

# LEGAL NOTICES

## A TREEBOARD ORDINANCE

Be it ordained by the Board of Trustees of the Town of Springfield.

### SECTION I

#### Definitions

Street trees: "Street trees" are herein defined as trees on land lying between property lines on either side of all streets, avenues, or ways within the town and are the responsibility of the adjacent landowners.

Park trees: "Park trees" are herein defined as trees, shrubs, bushes and all other woody vegetation in public parks, and all areas owned by the town, or to which the public has free access to as a park.

### SECTION II

#### Creation and Establishment of a Town Tree Board

There is hereby created and established a Town Tree Board for the Town of SPRINGFIELD which consists of members, citizens, and residents of the town and surrounding area, who shall be appointed by the mayor with the approval of the Board of Trustees.

### SECTION III

#### Term of Office

The term of the five persons to be appointed by the Board of Trustees shall be three years except that the term of one of the members appointed to the first board shall be for only one year, the term of two members of the first board shall be for two years and two members of the first board shall be appointed for three years. In the event that a vacancy shall occur during the term of any member, his successor shall be appointed for the unexpired term.

### SECTION IV

#### Compensation

Members of the board shall serve without compensation.

### SECTION V

#### Duties and Responsibilities

It shall be the responsibility of the board to study, investigate, council and develop and/or update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal, or disposition of trees and shrubs in parks, along streets, and in other public areas. Such a plan will be presented annually to the Board of Trustees and upon their acceptance and approval shall constitute the official comprehensive town tree plan for the Town of SPRINGFIELD.

The Board, when requested by the Board of Trustees shall consider, investigate, make finding, report and recommend upon any special matter of question coming within the scope of its work.

### SECTION VI

#### Operation

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

### SECTION VII

#### Tree Species to be Planted

The Town Tree Board develops and maintains a list of desirable trees for planting along streets in two sizes: small and large.

### SECTION VIII

#### Spacing

The spacing of street trees will be in accordance with the two species size classes listed in Section VII of this ordinance, and no tree may be planted closer together than the

### Utilities

No street trees other than those species listed as small trees in Section VII of this ordinance may be planted under or within 20 feet of any overhead utility wire.

### SECTION XII

#### 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 Town Tree Board may recommend removal of 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 is affected with any injurious fungus, insect, or other pests. 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 VII through XI of this ordinance.

### SECTION XIII

#### Tree Topping

It shall be unlawful as a normal practice for any person, firm, or town department to top any street tree, park tree, or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in the normal canopy and disfigure of 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 Town Tree Board.

### SECTION XIV

#### 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 (severely) 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 fourteen feet (14') above the street surface and/or eight feet (8') above the sidewalk surface. 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 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, or clearance for street and alley maintenance equipment.

### SECTION XV

#### Dead or Diseased Tree Removal on Private Property

The Tree Board shall suggest in writing to the Board of Trustees to remove any dead or diseased trees on private property within the town, when such trees constitute a hazard to life and property, or harbor insect or disease which constitute a potential threat to other trees within the town. The town will notify in writing the owners of any such tree(s). Removal shall be done by the said owners at their own expense within 60 days after the date of the service of notice. In the event of failure of the owners to comply with such a provision, the town shall have the authority to remove such trees and charge the cost of removal to the owners of the property.

### SECTION XVI

#### Removal of Stumps

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

### SECTION XVII

#### Interference with Town Tree Board

It shall be unlawful for any person to prevent, delay or interfere with the Town Tree Board while engaging in Tree Board activities as authorized in this ordinance.

**SECTION VIII**

**Spacing**

The spacing of street trees will be in accordance with the two species size classes listed in Section VII of this ordinance, and no tree may be planted closer together than the following: small trees, 30 feet and large trees, 50 feet; except in special plantings designed or approved by a landscape.

**SECTION IX**

**Distance from Curb to Sidewalk**

The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the two species size classes listed in Section VII of this ordinance, and no trees at maturity may be planted closer to any curb or sidewalk than the following: small trees, 2 feet; and large trees, 4 feet.

**SECTION X**

**Distance from Street Corners and Fireplugs**

No street tree shall be planted, which upon reaching maturity, would encroach into the area defined in the Town of Springfield zoning ordinance for vision clearance. No street tree shall be planted closer than 10 feet from fireplugs.

**SECTION XVII**

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**SECTION XVIII**

**Review by Board of Trustees**

The Board of Trustees shall have the right to review the conduct, acts, and decisions of the Town Tree Board. Any person may appeal from any ruling or order of the Town Tree Board to the Board of Trustees who may hear the matter and make final decisions.

**SECTION XIX**

**Penalty**

Any person found guilty of violating any provision of this ordinance shall be subject to penalty set by the Statute.

INTRODUCED AND READ IN FULL  
this 6th day of November, 1991.

TOWN OF SPRINGFIELD, COLORADO  
Jay D. Suhler, Mayor

SEAL

Attest:

Carol J. Brown, Town Clerk  
Published: November 14, 1991