

CHAPTER 150

TREES

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150.01 DEFINITIONS. Following are definitions as they pertain to this chapter.

1. "Parking area" means that part of the public street right-of-way lying between the sidewalk line or right-of-way line and the curb line, edge of pavement or edge of traveled way.
2. "Street tree" means any approved tree which is located behind the back of curb and within the public right-of-way.

150.02 STREET TREE PLANTING STANDARDS. The following standards shall guide the planting of street trees and other landscaping materials. These standards are established by the National Arbor Day Foundation.

1. No landscaping material may be planted which would cause a public danger or nuisance.
2. No tree shall be planted nearer than four feet to the sidewalk line or other impervious surface such as the curb and gutter line of the street.
3. A minimum of seven feet diameter without impervious surface must exist in the parking area, between the curb and sidewalk, to provide adequate growing conditions.
4. No street tree or shrub that will grow above 30 inches in height shall be planted on a corner lot where two streets intersect for a distance of 25 feet in any direction from the point of intersection at the curb line.
5. No street tree shall be planted within 15 lateral feet of an overhead utility line, five lateral feet from water or sanitary sewer lines, ten feet of a fire hydrant, five feet from a driveway or 25 feet from a traffic control sign.
6. The following trees are acceptable for street trees:

Sugar Maple
Hackberry
Gingko (male only)
Crabapple (columnar)
English Oak
Freeman Maple
Thornless Honey Locust
American Hophornbeam

Little Leaf Linden
Green Columnar Maple
Kentucky Coffee Tree
Burr Oak
Silver Linden
Red Maple
Red Oak

7. The following trees are not acceptable for street trees. These species are unsuitable for their shape, durability, hardiness to climate or root characteristics and shall not be planted:

Cottonwood	Ash, all varieties
Box Elder	Black Locust
Silver Maple	Tree of Heaven
Willow, all varieties	Buckthorn
Poplar	Siberian Elm
Gingko (female)	Russian Olive
Evergreens	American Plum

Questions on the suitability of trees not listed in subsections 6 or 7 of this section should be directed to the Johnston Tree Board. A tree existing within the public right-of-way at the time of the adoption of the ordinance codified in this chapter (Ord. 501 - 1999), if damaged due to a windstorm, snow/ice storm, vandalism, or vehicular accident, may be replaced by a tree from one of the species of trees identified in subsection 6 of this section if, in addition, the replacement tree is planted in conformance with the requirements of subsection 4 of this section and not within ten feet of a fire hydrant or 25 feet of a traffic control sign. Trees existing in the public right-of-way at the time of adoption of said ordinance which die of natural causes must be replaced in compliance with this chapter.

150.03 DUTY TO TRIM TREES. The owner or agent of the abutting property shall keep the trees on, or overhanging the street, trimmed so that all branches will be at least 14 feet above the surface of the street and eight feet above the sidewalks. If the abutting property owner fails to trim the trees, the City may serve notice on the abutting property owner requiring that such action be taken within five days. If such action is not taken within that time, the City may perform the required action and assess the costs against the abutting property for collection in the same manner as a property tax.

(Code of Iowa, Sec. 364.12[2c, d & e])

150.04 TRIMMING TREES TO BE SUPERVISED. Except as allowed in Section 150.03, it is unlawful for any person to trim or cut any tree in a street or public place unless the work is done under the supervision of the City.

150.05 DISEASE CONTROL. Any dead, diseased or damaged tree or shrub which may harbor serious insect or disease pests or disease injurious to other trees is hereby declared to be a nuisance.

150.06 INSPECTION AND REMOVAL. The Council shall inspect or cause to be inspected any trees or shrubs in the City reported or suspected to be dead, diseased or damaged, and such trees and shrubs shall be subject to the following:

1. City Property. If it is determined that any such condition exists on any public property, including the strip between the curb and the lot line of private property, the Council may cause such condition to be corrected by treatment or removal. The Council may also order the removal of any trees on the streets of the City which interfere with the making of improvements or with travel thereon.
2. Private Property. If it is determined with reasonable certainty that any such condition exists on private property and that danger to other trees or to adjoining

property or passing motorists or pedestrians is imminent, the Council shall notify by certified mail the owner, occupant or person in charge of such property to correct such condition by treatment or removal within 14 days of said notification. If such owner, occupant or person in charge of said property fails to comply within 14 days of receipt of notice, the Council may cause the condition to be corrected and the cost assessed against the property.

(Code of Iowa, Sec. 364.12[3b & h])

150.07 TREE TOPPING PROHIBITED. It is unlawful as a normal practice for any person or City 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 within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree.

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