

Sec. 82-29. - Permits generally.

- (a) *Required.* No person shall, unless otherwise permitted by the terms of this article, directly or indirectly modify, cut down, destroy, remove or move, or effectively destroy through damaging, or authorize the modifying, cutting down, destroying, removing, moving or damaging of any tree without first obtaining a permit under this article subject to any applicable state law. No city official shall issue a permit provided for herein in violation of the requirements of this article.
- (b) *Application forms; fees.* Permits for the modification, removal, relocation or replacement of trees covered herein shall be obtained by submitting an application, on a form prescribed by the city tree preservation agency. The permit fee shall be established by the city commission. No fee shall be charged for trees that are relocated or that lie within a utility easement and are required to be removed in order to provide utility service to the property. Governmental agencies and applications for tree modifications or removals in areas dedicated to public use shall be exempted from permit fees, but shall be subject to all other provisions of this article. With the exception of the tree trust fund contained herein, funds collected as permit fees pursuant to this article shall be deposited in the general fund.
- (c) *Tree abuse.* Tree abuse is prohibited and shall constitute a violation of this section. Any act of tree abuse that renders a tree nonviable or effectively destroyed shall constitute "effective removal" and shall compel the owner to fully comply with the terms of this article as if the tree was removed prior to issuance of a permit.
- (d) *Pruning of trees on private property.* Pruning tree limbs ten inches or more in diameter on private property requires a tree permit from the tree preservation agency. Pruning of branches four inches in diameter or greater must be done by a qualified tree trimmer. Pruning of trees may also be done by the property owner with assistance as needed by assisting labor.
- (e) *Pruning of trees on public property and rights-of-way.* The pruning of any trees on public property and rights-of-way is prohibited unless a permit application is filed by an International Society of Arboriculture certified arborist and the pruning is expressly approved by the tree preservation agency in advance.

(Ord. No. 2017-45, § 2(Att. A), 12-5-2017; Ord. No. 2023-29, § 2(Exh. A), 9-26-2023)