

1 Introduced January 25, 2005, by Councilwoman  
2 Livaudais, seconded by Councilman Cromer  
3 (both by request of Administration)

4 **Item No. 05-01-2484**

5  
6 **ORDINANCE NO. 3253**

7 An ordinance amending the Code of Ordinances of the City of Slidell, Chapter 13  
8 (Environment) by adding Sections 13-40 through 13-52 relative to public tree  
9 management.

10 NOW THEREFORE BE IT ORDAINED by the Slidell City Council that it does  
11 hereby amend its Code of Ordinances by adding a new Article III. Public Tree  
12 Management in Chapter 13 as follows:  
13

14 **Article III. Public Tree Management**

15 **Sec. 13-40. Short Title.**

16 This ordinance shall be known and may be cited as the Public Tree Ordinance of  
17 the City of Slidell.  
18

19 **Sec. 13-41. Purpose and Intent.**

20 The purpose of this ordinance is to promote the health, safety, and welfare of  
21 existing and future residents of the City of Slidell and its environment by establishing an  
22 ordinance to manage city tree resources by regulating the planting, protection,  
23 maintenance, and removal of trees along public streets, in parks, and other city-owned  
24 property; to work with the Louisiana Department of Transportation and Development to  
25 manage tree resources within state right-of-ways; to establish a city tree board to work with  
26 the city to implement the goals and objectives of the public tree management ordinance; to  
27 include tree maintenance and protection for privately-owned trees encroaching into public  
28 lands; and to provide for other matters in connection therewith for the following purposes:  
29

30 (A) Environmental Quality/Protection

- 31  
32 (1) Reducing pollution and carbon dioxide, and increasing oxygen in the air  
33 (2) Reducing water, soil, and noise pollution  
34 (3) Reducing the heat in hot weather and buffering from the cold in cold weather  
35 (4) Reducing light pollution reflected into the night sky  
36 (5) Reducing flooding and wind damage  
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4 (6) Providing wildlife with food and habitat

5 (7) To comply with the Environmental Protection Agency mandate to reduce non-  
6 point pollution of streams and waterways

7  
8 (B) Water, Soil, Energy, and Vegetation Conservation

9 (1) Reducing the quantity and rate of surface water runoff

10 (2) Maintaining and improving the quantity of essential groundwater resources

11 (3) Preventing and/or reducing soil erosion

12 (4) Increasing energy conservation (shade from the hot sun and resistance to cold  
13 winds)

14 (5) Maintaining and increasing ecosystem value through plant variety and native  
15 qualities

16  
17 (C) Land/Economic and Aesthetic Values

18 (1) Maintaining and/or increasing private and public property values

19 (2) Maintaining and/or increasing the city's living/green infrastructure

20 (3) Providing screening and buffering between different and unpleasant-looking land  
21 uses

22 (4) Providing attractive streetscapes and urban designs to encourage economic  
23 investment

24 (5) Increasing economic development by creating a sense of place and character  
25 for the city

26 (6) Increasing the overall aesthetic appearance of the city

27  
28 (D) Human/Community Values

29 (1) Providing traffic control benefits and increasing vehicle and pedestrian safety

30 (2) Providing positive psychological health benefits such as decreasing stress and  
31 the negative affects of the physical environment, promoting healing and a sense  
32 of pride and place, and fostering an appreciation for nature

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34 (E) Establishment of Tree Board

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- 4 (1) To work with the city to regulate the planting, protection, maintenance, and  
5 removal of trees on city right-of-ways and land  
6  
7 (2) To develop and administer a comprehensive tree management plan and/or write  
8 and implement an annual community forestry work plan  
9  
10 (3) To obtain and maintain a Tree City U.S.A. designation through the National  
11 Arbor Day Foundation  
12  
13 (4) To create an Arbor Day observance and proclamation and to organize annual  
14 events to celebrate Arbor Day  
15  
16 (5) To apply for regional, state, federal, and/or non-profit grants to plant, protect,  
17 maintain, and remove city trees  
18  
19 (6) To act as an advisory committee regarding city landscaping and tree protection  
20 regulations for trees on private property that have an overall impact on the city's  
21 entire tree canopy

20 **Sec. 13-42. Definitions.**

21 For the purpose of this ordinance, the following terms, phrases, words, and their  
22 derivations shall have the meaning herein. None of the regulations in this ordinance shall  
23 supersede any federal or state law.  
24

25 *ANSI:* American National Standard Institute.

