

**CITY OF NEW BERN
ADMINISTRATIVE ORDERS
OF THE CITY MANAGER**

ADMISTRATIVE ORDER 5.1
TREE REMOVAL AND REPLACEMENT POLICY
To All City Employees
From: Mark Stephens, City Manager
Maintained By: Public Works/Parks and Recreation
Date December 2016
Update to previous undated policy

Purpose

To provide guidance, instructions, and official forms to be used in the evaluation, removal, and/or replacement of trees in City parks and rights of way

Introduction

Trees in City parks and rights of way are components of an ecosystem undergoing dynamic physiological processes. These trees, like any others, grow, develop, may become diseased and decayed, and die. Although park/street trees are an asset to the community, it is inevitable that they mature and require care, maintenance, and eventually replacement. To manage a sustainable urban forest a methodology must be in place to direct us when trees need to be removed, when it is necessary to replace them, and how to prolong the longevity of an urban forest as a whole, through reforestation with young, diverse, and appropriately located tree species. Care and maintenance, in addition to planting "the right tree in the right place," can help ensure that community trees not only contribute to the environmental and economic vitality of the area, but also reduce the potential hazards to public safety. Therefore, it is the intent of this policy/procedure to focus available resources to the greatest need and step by step work towards a healthy forest with commensurate reduced risks to public safety.

Education

Improving the community's awareness about the importance of urban forestry and the challenges of maintenance is a must in order to have a successful program. The general lack of space in many urban environments requires greater use of rigging skills and traffic/pedestrian control, and such an environment limits the average lifespan of a city tree to only 32 years—13 years if planted in a downtown area—which is far short of the 150-year average life span of trees in rural settings. Resources for awareness opportunities may include but not limited to the local North Carolina Cooperative Extension Agent, the City's Public Education channel and the Appearance Commission.

Tree Removal Process

Trees are removed for the following reasons: the tree is dead or dying, it is diseased, it is damaged or injured to the extent that is likely to die or become diseased, or it constitutes a hazard. Furthermore, its removal should enhance the health of remaining trees within the immediate vicinity and be consistent with good forestry practices.

Nuisance trees are also removed when any part of the tree causes or is about to cause impairment of city operations (including recreation) or damage to buildings, hardscape, or permanent infrastructure lines that cannot be relocated, and in the opinion of the city's tree expert, pruning will too severely compromise the tree's structure. The city may remove, or order to be removed, any publicly owned tree or part thereof which is in an unsafe condition or is injurious to sewers, electric power lines, gas lines, water lines, sidewalks or other public improvements. The criteria listed below are not in order of importance and individually may not justify removal.

Tree Removal Criteria

The following criteria are used in evaluating a public tree for possible removal:

- Tree is dead or dying.
- The tree is deemed hazardous, when the hazardous condition cannot be corrected through pruning or other reasonable arboricultural practices.

When trees are not deemed dead, dying or hazardous, the following factors will be considered.

- Life expectancy of the tree
- Desirability of the tree species.
- Amount of space allowable for tree growth
- Overall quality and structural integrity of the tree
- Persistent and uncontrollable insect, disease or fruiting problems.
- Frequency and extensiveness of the tree's maintenance requirements.
- Feasibility and timeliness in which a replacement tree will be planted
- Proximity and quality of trees near to the one considered for removal
- Quality and extent of past pruning and other tree maintenance practices the tree has undergone
- Extent and frequency of damage the tree is causing to surrounding infrastructure such as sidewalks, streets, sewers, etc.
- Location of the tree with regard to streetlights, traffic control devices, intersection sight lines and the requirements of the tree related to available growing space

Tree Removal Procedure

Trees located within City parks and rights of way are valuable assets for the City of New Bern. The steps listed below have been developed to have the least effect on City property when it is necessary to remove a tree. These steps must be adhered to at all times (exceptions include obvious hazard trees with eminent threat or after storm events).

1. Requests to remove a tree by concerned citizen or City employees should be made in writing using the "Tree Removal Request Form" and should be submitted to the City of New Bern Parks and Recreation Department. Forms may be obtained from the Parks and Recreation Department or by visiting <https://newbern.recdesk.com>
2. A qualified employee designated by the Parks and Recreation Director will evaluate the tree using the recognized evaluation form (see attachment) and take digital pictures.
3. A copy of the completed evaluation form and digital pictures shall be sent by the Director of Parks and Recreation, via email to the Public Works Director, Public Works Streets Division Supervisor, Land and Community Development Coordinator, and Appearance Commission Chairperson
4. Once the tree evaluation form has been received, any and all comments should be submitted to the Director of Parks and Recreation to determine if the tree's condition requires removal or maintenance
5. If the process recommends tree removal, a notice will be posted on the tree for 10 business days. If there are any objections, an appeal form shall be completed within 10 days of the notice being posted and submitted to the Director of Parks and Recreation. Appeal forms may be obtained from the Parks and Recreation Administrative Division or by visiting <https://newbern.recdesk.com>
6. In the event that an appeal is filed, the Parks and Recreation Director will have a qualified person not employed by the City of New Bern perform a separate evaluation. Once the evaluation is complete the information will be forwarded to the City of New Bern's Appearance Commission for a final decision.
7. Once a tree has final approval for removal, the Director of Parks and Recreation will notify the Public Works Department for scheduling tree and stump removal.
8. Upon completion, the Public Works Streets Superintendent will notify the Director of Parks and Recreation that the tree has been removed so that a replacement tree may be planted in a timely manner within the appropriate planting season (October - April).
9. The Director of Parks and Recreation will keep all records of tree removal requests, completions and replacements.

