

Trees: Division 5 - Permits

Sec. 66-137. - Permits required by all persons.

- (a) A written nonfee permit shall be required for planting, spraying, pruning, removing, cutting or otherwise disturbing any street tree. Each permit shall be granted to a date certain and, for planting, shall include consideration of the appropriateness of the species, location, size, location of overhead and underground facilities, location of sidewalks, curb-cuts and street signs and public safety.
- (b) The tree warden may issue a permit, provided that the proposed method and quality of work shall be consistent with ANSI 300 series standards and procedures. The tree warden may request advisory opinion from the tree board prior to issuance of the permit.
- (c) Any permit shall be deemed null and void if its terms are violated.
- (d) The tree warden and tree board shall be notified by the bearer of such permit upon satisfactory completion of designated work.
- (e) A notice shall be posted at the site of pending street tree removal by the town tree warden according to the procedure outlined in G.L. 1956, section 2-14-8.
- (f) All costs for nonemergency tree removal shall be the responsibility of the party requesting tree removal.
- (g) A written nonfee permit shall be required to clear trees within five feet either side of an unmarked property boundary between private property and the limits of any road or grounds within the town. The permit to clear can only be granted after the tree warden and the property owner agree that a street tree or neighbor's tree is not in the area proposed for clearing. If the parties cannot agree, the property owner must post survey boundaries endorsed by a registered surveyor to resolve the dispute.
- (h) No permit for tree removal and/or planting in a town public right-of-way shall be issued by the tree warden unless the application has been reviewed and approved by the director of public works (highways and facilities) and the town engineer. This review will include but not be limited to: impacts and compatibility with vehicular and pedestrian safety, public and private utilities, streets, curbing, sidewalks, storm drains, roadway maintenance and roadway construction whether existing or planned for the future.
- (i) All construction activities including tree removal and/or planting, installation of tree wells, changes in grade and modifications to pedestrian walkways in the public right-of-way require the issuance of a road construction permit from the department of public works in accordance with chapter 66, article II of this Code.

(Ch. 890, § 1, 9-4-2007)