26 *Architectural Standards Manual:* The most recent edition of *Architectural Graphic*  
27 *Standards* by Ramsey/Sleeper and published John Wiley & Sons, Inc.

28 *City:* City of Slidell of the State of Louisiana. In text and context in which the city is  
29 affecting or performing work on trees, the city may mean arborists and contractors hired by  
30 the city.  
31

32 *City Street:* The entire width of every city-controlled public way or right-of-way when  
33 any part thereof is open to the use of the public, as a matter of right, for purpose of  
34 vehicular and pedestrian traffic.  
35

36 *City Volunteer Arborist:* Is a citizen of the city or St. Tammany Parish and a  
37 member of the Tree Board who is a state and city licensed arborist that volunteers to give  
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4 professional arborist opinions as requested by city employees responsible for enforcement  
5 of this ordinance and Section 2.2502 in the Slidell Zoning Ordinance, but not to exceed two  
6 hours per week.

7  
8 *Community Tree Plan (CTP):* A written document that guides the work of the Tree  
9 Board including a long-term comprehensive tree management plan and an annual  
10 community forestry work plan.

11 *Critical Root Zone (CRZ):* The roots within the drip line of a tree, which must be  
12 protected.

13  
14 *D.O.T.D.:* Louisiana Department of Transportation and Development

15 *Designated City Authority:* The city department that is the primary contact for the  
16 Board and the public to inquire with regarding questions, comments, and complaints about  
17 public trees in the city limits. This authority may or may not be responsible for the pruning,  
18 removing, or planting of the tree(s) inquired about. If the city authority is not responsible  
19 for the tree(s), the authority shall forward the inquiry to the responsible party (e.g., Public  
20 Works, CLECO). Trees within state highway right-of-ways = Planning Department, and  
21 trees within city street right-of-ways, parks or other public land = Recreation Department.  
22 Telephone calls should be to City Services for proper routing.

23  
24  
25 *Diameter Breast Height (DBH):* The diameter of the trunk of a tree measured at a  
26 height of four and one-half (4 and ½) feet from the ground. Unless otherwise noted, when  
27 diameter is mentioned in this ordinance, it shall be measured at DBH.

28  
29 *Drip line:* The area within the circumference of a circle drawn equal distance in all  
30 directions from the trunk of a tree with a radius equal to the length of the limb, measured to  
31 the tips of its branches, extending the greatest distance from the trunk of the tree.

32 *ISA:* International Society of Arboriculture.

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34 *Nurserymen's Manual:* most recent edition of the *Louisiana Nurserymen's Manual*  
35 *for the Environmental Horticulture Industry* published by the Louisiana Association of  
36 Nurserymen.

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4 *Parcel:* Any lot of record, any group of contiguous lots owned by the same  
5 person(s), firm or corporation, or any other property not previously subdivided into lots of  
6 record.  
7

8 *Park:* A parcel of public land within the city limits that is designated for recreational  
9 use.

10 *Park Trees:* Trees now or hereafter growing in public parks.

11 *Person(s):* Any person, firm, partnership, association, corporation, company, or  
12 organization of any kind.  
13

14 *Property Line:* The outer edge of a street or highway right-of-way.

15 *Property Owner:* The person owning such property as shown on city/parish tax  
16 roles.  
17

18 *Protected Private Trees:* Live Oak and Southern Magnolia trees in excellent, good,  
19 or fair condition that are twelve (12) inches or greater in diameter and any other trees  
20 (except invasive species and Chinese Tallow) in excellent, good, or fair condition that are  
21 fifteen (15) inches or greater in diameter, and are located on private property and/or have  
22 drip lines or more than one-third of its root system encroaching into public property.  
23

24 *Protected Public Trees:* Live Oak and Southern Magnolia trees in excellent, good,  
25 or fair condition that are twelve (12) inches or greater in diameter and any other trees  
26 (except invasive species and Chinese Tallow) in excellent, good, or fair condition that are  
27 fifteen (15) inches or greater in diameter, and are located on city-maintained public  
28 property.  
29

30 *Public Property/Land:* Unless otherwise stated, public property/land shall be land  
31 that is owned and maintained by the city.

32 *Public Trees:* Trees on any street or on any public land within the city limits. All  
33 trees mentioned in this ordinance are public trees unless otherwise mentioned.  
34

35 *Replacement Tree:* A tree that is a minimum of one and one-half (1 and ½) inches  
36 DBH at the time of planting, that is or was required to be planted by the provisions of this  
37 ordinance, to replace a previously existing tree.  
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4 *State Highway/Street:* The entire width of every state-controlled public way or right-  
5 of-way when any part thereof is open to the use of the public, as a matter of right, for  
6 purpose of vehicular and pedestrian traffic.  
7

8 *Street Trees:* Trees on land lying between property lines on either side of all paved  
9 streets, avenues, or ways within the city limits.

