General

Sec. 45.1 Findings.

The City council finds and determines that the planting and preservation of trees enhances the natural scenic beauty, increases lifegiving oxygen, promotes ecological balance, provides natural ventilation, air filtration, and temperature, erosion, and acoustical controls, increases property values, improves the lifestyle of residents, and enhances the identity of the City.

Sec. 45.2 Definitions.

When used in this article, the following words and phrases shall apply:

(a) City street tree. "City street tree" shall mean and include any tree growing on City-owned real property.

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FOR CITY CLERK USE ONLY

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

(b) Director. "Director" shall mean the Director of the Department of Parks and Community Services or the Director's designated representative.

(c) Maintain or maintenance. "Maintain" or "maintenance" shall mean and include trimming, pruning, spraying, injecting, fertilizing, cabling, treating for disease or injury, and any other similar acts which promote the life, growth, health or beauty of trees, excepting only watering, unless specifically so stated.

(d) Maintenance strip. "Maintenance strip" shall mean a strip of land parallel to a public street and adjacent thereto, which is twelve and one-half feet wide, measured from the back of the curb of the street, or the edge of the paved portion of the street if the street does not have a curb at that location. A maintenance strip may consist of City-owned real property, public easements, privately-owned property, or any combination thereof.

(e) Planting List. "Planting list" is the list of trees which is approved by the Director for planting as street trees.

(f) Property Owner. "Property Owner" shall mean and include the person listed as the owner of the property on the then current assessor's role.

(g) Public utility. "Public utility" shall mean and include every pipeline corporation, gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation, sewer system, and heat corporation, where the service is performed for or the commodity delivered to the public or any portion thereof.

(h) Street tree. "Street tree" shall mean and include any tree growing within a maintenance strip, excepting trees growing on City-owned property.

Sec. 45.3 Planting list; Tree planting.

(a) The Director shall require and provide for a planting list. Such list shall consist of shade and ornamental trees suitable for areas adjacent to sidewalks, streets, utility lines, etc. All new and replacement City street tree plantings shall be confined to trees listed on the then current planting list.

(b) The Director shall provide for the planting of street trees within the maintenance strip of any new subdivision in conformity with Chapter 40 of the City Code, Sections 40.318 and 40.811(i).

Sec. 45.4 Inspection, maintenance, removal and replacement.

Within budgetary limitations, the Director may provide the following tree-related services:

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FOR CITY CLERK USE ONLY

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

27  
27

(a) The inspection, maintenance, removal, and replacement of City street trees, including the removal of City street trees, or limbs therefrom, which are a hazard to public safety, or a public nuisance.

(b) Inspection of street trees.

In order to perform the services listed in this section, the Director shall have the authority to enter upon any part of the maintenance strip, and where necessary the properties adjacent thereto.

Sec. 45.5 Duties of property owner/tenant and public utilities.

(a) It shall be the duty and responsibility of all property owners to maintain the grounds of maintenance strips adjacent to the owner's property, regardless of whether such property is developed. This maintenance shall include watering as needed and keeping such strips free from weeds or any obstructions contrary to public safety. Property owners shall be responsible for watering mature City street trees whenever landscaping of the property is changed in such a manner as to deprive the tree of its normal source of moisture. Such watering shall be continued during dry weather until the City street tree becomes acclimated to the new environment, but need not exceed three years. All watering requirements shall be waived to the extent inconsistent with governmental restrictions on water use.

(b) It shall be the duty and responsibility of every person owning or occupying any real property within the City of Sacramento, to keep all trees on that property, including trees located in an easement dedicated to the public, trimmed in such a manner that there is a clearance of at least fourteen feet above any street or alley, and a clearance of at least seven feet over any sidewalk. It shall also be the duty and responsibility of every person owning or occupying any real property within the City of Sacramento to keep all trees on that property trimmed in such a manner that they do not obstruct the view of any traffic sign or device for vehicle traffic in the direction controlled by that traffic sign or device.

