

CITY OF SASKATOON COUNCIL POLICY

NUMBER

C09-011

| | | |
|--|---|--|
| POLICY TITLE <i>Trees on City Property</i> | ADOPTED BY: <i>City Council</i> | EFFECTIVE DATE <i>April 10, 1989</i> |
| | | UPDATED TO <i>December 20, 2010</i> |
| ORIGIN/AUTHORITY <i>Planning and Development Committee Reports 13-1989 and 44-1989; Planning and Operations Committee Report No. 8-2008; and Administrative Report No. 21-2010</i> | CITY FILE NO. <i>CK. 4139-4</i> | PAGE NUMBER <i>1 of 8</i> |

1. PURPOSE

To affirm that trees on City Property are “living” assets owned by the City of Saskatoon and maintained as a legacy for the citizens of the City of Saskatoon.

To protect, preserve and perpetuate the health, beauty and safety of the City of Saskatoon’s urban forest for the enjoyment of its citizens, past, present and future.

To ensure that all trees on City Property are adequately protected from unnecessary destruction, loss and damage.

To establish a protocol for responding to requests for tree maintenance or removal of trees that were not planted on City Property and whose main stem is less than 50% on City Property.

2. DEFINITIONS

2.1 City – means the City of Saskatoon.

2.2 City Property – means all land owned, controlled or maintained by the City including parks, boulevards, buffer strips, medians, streets, rights-of-way and natural stands.

2.3 Boulevard – means that portion of a right-of-way that extends from the edge of the street to the property line of the adjacent property, not including the sidewalk.

2.4 Buffer Strip – means City Property set aside for the purpose of providing an aesthetic barrier to act as a buffer between adjacent land uses and prevent through sites.

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- 2.5 Median – means that part of the roadway which divides the lanes of traffic moving in opposite directions, commonly called the centre boulevard, and includes traffic islands, lay-bys and traffic circles.

- 2.6 Natural Stand - means areas on City Property where trees are in their natural state, and includes riverbanks and bluffs.

- 2.7 Pruning – means the removal of specific branches for the purpose of preserving the health and appearance of a tree and for public safety.

- 2.8 Tree or tree – means both trees on City Property that have 50% or more of the main stem on a Boulevard, and includes all parts of the tree, including the roots.

- 2.9 International Society of Arboriculture – means the worldwide professional organization dedicated to fostering a greater awareness of trees and promoting research, technology, and the professional practice of arboriculture.

- 2.10 Agencies – means the Meewasin Valley Authority, and public and private utilities.

- 2.11 Compensation Formula – means the value to be utilized in establishing equitable compensation for damage and/or loss of Trees, and will be based on the current edition of the “*Guide for Establishing Values of Trees and other Plants*” as adopted by the International Society of Arboriculture.

- 2.12 Additional Costs – means all labour, vehicles, equipment, and materials of the City associated with the removal, relocation, pruning and other tree maintenance activities.

- 2.13 Deferred Tree Replacement Account – means an account established to hold funds collected as compensation for tree loss or damage and that will be utilized for the replacement and/or additional tree planting or maintenance in subsequent years.

- 2.14 dbh – means “Diameter at breast height”, the accepted arboriculture method of measuring the diameter of a tree.

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2.15 Straddling Tree – means a tree that is partly on City Property but whose main stem is more than 50% on private property. For the purposes of determining the property line, the City may rely on a surveyor or its own records. With respect to measuring a main stem, the measurement is to be taken at ground level, just above the trunk flare from the midpoint of the tree, perpendicular to the curb. For multi-stem trees, ownership is determined by where the majority of the stems lie, using the same technique. Burls or other growth and/or anomalies are not included in the measurement.

3. IMPLEMENTATION OF THE POLICY

POLICY STATEMENT

All trees situated on City Property will be protected under the provisions of this Policy.

The planting, care and maintenance of trees on City Property will be in accordance with the standards and practices established by the City.

In the case of Straddling Trees, upon receipt of a request for maintenance of a tree that is touching or straddling City Property, the owner will be advised that the tree is privately owned and that the City is prepared to maintain the tree in accordance with City standards and practices provided the owner consents, in writing, to such maintenance and agrees to be bound by the terms of this Policy.

