

Tree Ordinance Notes 9/15/2024

Richland Center Ordinance Chapter 301:

301.02(1) Boulevard Definition is too vague, need a standard distance from road edge.

(2) Definition of Evergreen is incorrect, they do not always have needles.

(4) "Damage to property": should this be clearer? What constitutes damage?

301.03 (2) Parks and Grounds Commission doesn't exist

301.08 (1) Licensing is required for an excessive number of landscaping activities, beyond tree cutting.

(2) Mentions worker's compensation insurance for licensing. Is this needed?

301.09 (1) Do we have planting and excavation permits? Have we been requiring anything for excavation?

301.10 (2) We have not done tree planting programs for years. Ordinance lists Tree Board as entity to do so.

(3) Doesn't allow people to keep or maintain Cottonwood or Box Elder. I don't think we need to require people to cut these. We have many in the parks.

(4) This section should reference a list either kept by DNR or a list the Forester keeps instead of including specifics in the Ordinance. These lists need to be able to be kept up to date as new invasive species arise.

(6)(b) See above.

(7) Some species of Honey Locust are recommended by DNR

(14) [6] While not included in the official Restricted plant list many invasive watchdog groups now consider the Callery or Bradford Pear an invasive species

[7] Specify Flowering cherry

301.11 (1) (a,b & e) Why would they need a permit? If tree posed a hazard, the city would remove it.

(2) Regarding first refusal of wood, do we have to ask the homeowner or is it their responsibility to request if they are interested.

301.12 This section needs much more detail regarding standards for excavation near trees or possibly a reference to ANSI standards. See DeForest section 16.24. I don't think we have or have used a permit as referenced.

301.13 We need to discuss whether it is desirable to require homeowners to be responsible for the pruning of street trees abutting their property

(c) Standard arboricultural procedures is vague. Reference a document or organization.

(e) If the necessity of pruning is determined by Forester, can it be ordered? What is the process?

301.14 (2) Should we be this specific or say “any tree afflicted with pest/pathogen of concern as listed by the DNR” or on a list the Forester keeps current? These diseases of concern can change and we need the ability to stay current.

(g) Gypsy Moth is now referred to as Spongy Moth

(4)(c)1. This entire process needs to be reviewed. It is confusing, complicated and the timelines seem unreasonable for securing a tree cutter.

(5) Spraying requires authorization by Common Council. With council meeting only once a month is this going to be responsive enough if there is a major pest or disease issue? Do we call a special session?

301.15 (1)(d) Should it require a permit to remove guard or stake? What if they are damaging tree?

(h) Do we care if people tap trees for personal use? It is not harmful to tree.

(3) We are working on getting definitive answer if state law allows people to trim parts of neighboring trees that intrude over property line.

301.16 This process should be reviewed. It is confusing and complicated with multiple appeal opportunities.

301.17(1) Have we ever utilized assessing costs for work on public land? Do we have the process? Would we use it?

(4)(b) We don't have rates set or work order sheet. Need to make this if we want to charge people.

301.18 What does it mean for the annual inspection to be under the supervision of Urban Tree Board

301.19(3) What does this passage mean?

Additional Suggestions:

- Heritage tree program: Creating a program to inventory trees of significant size, form, species or historical significance. See Cottage Grove, WI Ordinance Section 294-8.
- New Construction: See Bellevue Ordinance Section 427-6 e and Cottage Grove 294-5. As we are looking towards new development we should consider setting standards for tree requirements as well as tree protection standards.