(c) A property owner shall be responsible for maintaining all trees on the property owner's property, including street trees. Nothing in this article shall be construed to limit the duty or right of a property owner to remove or perform maintenance at the property owner's own expense on any tree other than a City street tree.

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FOR CITY CLERK USE ONLY

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

(d) Whenever the Director determines that removal of a street tree or limbs therefrom is necessary to eliminate a hazard to public safety or a public nuisance, the Director may issue a written notice to the property owner specifying the work to be done.

(e) If, in the opinion of the Director, any street tree is in such a condition as to be imminently hazardous to public safety, the Director may arrange to have accomplished such work as is necessary to eliminate the imminent hazard. The cost of such work shall be made a personal obligation of the property owner or shall be assessed against the property as a lien as provided in Article X of Chapter 61 of the City Code.

(f) Nothing contained in this section authorizes any person to remove, trim, prune, cut or otherwise perform any maintenance on any City street tree without first obtaining a permit as required by Section 45.6.

(g) It shall be the duty and responsibility of any public utility installing or maintaining any overhead wires or underground pipes or conduits in the vicinity of a maintenance strip, to obtain permission from the Director before performing any maintenance on said wires, pipes, or conduits, which would cause injury to City street trees. Said public utility shall in no way injure, cut roots, deface, prune, or scar any City street tree until their plans and procedures have been approved by the Director.

Sec. 45.6 Protection of Trees.

(a) No person shall remove, trim, prune, cut or otherwise perform any maintenance on any City street tree without first obtaining a permit from the Director pursuant to Sec. 45.7.

(b) No person shall interfere or cause any person to interfere with any tree related work being done pursuant to this article by any employee of the City of Sacramento or any person or firm doing work for the City.

(c) No person shall injure or destroy any City street tree by any means, including but not limited to the following:

(1) Constructing a concrete, asphalt, brick, or gravel sidewalk, or otherwise filling up the ground area around any tree so as to shut off air, light or water from its roots, unless ordered or authorized to do so by the City.

(2) Piling building material, equipment or other substance around any tree so as to injure the tree.

(3) Pouring any deleterious matter on or around any tree or on the surrounding ground, lawn or sidewalk.

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FOR CITY CLERK USE ONLY

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

22

(4) Posting any sign, poster, notice, or similar device on any tree, tree stake or guard, or by fastening any guy wire, cable, rope nails, screws, or other device to any tree, tree stake or guard for any purpose other than supporting the tree.

(5) Causing any fire or burning near or around any tree.

(6) Cutting roots with a diameter of two inches (2") or greater for sidewalk repair or any other purpose; provided, however, that roots with a diameter of two inches (2") or greater may be cut if authorized in advance by the Director.

(d) The City Engineer and the Planning Director shall notify the Director of any applications for new subdivisions, curb, gutter, sidewalk, street light or driveway installations, or other proposed improvements which might require the removal of or cause injury to, any City street tree, or interfere with the fulfillment of the street tree plantings.

Sec. 45.7 Maintenance and Removal Permits.

(a) The Director shall issue permits to perform maintenance on or to remove City street trees, only if the following conditions are met:

(1) The applicant has established, to the Director's satisfaction, that there is need for the proposed work on the tree; and

(2) The applicant has established, to the Director's satisfaction, that the persons who are to perform the work qualified to do so; and

(3) The Director, in his sole discretion, has determined that any potential detriment to the City street tree population entailed by the proposed work, is justified in the individual case. In making this determination, the Director shall consider factors such as the probability that the proposed work will destroy or seriously injure the tree, the tree's health, the desirability of that species as a City street tree, whether the tree's condition and size threaten serious damage to property, the condition and number of other City street trees in the vicinity, whether there are other less onerous means of accomplishing the applicant's goals, and other related criteria.

(b) All work performed on City street trees pursuant to a permit issued by the Director under this section shall be done within a sixty day period from the issuance of said permit, or within such longer period as the Director shall specify.