Note. Tree(s) NOT located within the City right of way only require approval if the tree is located within the Downtown Historic District, The Riverside Historic District, The Ghent Neighborhood, and any commercial development.

Tree Pruning

Pruning is the act of cutting or removing tree branches. The pruning needs of a tree vary by species and growth habit; when appropriate practices are used, pruning can provide significant benefits. When inappropriate practices are used, significant harm can follow. For the long-term health and structural stability of trees, it is critical that pruning practices conform to professional standards (i.e. American National Standards Institute (ANSI), The National Arborist Association, Arbor Day Foundation, North Carolina Urban Forestry Council, etc.) Tree pruning operation under the direction of the City of New Bern Public Utilities Department shall adhere to the Dr. Alex Shigo standards, as referenced by the ANSI standards. Remember, damaging a street tree is illegal and the City of New Bern can issue fines for illegal pruning.

Justified reasons to prune a tree:

- Improve aesthetic appeal.
- Create strong structure
- Reduce potential hazards.
- Provide clearance for pedestrians and cars: lowest branches should be at least 8' above the sidewalk and 14' above the curb.
- Reduce future maintenance costs.

Improper Pruning Leads To Problems:

- Aggravating existing problems and creating new structural defects.
- Aggravating insect or disease problems.
- Increasing the frequency of maintenance needs.
- Reducing tree lifespan

Tree Pruning Requests

The City of New Bern Public Works Department and Public Utilities Department have developed a zone map where all street trees are pruned on a scheduled time frame.

Requests to have a tree pruned will be reported to the City of New Bern Parks and Recreation Department. A qualified employee delegated by the Director of Parks and Recreation will evaluate the tree to determine if pruning is required. If it is determined that pruning is necessary the City of New Bern Public Works or Parks and Recreation Department will prune the tree to professional standards, (i.e. American National Standards Institute (ANSI), The National Arborist Association, Arbor Day Foundation, North Carolina Urban Forestry Council, etc. .)

Tree Replacement

Part of sound urban forest management is to plant desirable, sustainable trees in the urban environment. The ideal park or street tree is a shade tree with minimum susceptibility to wind damage and branch drop, does not require frequent pruning, produces slight litter, is deep-rooted, has few serious pest and disease problems, and tolerates a wide range of soil conditions, irrigation regimes, and air pollutants. Since relatively few trees have all these traits, it is important to match the tree species to the planting site by determining what issues are most important on a case-by-case basis.

Planting Guidelines for Park/Street Trees

In many cases our urban forests are aging and consequently declining. The planting of new trees must become a priority. It requires careful planning and attention to detail. A tree that is planted properly is two times as likely to survive, compared to one that is carelessly planted. Before planting, a plan must be developed.

The Parks and Recreation Department will be responsible for replacing trees that have been removed. Trees will be planted during the optimal planting season (October-April). Property owners near the area of tree removal shall be notified with a time-frame for replacement.

The Parks and Recreation Department will consult with the City of New Bern Appearance Commission (Tree Board) which has developed a "Tree Guide" to assist staff in making the best possible match of tree species to a specific location. According to "Section 78-28" of the City's Code of Ordinances, "street trees shall be planted in accordance with the most recent version of the City of New Bern Appearance Commission Tree Guide and Recommendations"

Reference Material

- 1. American National Standards Institute
- 2. The National Arborist Association
- 3. The Arbor Day Foundation
- 4. The North Carolina Urban Forestry Council
- 5. North Carolina Cooperative Extension.



Mark A. Stephens
City Manager



Date

CITY OF NEW BERN REQUEST FOR TREE EVALUATION

Department of Parks and Recreation

1307 Country Club Rd

New Bern NC 28562

252-639-2901

CONTACT INFORMATION

Date _____

Requested By: _____

Address: _____

Email Address: _____

Phone Number: _____

TREE LOCATION

Address/Description of Location: _____

Tree Type or description _____

Brief description of the problem _____

ACTION REQUESTED

_____ No Action

_____ Tree Removal

_____ Tree Pruning

_____ Stump Grinding

_____ Other (Specify)

CITY OF NEW BERN TREE REMOVAL APPEAL FORM

Department of Parks and Recreation

1307 Country Club Rd

New Bern NC 28562

252-639-2901

CONTACT INFORMATION

Date _____

Name _____

Address. _____

Email Address: _____

Phone Number: _____

REASON FOR APPEAL

Address/Description of Location _____

Tree Type or description _____

Reason for appeal (Brief description of why tree should not be removed) _____
