

# EAB Tree Replacement Program

City of Oregon, Illinois

115 N. 3<sup>rd</sup> St. ♦ Oregon, IL 61061 ♦ (815)732-6321 ♦ Fax: (815)732-7292

Date: \_\_\_\_\_

Name of Owner: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Species Requested: \_\_\_\_\_

Number of Trees: \_\_\_\_\_

By signing below, the above-named person agrees to the following:

- A 50% - 50% cost share of replacement trees with the City of Oregon. The City of Oregon's share will be a maximum of \$100.00 per tree. The owner is responsible for the purchase, planting and watering of the tree.
- The owner agrees to provide ample water and other care to insure the survival of the tree. If it is determined that due diligence was not followed, and the tree dies, the owner will reimburse the City of Oregon for their 50% of the original price.
- Only the approved species and location staked by the Public Works Director, or his/her designee will be valid.
- Please call with any questions.

Signature of Applicant \_\_\_\_\_

Signature of City Official \_\_\_\_\_

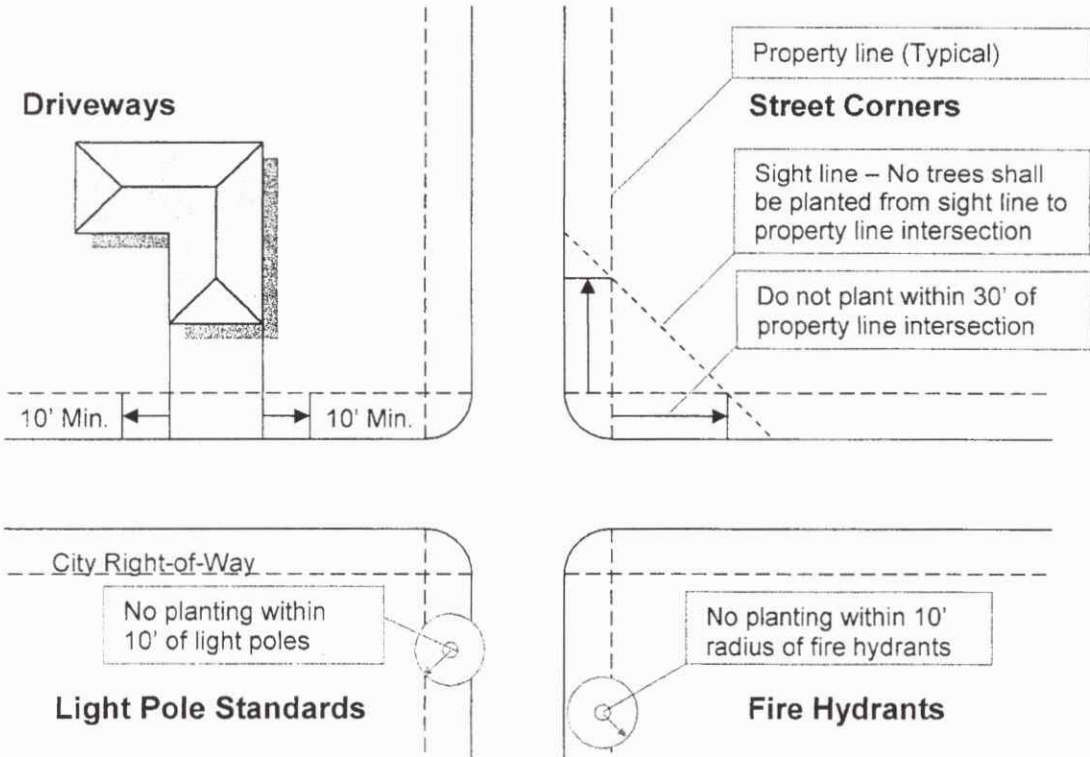
Total Cost \$ \_\_\_\_\_ Owner's Share \$ \_\_\_\_\_ City's Share \$ \_\_\_\_\_

The application requires the property owner to show the exact location, tree species, and notify JULIE Dial 811. Once the application has been received by the City, city staff will inspect the location and approve or deny the permit. Trees planted without a permit may be subject to removal. If the city must remove it, the cost of the removal may be charged to the property owner. Permits and another tree information may be found online.