IMPLEMENTATION PROCESS AND PROCEDURE

3.1 Planting - residents may, subject to City approval, plant trees on City Property.

3.2 Recognition of Donations - the City will not allow signage in recognition of the donor of trees planted on City Property except in the case of signage for veterans' memorials.

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3.3 Maintenance and Removal

The City will observe the following priorities when responding to requests from residents, contractors and agencies for the maintenance or removal of trees on City Property:

- Public hazard;
- Interference with overhead utility lines;
- Disease; and
- General tree care.

Trees on City Property may not be removed, pruned, or destroyed in any way, without explicit written consent from the City of Saskatoon, and subject to the following:

- a) Trees will not be pruned, trimmed or removed merely for the purpose of opening up views from private property.
- b) Except for traffic signs or signals or street signs, trees obstructing commercial signs, billboards, or other forms of advertising, will not be pruned, trimmed or removed merely for the purpose of making the commercial sign more visible to the public.
- c) Trees will not be removed for the purpose of relocating driveways or structures unless:
 - i) the tree can be successfully relocated; or
 - ii) the tree can be replaced by one of similar quality; and
 - iii) the replacement or removal costs will be paid by the owner making the request, and such costs will be based on the Compensation Formula and any Additional Costs.

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- d) Requests to remove or replace trees for reasons other than those cited above will be dealt with on their own merit; however, in general:
 - i) trees that are healthy and sound, and over 15cm (6”) dbh will not be removed;
 - ii) trees that are healthy and sound, and less than 15 cm (6”) dbh can be relocated, subject to the Additional Costs; and
 - iii) trees that are not healthy and sound, may be pruned and monitored for health, or removed.

3.4 Protection

The City will expect residents, contractors, agencies and the City working near or carrying on any operation near a tree on City Property to take reasonable precautions to prevent damage to such trees.

- a) The City will seek to hold liable residents, contractors, Agencies and motor vehicle owners or drivers for any loss of or damage to tree(s) on City Property occurring as a consequence of work, operations, deliberate acts, motor vehicle accidents or negligence, and such loss claimed will be an amount based on the Compensation Formula and any Additional Costs.
- b) Residents, contractors and Agencies will be required to adhere to the City’s Tree Protection Guidelines for Construction Sites, attached to this Policy as Schedule “C”.
- c) In the case of an application for demolition, construction, development or building move with respect to property where there are or are likely to be trees on City Property impacted, the applicant will be required, as a condition of any such permit, to acknowledge in writing that the applicant agrees that the appropriate measure for damages to trees on City Property will be based on the Compensation Formula, and further will be obliged to deliver to the City a deposit equal to the total estimated value of the tree(s) on City Property on or near the site, based on the Compensation Formula, plus an amount equal to twenty percent (20%) of the same, and this deposit will be retained as a damage holdback by the Infrastructure Services Department. In the alternative to delivery of the deposit, the applicant may

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provide evidence of insurance to the City naming the City as an additional insured on a comprehensive general liability insurance policy applicable to the work that is to be performed. In the event that trees on City Property are either damaged or destroyed as a result of the work performed, the City will either retain an amount of the deposit or make a claim under the insurance policy equal to the amount of the damages sustained based on the Compensation Formula.

3.5 Straddling Trees

- a) The City will follow the implementation process and procedure set out above, and treat such trees in the same manner as trees on City Property.
- b) In addition, in the case of Straddling Trees the following provisions will apply:
 - i) The owner requesting that the City prune or maintain a Straddling Tree will be advised in writing that the tree is privately owned and that the City is prepared to maintain the tree in accordance with the City's standards and practices provided the owner signs a consent to tree maintenance form, a copy of which is attached to this Policy as Schedule "A";
 - ii) Pruning or maintenance of a Straddling Tree will be scheduled at the City's convenience as part of routine activities in the subject area; and
 - iii) If the Straddling Tree is dead, hazardous or no longer viable to maintain, the City will undertake to remove the tree in accordance with its tree removal schedule for the area.
- c) The value of the tree will be calculated as per Section 4.1 of this policy.

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3.6 Building Moves

All building moves will be required to follow the procedures as outlined in the “Building Move Information and Guidelines” contained in The Building Bylaw, Bylaw No. 7306.

- a) The building mover (contractor) is responsible for all damages to City trees, associated with the move, and all associated costs.
- b) Each applicant for a building move permit will be required to issue a deposit or bond for the total amount of the estimated tree’s value plus twenty percent (20%) for damage holdback, issued to the Infrastructure Services Department.

