
ARTICLE F
CITY TREE CONSERVATION

9-7-31 APPLICABILITY

(a) JURISDICTION

The requirements of this Article shall apply only to city owned or controlled property, which is property owned or leased by the City of High Point or is property that the city controls through public rights-of-way and easements for public purposes, such as streets, the construction and maintenance of public utilities, the provision of pedestrian access across private land, the development and maintenance of greenways and open space, or the protection of water quality.

(b) RIGHTS OF CITY

The City of High Point and the Urban Forestry Committee, as an agent of the city, has the inherent right to plant, prune, maintain and remove any tree, plant or shrub on city owned or controlled property as deemed necessary to ensure the public health and safety, to preserve and enhance the symmetry and beauty of public property, or to protect public improvements and utilities.

9-7-32 TREE MAINTENANCE AND PROTECTION

(a) TREE TOPPING

It is a violation of this Ordinance for any person, firm, organization or city department, including any utility, to top any tree on city owned or controlled property without prior approval of the Urban Forestry Committee, as this activity weakens future tree growth and severely impacts the long-term health of the tree. Topping is defined as the severe pruning of tree limbs larger than three inches in diameter within the tree's crown to such a degree as to remove the normal canopy or disfigure the tree. Approval for topping trees shall be granted only in cases where trees have been severely damaged by storms or other natural causes or where the Urban Forestry Committee deems other pruning practices impractical, such as the pruning of trees directly under overhead utility lines.

(b) REMOVAL OF DAMAGED OR INFESTED TREES

The Urban Forestry Committee may cause to be removed any tree or part thereof which is in an unsafe condition, significantly damaged due to severe weather or other natural conditions, or is infested with any disease, injurious fungus, insect or other pest.

(c) UNAUTHORIZED REMOVAL OR DAMAGE

It shall be a violation of this Ordinance for any person to remove any tree on city owned or controlled property without prior approval, or to attach any rope, wire, nail, or sign to

any tree, or to apply any liquid or solid substance to any tree that is harmful and could damage or destroy the tree. Furthermore, it shall be a violation of this Ordinance to deposit, place, store or maintain on city owned or controlled property any stone, brick, sand, concrete or other impervious materials which may impede the free passage of water, air, or fertilizer to the roots of any tree growing therein.

(d) PROTECTION DURING CONSTRUCTION

Trees on city owned or controlled property shall be protected during any construction or excavation on city property or on adjoining private property. Protection measures, as specified in the City’s standards and practices for tree conservation and maintenance, shall be taken to protect such trees.

9-7-33 TREE PLANTING, PRUNING AND REMOVAL

(a) PRIOR AUTHORIZATION REQUIRED

Persons, firms, organizations or city departments that wish to plant, prune or remove trees on city owned or controlled property shall first secure authorization prior to such requested action. The Urban Forestry Committee shall review the request to ensure that the intended activities meet the expectations of the urban forestry program and are consistent with the City’s adopted standards and practices for tree conservation and maintenance. If the Urban Forestry Committee does not approve the request, the reason(s) for such action shall be provided in writing to the applicant.

(b) EXEMPTIONS

Public and private utilities (water, sewer, electrical, gas, telecommunications, cable, etc.) that maintain infrastructure in public rights-of-way or in dedicated utility easements on city owned or controlled property shall be exempt from obtaining prior approval for the pruning or removal of trees in such rights-of-way and easements. In addition, city departments shall be exempt from obtaining approval for the pruning of trees that restrict traffic visibility, pedestrian activity and other similar public safety matters. The Committee may allow other exemptions to the authorization requirement provided such exemptions are specified in the City’s adopted guidelines and standards, and such exemptions are deemed by the Committee to be necessary and practical for ensuring the public health, safety and general welfare. Nonetheless, those entities with allowed exemptions shall ensure that such tree pruning and removal is consistent with the City’s adopted standards and practices for tree conservation and maintenance.

(c) WAIVER

The Urban Forestry Committee shall provide a waiver to the authorization requirement for the pruning or removal of trees on city owned or controlled property when there is

significant tree damage resulting from severe weather, fire or other emergency conditions and where immediate removal of such tree(s) is necessary to protect the health and safety of the public, restore order, or remove obstructions blocking access to streets and property. The Committee shall provide for such waiver in the City’s adopted standards and practices for tree conservation and maintenance, and such waivers shall be implemented for a specified period of time or for specified emergency situations as stated in the City’s standards and practices. The Committee may allow waivers to the authorization requirement for other situations, provided such waivers are specified in the City’s adopted guidelines and standards and such waivers are deemed by the Committee to be necessary and practical for ensuring the public health, safety and general welfare.

9-7-34 GUIDELINES AND STANDARDS FOR TREE PLANTING, PRUNING AND REMOVAL

To implement the requirements of this Article, the Urban Forestry Committee shall develop, adopt and maintain guidelines and specifications for tree plantings, and standards and practices for tree conservation and maintenance. Such guidelines and standards shall, at a minimum, include provisions concerning permits, plantings, spacing, care, maintenance and removal. All tree planting, pruning and removal on city owned or controlled property shall be consistent with the City’s guidelines and standards.

9-7-35 APPEALS

Any person aggrieved thereby or by any officer, department, board or commission of the city may take an appeal from any decision of the Urban Forestry Committee. Any appeal from the Urban Forestry Committee shall be taken within thirty (30) days from the rendering of the decision by filing with the Urban Forestry Committee and the City Council a notice of appeal.

9-7-36 THROUGH 9-7-40 (RESERVED)

(Ord. No. 04-76 Pt. 2, (§1), 10-21-04)