

TIGARD MUNICIPAL CODE

Chapter 8.08 STREET AND MEDIAN TREES

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8.08.010 Purpose

The purpose of this chapter is to provide standards and procedures for the planting, maintenance and removal of street and median trees in order to maximize their environmental, aesthetic, social and economic benefits. (Ord. 12-11 §1)

8.08.020 General Provisions

A. It shall be the duty of owners of lots or portions of lots immediately abutting on, fronting on, adjacent to or owning the largest percentage of any street tree trunk immediately above the trunk flare or root buttresses to maintain and remove street trees in accordance with the provisions of this chapter. No person, except as specified in subsection C of this section, shall plant a street tree on any lot, or within the public right-of-way immediately abutting on, fronting on or adjacent to any lot, without the responsible property owner's permission.

B. It shall be the duty of the city to plant, maintain and remove median trees in accordance with the provisions of this chapter.

C. The city may, at any time, exercise its authority over the public right-of-way by planting, maintaining or removing any street tree or tree

part within a public right-of-way in accordance with the provisions of this chapter. Any action taken by the city in accordance with this subsection shall not absolve property owners from their ongoing responsibility for street trees pursuant to subsection A of this section. (Ord. 12-11 §1)

8.08.030 Street Tree Planting

No person shall plant a street tree without prior written approval obtained through the City Manager Decision Making Procedures detailed in Section 8.04.020 using the approval criteria in the Street Tree Planting Standards in the Urban Forestry Manual. (Ord. 12-11 §1)

8.08.040 Street Tree Maintenance

A. All street trees shall be maintained in a manner consistent with the Street Tree Maintenance Standards specified in the Urban Forestry Manual.

B. If any street tree subject to the provisions of this chapter dies within three years after planting, it shall be removed and replaced in accordance with the previous permit approval. The street tree removal provisions (Section 8.08.050 of this chapter) shall not apply to tree removal and replacement in accordance with this subsection. (Ord. 12-11 §1)

8.08.050 Street Tree Removal

Except as exempted by Section 8.08.040.B, no person shall remove a street tree without prior written approval obtained either through:

A. The City Manager Decision Making Procedures detailed in Section 8.04.020 using the approval criteria in the Street Tree Removal Standards in the Urban Forestry Manual; or

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B. The City Board or Committee Decision Making Procedures detailed in Section 8.04.030. (Ord. 12-11 §1)

8.08.060 Median Tree Planting

No person shall plant a median tree without prior written approval obtained through the City Manager Decision Making Procedures detailed in Section 8.04.020 using the approval criteria in the Median Tree Planting Standards in the Urban Forestry Manual. (Ord. 12-11 §1)

8.08.070 Median Tree Maintenance

A. All median trees shall be maintained in a manner consistent with the Median Tree Maintenance Standards specified in the Urban Forestry Manual.

B. If any median tree subject to the provisions of this chapter dies within three years after planting, it shall be removed and replaced in accordance with the previous permit approval. The median tree removal provisions (Section 8.08.080 below) shall not apply to tree removal and replacement in accordance with this subsection. (Ord. 12-11 §1)

8.08.080 Median Tree Removal

Except as exempted by Section 8.08.070.B, no person shall remove a median tree without prior written approval obtained either through:

A. The City Manager Decision Making Procedures detailed in Section 8.04.020 using the approval criteria in the Median Tree Removal Standards in the Urban Forestry Manual; or

B. The City Board or Committee Decision Making Procedures detailed in Section 8.04.030. (Ord. 12-11 §1) ■