4. EQUITABLE COMPENSATION FORMULA AND TREE VALUATION

4.1 The value to be used in establishing compensation for damage to or loss of a tree on City Property will be based on the then current “Guide for Establishing Values of Trees and Other Plants” adopted by the International Society of Arboriculture. In the case of damage that is repairable, the damage will be appraised and the reduced tree value and/or cost of the repair will be used to determine the Compensation Formula, a copy of which is attached to this Policy as Schedule “B”.

- 4.2
 - a) If an existing tree is 6” or less in diameter, the cost per tree to move it to an alternate location is approximately \$500, however, actual cost of labour, equipment and materials will be charged after completion of the work.
 - b) If a tree is larger than 6” in diameter and requires cutting down, the cost is approximately \$1,500 (including labour, equipment and materials), however, actual cost will be charged after completion of the work.
 - c) If the tree is replaced at the same or an alternate location, the cost of a new tree is \$310, plus labour, equipment and materials for staking, mulching and watering, ranging from approximately \$110 to \$200, depending on location and bid price, however, actual cost will be charged after completion of work.

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5. DEFERRED TREE REPLACEMENT ACCOUNT

- 5.1 The City will establish a fund to retain any monies received for compensation with respect to trees on City Property and the fund will be utilized for the purposes of tree replacement or enhancement of the urban forest.

6. RESPONSIBILITIES

6.1 Infrastructure Services Department

- a) Establish technical standards and practices pertaining to the planting, care and maintenance of trees on City Property.
- b) Administer the provisions of this Policy.

6.2 City Council

- a) Consider and, where appropriate, approve amendments to this Policy.

6.3 The City of Saskatoon

- a) Consider and, where appropriate, reimburse all costs associated with the cutting down and/or replacement of each tree that is affected by all projects initiated by the City of Saskatoon, with all costs being charged to the appropriate Capital or Operating Budget.

SCHEDULE "A" TO POLICY C09-011



Urban Forestry

CONSENT TO TREE MAINTENANCE FOR BOUNDARY LINE (STRADDLING) STREET TREES

I/We, _____ am/are the registered owner of

(please print name)

_____ (please print address including postal code)

in the City of Saskatoon and, as such, I/we request the City of Saskatoon (the City) to provide maintenance of the tree(s) located on my property, on the border of the road allowance, as described below.

I/we agree that any maintenance service provided by the City shall be in accordance with the current policy and practice of the City.

I/we understand and agree that the City shall not be liable for any claims whatsoever in respect of the tree(s) and I/we hereby agree to save harmless and fully indemnify the city, its successors and assigns, from and against all actions, claims and demands whatsoever which may be brought against or made upon the City arising out of the City's performance or non-performance of the tree maintenance services described below.

I/we agree that for a period of 3 years from the date of maintenance to neither prune, nor remove the tree(s) without prior written authorization from the City of Saskatoon, Urban Forestry. I/we understand that I/we will be responsible for paying the cost of the city work if the terms of this agreement are violated

Owners Signature

Owners Signature

Witness

Date: _____

For City Use Only

Table with 7 columns: TREE ID, POS, SPECIES, DBH, OWN, MNT, Location Detail

SCHEDULE "B" TO POLICY C09-011

Trunk Formula Method Worksheet*

Case # _____ Property: _____ Date: _____

Appraiser(s): _____

Field Observations

1. Species: _____ Cell# _____
2. Condition: _____
3. Trunk Circumference: _____ in/cm Diameter: _____ in/cm
4. Location % = Site _____ Contribution _____ Placement _____ ÷ 3 = _____

Regional Plant Appraisal Committee and/or Appraiser-Developed or - Modified Information

5. Species rating: _____
6. Replacement Tree Size (diameter) _____ in/cm
 (Trunk Area) _____ in²/cm²TA_R
7. Replacement Tree Cost _____
 (see Regional Information to use Cost selected)
8. Installation Cost \$ -
9. Installed Tree Cost \$ -
10. Unit Tree Cost _____ per in²/cm²
 (see Regional Information to use Cost selected)