10 *Topping:* The reduction of a tree's size using heading cuts that shorten limbs or  
11 branches back to a predetermined crown limit. In other words, in middle-aged trees, the  
12 severe cutting back of limbs to stubs larger than three inches in diameter within the tree's  
13 crown to such a degree so as to remove the normal canopy and disfigure the tree.  
14

15 *Tree Clearing:* Removal of ten (10) or more public or street trees that are ten (10)  
16 inches or greater in diameter that city employees or city contracted persons must remove  
17 for a city construction and/or improvement project (see Sec. 13.48).  
18

19 *Tree Removal:* Removal of any public tree that must be removed that city  
20 employees or city contracted persons must remove (see Sec. 13.48).

21 *Trees, Condition of:* Tree conditions will be based on the most recent version of the  
22 ISA Photographic Guide to the Evaluation of Hazard Trees in Urban Areas.

23 *Trees, Large (Class A trees):* Trees that attain a height of forty-five (45) feet or more  
24 with a spread of forty (40) feet or more at maturity.  
25

26 *Trees, Medium (Class B trees):* Trees that attain a height of thirty (30) to forty-five  
27 (45) feet with a spread of thirty (30) feet or more at maturity.  
28

29 *Trees, Small (Class C trees):* Trees that attain a height of twenty (20) to thirty (30)  
30 feet with a spread of (twenty) 20 feet or more at maturity.

31 **Sec. 13-43. Establishment of a City Tree Board.**

32 There is hereby created and established a Tree Board (Board) for the City of Slidell.  
33 The Board shall be comprised as follows:

- 34 (1) A minimum of seven (7) and a maximum of nine (9) citizens, with experience, formal  
35 training, or knowledge of: tree care, gardening, forestry, landscape architecture,  
36 contracting, arboriculture, or planning.  
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- 4 (2) A minimum of five (5) and a maximum of seven (7) voting members shall be  
5 appointed by the Mayor with approval of the City Council. One non-voting member  
6 shall be an advisory staff member or director of the Planning Department, and one  
7 non-voting member shall be an advisory staff member or director of the Recreation  
8 Department.  
9
- 10 (3) The voting members initially appointed by the Mayor shall be appointed for two (2)  
11 years and serve until their successors are duly appointed and approved by the  
12 Council.  
13
- 14 (4) Successors to those members appointed by the Mayor shall, thereafter be appointed  
15 for terms of two (2) years. Vacancies caused by death, resignation, or otherwise,  
16 shall be filled for the un-expired term in the same manner as original appointments  
17 are made.  
18
- 19 (5) All members of the Board shall serve without pay.

20 **Sec. 13-44. Mission Statement, Rights, Duties, and Responsibilities of the Tree**  
21 **Board.**

22 (A) Mission Statement

23 The mission of the Board is to work with the City of Slidell to successfully manage  
24 the planting, protection, maintenance, and removal of public trees within the city limits; to  
25 make recommendations to the city regarding the general health and welfare of Slidell's  
26 urban forest resource; to organize public educational events/programs; and to organize  
27 activities to celebrate Louisiana's Arbor Day.  
28

29 In order to fulfill the mission of the Board, the duties of the Board shall be as follows:

30 (B) Rights

31 The Board has the right to make recommendations to the Designated City Authority  
32 or inquire with said authority regarding all activities that involve or affect public trees.  
33

34 (C) Administrative Duties  
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4 Within a reasonable time after the appointment of the Board, the Board shall meet  
5 and organize by the election of a chairman, vice-chairman, secretary, and, if necessary,  
6 standing committee chairs.  
7

8 (1) A majority of present voting members shall constitute a quorum for the  
9 transaction of business. Any member who fails to attend three (3) scheduled  
10 meetings shall be subject to removal. The decision to remove a voting member  
11 shall be made by the Board and the Mayor. The voting member removed shall  
12 be replaced for the balance of his/her term. Said replacement shall be  
13 recommended by the Board and appointed by the Mayor.  
14

15 (2) The Board shall provide for the adoption of rules and procedures, and for the  
16 holding of regular and special meetings as said Board shall deem advisable and  
17 necessary in order to perform the duties set forth. The minutes of proceedings  
18 and activities shall be recorded.  
19

