

Town Hall - Ordinances

GENERAL

Tree Ordinance #99-1

Be it ordained by the Town Council of Camden, Indiana:

Section 1. Definitions:

Street Trees: "Street Trees" are herein defined as trees, shrubs, brushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or way within the Town.

Section 2. Creation and Establishment of a City Tree Board:

There is hereby created and established a Tree Board for the Town of Camden, Indiana, which shall consist of the duly elected Camden Town Council.

Section 3. Term of Office:

The term of the Tree Board shall be concurrent with the terms of the Town Council members.

Section 4. Compensation:

Members of the Board shall serve without compensation.

Section 5. Duties and Responsibilities:

It shall be the responsibility of the Board to study, investigate, develop written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other municipal public areas. Such plan shall constitute the official comprehensive tree plan for said Town upon its acceptance by the Camden Town Council at a public meeting. The Board, shall consider, investigate, make finding, report and recommend upon any special matter of question coming within the scope of its work.

Section 6. Operation:

The Board shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of members shall be quorum for the transaction of business.

Section 7. Street Tree Species to be Planted:

The following list constitutes the official Street Tree species for Camden, Indiana. No species other than those included in this list may be planted as Street Trees without written permission of the Tree Board.

Section 8. Spacing:

The spacing of Street Trees will be in accordance with the three species size classes listed in Section 7 of this ordinance and no trees may be planted closer together than the following: Small Trees, 30 feet; Medium Trees, 40 feet; and Large Trees, 50 feet; except in special plantings designed or approved by a landscape architect.

Section 9. Distance from Curb and Sidewalk:

The distance trees may be planted from curbs or curb lines and sidewalks will be in accordance with the three species size classes listed in Section 7 of this ordinance, and no trees may be planted closer to any curb or sidewalk than the following: Small Trees, 2 feet; Medium Trees, 3 feet; and Large Trees 4 feet.

Section 10. Distance from Street Corners and Fireplugs:

No Street Trees shall be planted closer than 35 feet of any street corner, measured from the point of nearest intersecting curbs or curb lines. No Street Tree shall be planted closer than 10 feet of any fireplug.

Section 11. Utilities:

No Street Trees other than those species listed in Small Trees in Section 7 of this ordinance may be planted under or within 10 lateral feet of any overhead utility wire, or over or within 5 lateral feet of any underground water line, sewer line, transmission line or other utility.

Section 12. Public Tree Care:

The Town shall have the right to plant, prune, maintain and remove trees, plants, and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds.

The Tree Board may remove or cause or order to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or if it's affected with any injurious fungus, insect or other pest. This Section does not prohibit the planting of Street Trees by adjacent property owners providing that the selection and location of said trees is in accordance with Sections 7 through 11 of this ordinance.

Section 13. Tree Topping:

It shall be unlawful as a normal practice for any person, firm or town department to top any Street Tree, or other tree on municipal public property. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. 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 from this ordinance at the determination of the Tree Board.

Section 14. Pruning, Corner Clearance:

Every owner of any tree overhanging any street or right-of-way within the Town shall prune the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of eight feet (8') above the surface of the street or sidewalk. Said owners shall remove all dead diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The Town shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a street light or interferes with visibility of any traffic control device or sign.

Section 15. Dead or Diseased Tree Removal on Private Property:

The Town shall have the right to cause the removal of any dead or diseased trees on private property within the Town, when such trees constitute a hazard to life and property, or harbor insects or disease which constitutes a potential threat to other trees within the Town. The Tree Board will notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within sixty days after the date of service of notice. In the event of failure of owners to comply with such provisions, the Town shall have the authority to remove such trees and charge the cost of removal on the owner's property tax notice.

Section 16. Removal of Stumps:

All stumps of street trees shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground.

Section 17. Interference with City Tree Board:

It shall be unlawful for any person to prevent, delay or interfere with the Tree Board, or any of its agents, while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any Street Trees, Park Trees, or trees on private grounds, as authorized in this ordinance.

Section 18. Arborists License Bond:

It shall be unlawful for any person or firm to engage in the business or occupation of pruning, treating, or removing street trees within the Town without first evidence of possession of liability insurance in the minimum amounts of \$50,000.00 for bodily injury and \$100,000.00 property damage indemnifying the Town of any person injured or damages resulting from the pursuit of such endeavors as herein described.

Adopted by the Town Council of the Town of Camden, Indiana, this 9th day of February, 1999.

Ralph Rohrbaugh

Joe Wallace

Andy Robison

ATTEST:

Patricia Casserly

Clerk-Treasurer

Note: A listing of tree recommendations by size and site and " The Right Tree in the Right Place" are available in the Clerk-Treasurer's office for review.