

Portsmouth Tree Commission

Rules and Regulations

I. Tree Planting

A. Planting Specifications

1. Trees must be:
 - A) of a minimum 1¼ inches caliper;
 - B) single stem, straight, with no significant damage to trunk or limbs;
 - C) pest and disease free;
2. Unless indicated otherwise, quoted price for trees should include planting and a one year warranty from the planting date.
3. Holes shall be dug to the same depth as the root ball or root depth. The hole diameter should be 2 to 4 times the diameter of the root ball or root spread. The tree shall be set on undisturbed solid ground in the center of the hole. The surface of the root ball should be flush with the surrounding soil grade. The planting contractor agrees to replace at no charge any tree that dies and subsequent inspection shows that the tree ball was planted below or significantly higher than soil grade.
4. All plastic twine, plastic containers and synthetic burlap shall be removed from the tree at the time of planting. The planting contractor agrees to replace at no charge any tree found to be planted without removal of synthetic materials.
5. Natural burlap shall be cut away from the upper third of the root ball. The planting contractor agrees to replace at no charge any tree that dies and subsequent inspection shows that the burlap was not properly removed.
6. Wire baskets shall be removed or cut away so that the top of the wire is at least one foot below the soil surface. The planting contractor agrees to replace at no charge any tree that dies and subsequent inspection shows that the wire basket was not properly removed.
7. Backfill shall be a mixture of one part soil from the planting hole and one part organic matter and include a moisture-retaining polymer (e.g., 'Soil Moist') according to the manufacturer's recommendations. No soil shall be placed on top of the root ball.
8. A saucer of soil shall be formed so that water is directed down through the roots or root ball rather than around the root ball.
9. The tree shall receive a layer of mulch 3-4 inches deep and at least 3 feet in diameter around the tree trunk. Mulch should not lie in contact with the tree trunk. The amount of mulch applied should be adequate to last through the first growing season.
10. All labels, twine and wire shall be removed from tree trunk and limbs at the time of planting. The planting contractor agrees to replace at no charge any tree that suffers significant girdling damage due to failure to remove such materials.
11. The trees shall be wrapped from the bottom up. Wrap must be secured with biodegradable twine.

12. An expandable plastic trunk protector, at least 6 inches in height, shall be placed around the base of the trunk.

13. The tree should be staked and the tree secured to the stake at approximately two-thirds of the height of the tree.

B. Underground Utilities - It is the responsibility of contractors to obtain OUPS (Ohio Utility Protection Service) clearance before planting of trees in the city right-of-way.

C. Placement

1. General Placement Criteria - Determining the placement of a tree is a decision that affects the surrounding area for years to come and potential future maintenance costs. Knowledge and experience of the Tree Commission of tree species and planting locations may allow for exceptions to these criteria as follows:

a. A lawnstrip must be bigger than three feet in width in order to accommodate the planting of a tree.

b. Every effort will be made to coordinate maximum tree sizes with lawnstrip width thereby reducing the potential for clearance problems. Ideally, small trees will be used in lawnstrips that exceed 3 feet in width, medium trees will be used in lawnstrips which exceed 5 feet in width and large trees will be used in lawn strips which exceed 7 feet in width. However, canopy width of the mature tree will also be considered.

c. When planting beneath overhead wires, species will be selected so as to minimize interference with the wires as the tree matures. Every effort will be made to offset the placement of trees under wires so they are not planted directly beneath them.

d. Trees shall not be planted within 10 feet of fire hydrant, driveway apron or utility pole.

e. Suitable clearances for stop signs, traffic signs, traffic signals, street lights or the intersection of curbs from crossing streets will be determined on a site-by-site basis.

f. When possible new trees will not be planted within 5 feet of an underground utility manhole.

g. Trees will be planted in locations with suitable microenvironments. For example, sycamores and cottonwood should be planted in the floodplain.

2. Sidewalk Cutouts - Cutouts for sidewalks are particularly stressful locations for trees. Cutouts shall have minimum area of 16 square feet, typically with dimensions of 4 foot x 4 foot, unless other considerations dictate otherwise.

3. Commemorative Trees - The Tree Commission will facilitate planting of commemorative trees in and adjoining parks and cemeteries. Commemorative plaques may be installed for trees on public property after approval is obtained from the Tree Commission. Commemorative plaques must be mounted flush with the surface grade, have dimensions that do not exceed 10 inches by 8 inches, and not interfere with existing

tree roots. In general, such plaques should be positioned at least 12 inches from the tree trunk. The Tree Commission reserves the right to approve wording and positioning of plaques. The City assumes no responsibility for commemorative plaques.