20 (3) The Board shall meet a minimum of six (6) times a year at a public place and  
21 time of their choosing that is open to the public. At least once per year, the  
22 Board shall advertise in one of the local newspapers, the time and place of the  
23 regularly scheduled meetings and/or one (1) major meeting in which public input  
24 is greatly needed.  
25

26 (4) The Board shall propose such legislation as may be needed to pursue the  
27 purposes for which the Board was created.  
28

29 (D) Planning and Review Responsibilities

30 (1) To assist the city in the study of the urban forest by: helping to determine  
31 problems and needs, composing and annually reviewing a CTP, and seeking  
32 ways to implement the CTP and other needed work.  
33

34 (2) To recommend to the Designated City Authority, landscape designs illustrating  
35 type, number, and location of public trees to be planted as designated in the  
36 CTP, or as requested by city officials.  
37

38 (3) To assist the properly constituted officials of the city as well as citizens and  
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4 community groups, in the dissemination of news and information regarding the  
5 selection, planting, protection, and maintenance of public trees.

- 6 (4) When possible, to report any suspicious or unlawful activity observed in regards  
7 to tree removal or protection on public and private land within the city limits to  
8 the Designated City Authority.  
9

10 (E) Other Important Activities

- 11 (1) Apply for and maintain a "Tree City USA" status with the National Arbor Day  
12 Foundation  
13 (2) Conduct seminars and public education programs  
14 (3) Plan and coordinate an annual Arbor Day or Week Observance  
15 (4) Develop a public tree fund for public tree-planting permit fees, mitigation fees,  
16 and donations  
17 (5) Develop a botanical garden, arboretum, and/or community forest preserve(s)  
18 (6) Provide technical advice and assistance to developers, builders, contractors,  
19 public utilities, public agencies, homeowners and community groups in the  
20 selection of tree species to be planted and/or trees to be protected during the  
21 development of wooded areas  
22 (7) Organize community tree-planting projects  
23 (8) Seek grant money, public funding, and private contributions to further the work  
24 of the Board and the city's urban forestry improvement efforts (e.g., urban forest  
25 study, CTP, needs assessment)  
26 (9) Create a Tree Advisory Committee and seek their expertise as needed  
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31 **Sec. 13-45. Basic Rights of the City and the Public Regarding Trees.**

32 The city shall have the right to plant, prune, protect, maintain and remove trees  
33 within all public property and city-maintained state right-of-ways (with D.O.T.D. approval)  
34 as may be necessary to insure public safety or to preserve or enhance the symmetry and  
35 beauty of such public grounds. All city employees and the general public have the right  
36 and are encouraged to report any trees within the city limits that are in need to be  
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4 protected, maintained, or removed to the Designated City Authority. Examples of inquiries  
5 include: trees that cause an unsafe condition involving sewer lines, electric power lines,  
6 gas lines, water lines, or other public improvements such as sidewalk repairs or  
7 traffic/pedestrian visibility; trees that are infected with any injurious fungus, insects, or  
8 other pests.  
9

10 **Sec. 13-46. Tree Planting.**

11 Planting in the city limits shall be done in accordance with the following tree-planting  
12 regulations: Slidell Public Tree Ordinance, Slidell CTP, and D.O.T.D.'s Policy for Roadside  
13 Vegetation Management.  
14

15 (A) Planting by City Employees

16 Planting in city parks, public lands, and city streets shall be the responsibility of the  
17 Recreation Department, and planting on state highways shall be the responsibility of the  
18 Planning Department. The Planning Department and the Recreation Department must  
19 notify the Public Works Department and Engineering Department about tree planting at  
20 least two weeks prior to submitting a D.O.T.D. permit in order to give these departments  
21 time to review and approve such planting.  
22

23 (B) Planting by Persons Other than the City

24 (1) If a person wants to plant a tree in the state right-of-way within city limits, the  
25 person must get approval from the City Planning Department before submitting a  
26 permit to D.O.T.D. The city will not require a permit or a fee.  
27

28 (2) If a person wants to plant a tree on (city) public property, the person must apply  
29 for a permit with the Recreation Department. No fee shall be charged for a "City  
30 Tree Planting Permit." It is the responsibility of the applicant to adhere to all of  
31 the regulations in Sec. 13.46 of this ordinance. Details of the City Tree Planting  
32 Permit are stated below:  
33

34 (a) Within two weeks after the planting is complete, the applicant must notify the  
35 Recreation Department.  
36

37 (b) The Recreation Department shall inspect the tree(s) within two weeks after  
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4 being notified, to make sure that all regulations in this section have been  
5 satisfied.