\*Note: If you plan to plant a tree on the terrace of a state highway the Illinois Department of Transportation must provide permission as well.

# GUIDELINES FOR PARKWAY TREE PLANTING

Thank you for your interest in planting parkway trees. This City program is specifically for planting of trees in the City Right-of-Way, commonly referred to as "Parkway." We request the property owner place stake(s) in the desired tree location in the parkway. The location stake should indicate the variety of City approved tree to be planted. The Property owner shall contact J.U.L.I.E. to verify that utilities are not in conflict with desired tree locations. Please refer to the diagram below when placing your location stake(s):



Trees shall be planted no closer than 20' apart or from existing parkway trees. Trees shall not be planted closer than 10' to alleys, fire hydrants, utility poles, water valves or gas service lines. Trees shall not be closer than 10' from private driveways.

On corner lots, trees must not be planted in the parkway within 30' of the intersection of the corner property lines adjoining the street right-of way. This is to avoid sight distance problems at intersections. Typically, the distance from the curb line of the intersecting streets to the first tree is 45'.

Trees will not be permitted on residential parkways where there is less than 5' between the sidewalk and the curb, or edge of pavement; or less than 14' between the property line and curb or edge of pavement where there is no sidewalk.

Trees will normally be centered in the parkway between the curb and the sidewalk.

Tree varieties available under this program cannot be planted under overhead utility wires because mature plant height would be in conflict with utility wires. The only exceptions are utility approved trees.

## **20.06.140 Tree Permit Procedure**

### A. Applicant Submission

An applicant for a simple tree removal or planting on public property shall fill out a Tree Permit or Tree Planting request online, or in person, and the City of Oregon Director of Public Works or his designee shall make an inspection and render a determination within 5 business days.

If a removal or planting is significant or in conjunction with any type of development, then a full tree preservation plan and inventory for the area to be impacted may be required. The city shall review the application. This review shall include an inspection of the site and referral of the application for recommendation to other appropriate administrative departments or agencies. The city shall render a decision on the application within ten working days of receipts of a properly completed application.

### B. Issuance

The city shall issue a permit upon approval of an application.

### C. Time Limitation

1. A permit shall expire and become null and void if work authorized is not commenced within one year from the date of the permit or if such work when commenced is suspended or abandoned at any time for a period of one year.
2. If work has commenced and the permit becomes null and void or expires because of a lack of progress or abandonment, a new permit for the proposed tree removal, planting activity shall be obtained before proceeding with further work.

### D. Final Inspection

Final approval shall be issued by the Director of Public Works or his designee when all relocation, replacement or remediation of trees is completed, and a final inspection has been conducted by the city. Should the city determine that the season is inappropriate for planting then relocation or replacement shall be deferred until the next planting season.

### E. Compliance

The city shall retain jurisdiction to ensure compliance with this Section, the Director of Public Works, Chief of Police, or their designee shall have the right to issue a stop work order, or issue appropriate fines for non-compliance.

### F. Penalty

Any person found guilty of violating any provision of this section or section 18.12.030 of this code, shall be assessed at a cost as prescribed in the fine section of 34.1 this code. Each tree cut down, destroyed, damaged, removed, or moved shall constitute a separate offense. In addition to these penalties, if a tree is removed in violation of this Section, all replacement requirements of this Section shall be applied.

### G. Civil Remedies

In addition to any other remedies provided by this Section of the Oregon City Code shall have the following judicial remedies available for violations of this section or any permit condition promulgated under this Section.

1. The city may institute a civil action in a court of competent jurisdiction to establish liability and to recover damages for any injury cause by the removal or damage of trees in contravention of the terms of this Section.

2. The city may institute a civil action in a court of competent jurisdiction to seek injunctive relief to enforce compliance with this Section to enjoin any violation, and to seek injunctive relief to prevent irreparable injury to the trees or properties encompassed by the terms of this Section.

#### HISTORY

Adopted by Ord. 2022-115 on 11/8/2022