4. City Planting Program - Tree Commission will obtain agreement from the property owner or occupant (commercial or residential) prior to planting a tree in the City right-of-way whenever possible and practical. The property owner may not be contacted in certain situations, such as when a planting site adjoins a lot that is noncommercial and nonresidential, and/or when the property owner cannot be determined. Prior to a tree being planted, a stake will be placed in the ground to indicate where the tree is to be planted. If the occupant informs the Tree Commission that a tree is not wanted prior to it being planted then an effort will be made alter the species or planting location. The decision to relocate a tree once it is planted rests solely with the Tree Commission.

D. Species Selection

1. Allowed and Recommended Species - Allowed species are species that are suitable as city trees when planted according to the above Placement and Planting Guidelines. Recommended species are those currently recommended as street trees by the Tree Commission. A list of allowed and recommended species is attached hereto as Appendix B. In general, the Tree Commission prefers to plant shade trees to smaller trees where there are no space constraints.

2. Prohibited Species - Prohibited species shall not be planted as street trees in lawn strips. A list of prohibited species is attached hereto as Appendix B. The tree commission should be contacted for information concerning any species not included on the Allowed and Prohibited lists.

E. Tree Planting Permit - A permit shall be completed and approved by the Director of Public Service before a tree is planted by a resident or property in the city right-of-way. Responsibility for maintaining trees planted in the city right-of-way defaults to the property owner; therefore, the Tree Commission requires trees planted by residents shall meet Planting, Placement, and Species Regulations given in this document, unless otherwise specified in the planting permit.

II. Pruning and Maintenance

A. Pruning Standard - All pruning shall be done in accordance with the National Arborist Association Pruning Standards for Shade Trees-as revised in 1988.

B. Pruning Permit - A permit shall be completed and approved by the Director of Public Service before a city tree is pruned by a resident or by a contractor not operating under a city contract. Unless specifically indicated otherwise in an approved permit, all pruning shall be done by a contractor licensed by the City to work on city trees.

C. Reasons for Pruning - The following is a list of reasons why a tree may need to be pruned:

1. Limbs which either may rub or are rubbing a building.
2. Dead limbs that can fall and cause damage or injury.
3. Low limbs which interfere with pedestrian or vehicular traffic.
4. Branches which block traffic signs and signals.
5. Branches which block street light illumination over the traffic corridor.
6. Improvement of tree health by removing diseased limbs, reducing wind resistance and correcting growth defects.
7. Enhancing the general health and well-being of the public.

D. Tree Topping - Topping of trees is prohibited. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted.

E. Street and Sidewalk Clearances - When pruning to raise limbs, the standard height to allow for free passage of pedestrians shall be 7 feet over sidewalks and for vehicular traffic shall be 14 feet over streets and highways.

F. Fertilization - All fertilization shall be done in accordance with the “National Arborist Association Standard for Fertilizing Shade and Ornamental Trees,” as revised in 1987.

G. Spraying - Application of chemicals to trees shall be prohibited except by permission to be granted by permit from the Director of Public Service.

H. Mulching - Park Trees shall be mulched with hardwood mulch. The mulch bed should be 3 inches in thickness and have a radius of at least 3 feet. Mulch should not be applied against the tree trunk.

III. Tree Protection in Work Zones

1. No construction activities, including trenching, excavating, boring, or any other earth-disturbing activity, are to be performed within the drip-line of a tree without an approved permit.
2. The protected area around a tree shall be designated by work limit fencing and maintained in place throughout the construction project.
3. No construction activities are to occur within the protected root zone (PRZ) defined by the drip-line of the tree. Where it is not practical to protect the entire PRZ, the largest possible protected area is to be designated.

