



TOWN OF GARDNERVILLE PUBLIC TREE AND SHRUB POLICY

Purpose and Intent

The purpose and intent of this policy is to promote the planting, maintenance, and protection of trees and shrubs located on town public property to enhance and promote the urban forest. The Town Board recognizes the social and environmental benefits of public trees and shrubs for community residents, businesses, and visitors.

Trees and shrubs on property not owned or maintained by the Town are the responsibility of the property's owner of record.

The application of this policy shall be coordinated with other policies and procedures as adopted and revised from time to time by the Gardnerville Town Board.

Definitions

For the purposes of this policy, the following terms, phrases, and words shall have the meanings respectively ascribed to them:

1. "Certified arborist" means an arborist certified by the International Society of Arboriculture.
2. "Maintain" or "maintenance" means the entire care of trees and shrubs including ground preparation, fertilizing, watering, and pruning.
3. "Public place" means all grounds owned or controlled by the town where public access is not restricted. Utility and drainage easements on private property or areas restricting public access shall not be included in the definition of public property.
4. "Public tree or shrub" means any tree or shrub located in a public place.
5. "Shrub" means any woody plant that typically reaches a mature height of less than eight feet.
6. "Topping," means removal or various portions of a tree thereby leaving stubs, with no regard for the natural structure of the tree.
7. "Town Board" means the Gardnerville Town Board.
8. "Town Manager" means the Gardnerville Town Manager.
9. "Tree" means any woody plant having a perennial woody plant having a trunk at least three inches in diameter at a height of four and one-half feet above the ground. This definition shall include any tree planted by or for the town that will attain or exceed the stated size at maturity.

Jurisdiction of Town Manager

- The Town Board authorizes the Town Manager, or his/her designee, to exercise supervision and control over the planting, maintenance, and replacement of trees or shrubs located on public places within the town. Any person or persons may request a formal appeal to the Town Board of any actions authorized through this policy.

Master tree and shrub list

- The Town shall maintain a master tree and shrub list designating desirable deciduous and evergreen trees and shrubs that may be planted on public property. This list shall specify desirable species for planting in certain areas to provide and establish a wide-ranging urban forest.

Public tree and shrub maintenance

- It shall be the responsibility of the Town Manager, acting through the Town Maintenance Foreman or his/her designee, to assign appropriate scheduled tree and shrub maintenance including but not limited to pruning, fertilization, irrigation and pest control based upon the age, species, and location to assure proper maintenance and promote the urban forest.

Approval required prior for planting

- No person shall plant any tree or shrub on public property without the permission of the town. The authorized planting of any tree or shrub on public property shall be performed to town standards and specifications.

Public tree and shrub protection

- No person shall remove, trim, prune, or cut any tree or shrub growing on public property unless such work conforms to accepted town standards and practices.
- No person shall attach to any guard or stake intended for the protection of a tree or shrub any wire, chain, rope, sign, or other device except for the purpose of protecting it or the public.
- No person shall, except with written permission from the town place any stone, cement, asphalt, or other impervious surface in such a manner as to obstruct the free flow of air and water to any tree or shrub on public property. This provision shall not apply when paving, repairing, or altering any public street, sidewalk, or other public place by or as directed by the town.

- Topping of trees is prohibited. This provision shall not apply to the town when directed by a certified arborist or when emergency conditions require topping to protect the public.
- No person shall interfere or cause any other person to interfere with town employees, contractors employed by the town, or volunteers under the direction of town staff who are engaged in planting or maintaining public trees or shrubs.

Tree or shrub removal, replacement, and replanting

- When it becomes necessary to remove a tree or shrub in connection with improvements to sidewalks, streets or other public places, the town shall replant or replace affected trees and shrubs. Should conditions prevent replacing or replanting affected trees and shrubs in the place from which they were required to be removed, the town shall replant or replace a like number of trees or shrubs in another public place. Any replaced tree shall have a minimum size of one and one-half inch trunk and any replaced shrub shall be a minimum of five-gallon container size.

Overhanging trees or shrubs

- Public trees and shrubs shall be pruned in such a manner that they will not obstruct or shade street lights, obstruct the passage of pedestrians, obstruct vision of traffic signs, or obstruct the view of any town street or alley intersection. The minimum overhanging portion shall be eight feet above any town sidewalk and twelve feet above any town street or alley.