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FOR CITY CLERK USE ONLY

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

232

(c) The Director shall condition any permit granted pursuant to this section for the removal of a City street tree, on the permittee removing, and where the Director determines it to be appropriate, replacing the tree. In such case, the full cost of removal and replacement shall be borne by the permittee and such service shall not be provided by the City.

(d) The Director may condition any permit granted pursuant to this section on any such conditions as the Director determines to be necessary.

(e) The provisions of Sec. 45.12 shall be complied with whenever an applicant seeks a permit to remove or trim a City street tree to facilitate moving any building or other structure.

Sec. 45.8 Removal Work.

Where the Director has granted a permit to remove a City street tree, removal work shall include removal of the tree stump and nearby roots to a depth of twelve inches, and filling of the hole with clean topsoil. If no replacement tree is required by the Director, then lawn, groundcover, or paving to match the adjacent area shall be provided by the permittee. The permittee shall also repair any damages to the street, curb, or sidewalk caused by the tree's removal.

Sec. 45.9 Replacement Trees.

Where the Director has granted a permit to remove a City street tree, and conditioned said permit on the permittee replacing the tree, the permittee shall provide the replacement tree of a size and species determined by the Director, and plant said tree in the location specified by the Director. The minimum replacement tree size shall be as follows:

(a) If the City street tree being removed is six inches or larger in diameter, measured four and one-half feet above ground, then the permittee shall cause to be replanted a tree of at least twenty-four inch box size.

(b) If the City street tree being removed is smaller than six inches diameter, measured four and one-half feet above ground, then the replacement tree shall be a minimum of fifteen gallon can size.

Sec. 45.10 Reserved.

Sec. 45.11 Dutch Elm Disease.

In the event of discovery of the Dutch Elm Disease fungus, *ceratocystus ulmi*, infecting any tree in the City of Sacramento, the regulations of Article II of this chapter shall prevail over any conflicting regulation contained in this article.

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FOR CITY CLERK USE ONLY

ORDINANCE NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

212

Sec. 45.12 House Moving.

(a) The City Engineer shall consult with the Director prior to issuing a permit for moving any building or other structure along any City street.

(b) The Director may require the person moving any structure to furnish a bond in an amount sufficient to cover the anticipated damage or destruction of any City street trees or street trees, if the route over which the structure is to be moved necessarily entails damage to City street trees or street trees.

(c) No person shall remove a City street tree to facilitate the moving of a house or other structure, without first complying with the permit provisions of Sec. 45.7. Similarly, if a permit is issued and the tree removed, the person moving the structure shall comply with all other provisions of Secs. 45.7 through 45.9, including stump and root removal, planting an appropriate replacement tree, and repairing any damage to the street, sidewalk, or curb which the tree's removal entails.

(d) Except as otherwise provided in this subsection, no more than two City street trees of desirable species in good and healthy condition, larger than twelve inches diameter, measured four and one-half feet above ground, shall be removed to facilitate the movement of a house or other structure. More than two City street trees may be removed to facilitate the relocation of an historically significant structure as identified by the Historic Preservation Board or City Council, if the Director concludes that the removal of the trees is justified in the individual case. Factors to be considered by the Director include the historical significance of the structure, whether it could be preserved in its present location, the condition, size, and species of the trees to be removed, and other related factors.

Sec. 45.13 Appeals.

Any person who is denied a permit to remove or maintain a City street tree pursuant to section 45.7, may appeal such decision to the City Council pursuant to Section 2.320 et seq. by filing a written notice of appeal with the City Clerk within ten days of the denial of the permit. The notice shall clearly specify the action or determination appealed from, and the reasons for which a hearing is requested.

Sec. 45.14 Liability.

Nothing in this chapter shall be deemed to impose any liability upon any member of the City Council or the City of Sacramento or any of its officers, agents,

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or employees, or to relieve the owner or occupant of any private property from the duty to keep their private property, sidewalks, and adjacent maintenance strip in a safe condition and so as not to be hazardous to public use.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

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DATE ADOPTED: \_\_\_\_\_