4. Appropriate measures are to be used to minimize damage to the trunk, limbs and roots of each tree as follows. Required measures may include:

- a. When work within the PRZ is necessary, the trunk is to be temporarily wrapped or boarded around to protect against damage from construction equipment. Protective materials shall not be nailed to the tree.*
- b. Major roots (4 inch diameter or larger) are not to be severed unless authorized in the permit. All roots that must be severed are to be clean cut with a saw.*
- c. Tunneling under major roots is to be practiced when trenching will cause significant damage to the health and stability of the tree.*
- d. Roots exposed for more than 2 days are to be protected from desiccation.*
- e. Where necessary, measures should be taken to avoid compaction of the soil in the PRZ. Heavy machinery should not be driven over unprotected areas in the PRZ.*
- f. Soil in the PRZ is not to be altered by waste disposal or recontouring.*
- g. Tree limbs are not to be pruned unless authorized in the permit.*

5. Any contractor, utility, corporation or individual who fails to comply with the policies outlined herein during construction in the vicinity of a tree in City right-of-way may be subject to the cost of repair or replacement of the tree according to the provisions of Portsmouth City Code, Chapter 175.10.

IV. Tree Protection and sidewalk repair

Sidewalk repair shall be performed with a minimum impact on tree roots where practical. Roots with a diameter of 6 inches or more shall not be cut without prior inspection and recommendation by the Urban Forester. Practices to be employed, where appropriate, include:

1. Contouring of the new sidewalk around tree trunks and major roots.
2. Ramping of the sidewalk over roots underlying the path of the sidewalk.
3. Where root removal must occur, the roots are to be cut with a sharp tool (e.g., saw or pruners) in a clean and even manner.

V. Tree Removal

A. Removal Permit - A Permit shall be completed and approved by the Director of Public Service before a city tree is removed by a resident or by a contractor not operating under a city contract. Unless specifically indicated otherwise in an approved permit, removal shall be done by a contractor licensed by the City to work on city trees.

B. Reasons for Removal - The following is a list of reasons why a tree may need to be removed:

1. Tree is dead or dying as determined by the Urban Forester.
2. Tree is diseased and death is imminent, or for which removal will help to control spread of the disease.
3. Tree is structurally hazardous, an undesirable species, or poses a threat to the health and wellbeing of the public.
4. Infrastructure Conflicts. Trees in the urban forest may conflict with the infrastructure of the City. For the most common situations, Tree Commission policies are given below.

***a.** Sewer lines. Tree roots do not seek out sewer lines and grow in them causing a blockage. Instead they enter a sewer line through a defect. Therefore a sewer line that is blocked with tree roots is the result of a defective sewer line. The Tree Commission will not recommend removal of a tree because of a blocked sewer line, with one exception. That exception is when the location of the tree prevents repair of the sewer line. It is the property owner's responsibility to prove that the tree is obstructing repair of the sewer line. In such a case, the property owner will be responsible for the cost of the tree removal and a replacement tree.*

***b.** Sidewalks. The Tree Commission does not remove trees for the purpose of sidewalk repair. In situations where tree roots are lifting a sidewalk, appropriate measures shall be taken to protect tree roots.*

***c.** Driveway Aprons and Other Construction: requests for tree removal in order to accommodate the construction of driveways and other projects will be reviewed on an individual basis. Whenever possible, the Tree Commission will encourage alternative construction plans that will preserve a tree.*

***d.** Removal Beneath Utility Lines. Whenever a utility company wishes to remove a public tree, permission must be obtained from the Tree Commission. If it is determined that a tree must be removed to accommodate such a request then the utility company shall provide a replacement tree and pay for the removal.*

C. Assessment of Tree Condition - Assessment of tree condition and recommendations for removal shall be made by the Tree Commission and/or the City's Ohio Dept. of Natural Resources, Division of Forestry, Urban Forester Consultant. In emergency situations, the Director of Public Safety and Service may have a tree's condition assessed by another licensed tree care professional.

D. Tree Value Determination - The monetary value of a tree shall be determined in accordance with the *Guide for Plant Appraisal*, 8th Edition, 1992, by the Council of Tree and Landscape Appraisers.

E. Stump Removal - Except when approved to be dropped in place, all stumps and surrounding surface roots shall be ground to a depth of 18 inches. Wood chips from the top 4” of the stump are to be removed. The area of the stump removal should be leveled with added topsoil as required.

VI. Definitions

City Tree – A tree growing in lawnstrips, in the public right-of-way of streets or alleys, on easements behind sidewalks, on park land, on city owned property and on other municipal public property, for which the city assumes responsibility for maintenance.

Lawnstrip – The region between the street curb and sidewalk within the city-right-of way.

Protected Zone – The region around a tree designated by work-limit fencing in which no construction activity is allowed.