Calculations by Appraiser using Field and Regional Information

11. Appraised Trunk Area:
 (TA_A or ATA_A; use Tables 4.4-4.7)
 or c² (#3) _____ x 0.08 _____ 0 in²/cm²
 or d² (#3) _____ x 0.785 _____
12. Appraised Tree Trunk Increase (TA_{INCR})
 (TA_{INCR}) = TA_A or ATA_A _____ in²/cm² - TA_R _____ 0 in²/cm² = _____ in²/cm²
13. Basic Tree Cost =
 TA_{INCR} _____ in²/cm² x Unit Tree Cost \$ - per in²/cm² + Installed Tree Cost = \$ -
 = \$ -
14. Appraised Value =
 Basic Tree Cost \$ _____ x Species Rating 0% x Condition 0% x Location 0%
 = \$ -

15. If the Appraised Value is \$5,000 or more, round it to the nearest \$100; if it is less, round to the nearest \$10

16. Appraised Value = \$ -

Items 5 through 10 are determined by the Regional Plant Appraisal Committee. The Wholesale Replacement Tree Cost, the Retail Replacement Tree Cost, or the Installed Tree Cost (#9) divided by the Replacement Tree Size (#6) can be used for the Unit Tree Cost (#10), or it can be set by the Regional Plant Appraisal Committee.

* Developed by The Council of Tree & Landscape Appraisers and Endorsed by the International Society of Arboriculture (ISA)

SCHEDULE C TO POLICY C09-011

Preventing tree damage in a construction zone

Equipment and vehicles can injure tree trunks, break branches, tear bark or damage roots. Construction damage may result in reducing the value of the tree or lead to the decline and death of a tree.

The purpose of these guidelines is to reduce the number of trees which are unnecessarily damaged or removed as a result of any construction activities.

Anyone failing to adhere to the tree protection policies and guidelines will be financially responsible for any resulting damage to trees. Restitution for damages to City trees will be assessed on the value of the plant material as well as the cost of any removal or repairs.

Any unauthorized excavations, removal, relocation, pruning, or damage in part or whole of existing trees adjacent to your work site is not allowed and may result in a fine or penalty that may be imposed under this policy.

1. Plan ahead

Prior to proceeding with any construction near City trees, a city arborist must be contacted.

2. Protective fencing and hoarding

A protective barrier or fencing will be required to keep vehicles and equipment away from trees.

For trees within 3-5 meters of construction, place a standard snow fence at the farthest possible distance from the tree(s).

For trees within 1-3 meters of construction, use 12.5 mm (1/2") thick plywood sheeting, 1220 mm (48") in height, enclosing tree(s) at the farthest possible distance from trees.

For trees within 1 meter of construction, use 39 X 89 X 2400 mm (2" X 4" by 8' long) boards secured vertically at 300 mm (12") intervals around the tree trunk with strapping or an equivalent method of securing the boards.

Tree Protection barriers are to be erected prior to the commencement of any construction or grading activities and are to remain in place throughout the entire duration of the project.

3. Protecting tree roots

Severing major tree roots impact both the health and stability of a tree. The critical root zone area is within the drip line of the tree.

SCHEDULE C TO POLICY C09-011

Preventing tree damage in a construction zone

4. Do not pile or leave fill near the tree trunk

Most roots are located in the upper 30 cm of the soil, piling soil over them or changing the grade near an established tree will reduce water infiltration and air exchange around the roots.

5. Digging around trees

Excavations within 3.0 meters of a tree:

You will only be permitted to excavate on one side of the tree.

All exposed roots must be pruned with a sharp pruning tool to provide a clean severance of the root.

Exposed roots must be protected from drying out during construction by placing a tarp over the excavation wall during construction.

Backfill around the roots as soon as possible.

Excavations beyond 3.0 meters of a City tree:

Excavations beyond 3.0 meters of a tree, roots are to be backfilled around the roots as soon as possible to prevent any exposed roots from drying out.

6. Prevent compaction under the drip line of a tree

No grade changes, storage of materials or equipment is permitted within the critical root zone area of a tree.

To prevent compaction of the root zone, a wood chip mulch 15 cm (6") in depth within the root zone of the tree and 10 cm (4") away from the trunk is required.

7. Water

Adequate water over the entire root zone is required during and after construction.

If the soil in the root zone has been compacted, aeration to improve conditions for oxygen supply and water uptake by the roots is required. Holes drilled throughout the root zone to a depth should be at least 30 cm deep.

8. Tree Removal and Relocation

Any requests for removal, cutting, pruning, or relocating a tree must be approved by the Parks Manager.