6 (c) If one or more requirements for planting have not been met, the Recreation  
7 Department must notify the applicant to rectify the problem no later than two  
8 weeks after the inspection was performed.

9 (d) Within two weeks after being notified, the applicant must rectify the problem  
10 at his or her expense, and another inspection must be completed by the  
11 Recreation Department.

12 (e) The "City Tree Planting Permit" shall contain details of liability and  
13 maintenance.

14 (f) Tree(s) planted with or without a permit are subject to removal by the city if  
15 necessary, and no compensation shall be awarded to the person who  
16 planted the tree(s).

17 (C) Species

18 The Board shall develop and maintain a list of suitable and desirable small,  
19 medium, and large public trees, and a list of unsuitable and undesirable public trees (e.g.,  
20 invasive species); and where applicable, take into consideration the standards and  
21 requirements of D.O.T.D. and utility companies for planting recommendations.

22 (D) Spacing and Setbacks

23 Spacing and setbacks shall be approved by the Planning Department, Recreation  
24 Department, or D.O.T.D., depending on the project. Usually, projects within parks and city  
25 right-of-ways are approved by Recreation, and projects within other public land are  
26 approved by the Planning Department. The D.O.T.D. approves all spacing and setbacks  
27 along state streets and highways. The items listed below shall regulate only city-owned  
28 property.

- 29 (1) Spacing: A general guideline of spacing (measured between centers of trunks)  
30 is: small trees = thirty (30) feet; medium trees = forty (40) feet; and large trees =  
31 fifty (50) feet. Overall, trees need to be spaced according to tree species and  
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4 site location, and there are exceptions for special plantings.

- 5 (2) Distance from Curb and Sidewalk: No trees may be planted closer to any curb or  
6 sidewalk than the following: large trees = four (4) feet, medium trees = three (3)  
7 feet, small trees = two (2) feet. On public property, the city is not bound by these  
8 distances, but will strive to achieve them wherever possible.
- 9 (3) Distance from Street Corners (sight triangle): No street tree shall be planted  
10 within thirty-five (35) feet of any street corner, measured from the point of  
11 nearest intersecting curbs or curb lines.
- 12 (4) Distance from fire hydrants, water meters, and sewer manholes and service  
13 taps: No street tree, except small trees, shall be planted within than ten (10) feet  
14 of any fire hydrant. No tree, except small trees, shall be planted within five (5)  
15 feet of a water meter or sewer access area.
- 16 (5) Distance from underground utility lines: For city jobs on public property, the city  
17 shall be responsible for getting water, sewer, phone, and gas lines located  
18 before digging. Once underground utilities are located, the city department  
19 responsible for planting or overseeing the planting of public trees, will locate  
20 trees according to city utility standards (water and sewer) and the standards  
21 and/or requirements of other utility companies (power, gas, telephone, and cable  
22 television). In special cases in which state regulations require large or medium  
23 street trees to be located in contradiction to city utility standards, the director of  
24 public works shall decide on which locations are acceptable. In special cases in  
25 which state regulations require large or medium street trees to be located closer  
26 to or on top of underground utility lines, other than city water and sewer, the city  
27 shall work out a planting and maintenance agreement with these companies.

28 (E) Overhead Utility Lines

29 No public trees other than small species should be planted under or within ten (10)  
30 feet of any overhead utility wire, with the exception of special city street planting projects  
31 (approved by the Recreation Department) and state street/highway planting projects  
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4 (approved by the Planning Department and D.O.T.D.) that are lined with overhead utility  
5 lines.

6  
7 (F) Planting Requirements

8 All public tree planting shall incorporate the basic planting requirements below and  
9 meet the planting standards outlined in the *Nurserymen's Manual*.

- 10 (1) Provide good quality soils  
11 (2) Provide adequate mulching materials and proper placement  
12 (3) Provide adequate water – may use a variety of techniques such as irrigation  
13 systems, water truck, water bags, and/or adding water retention products or  
14 polymers.  
15 (4) Provide for the proper staking and time period of staking (usually two years)  
16 (5) Provide protective fencing during Mardi Gras season  
17 (6) Select good quality trees  
18 (7) Plant trees properly according to ball and burlap or container-grown and at the  
19 proper depth  
20 (8) Provide the trees with an initial application of fertilizer

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23 (G) Planting Records

24 The day after this ordinance is adopted, the Designated City Authority shall start  
25 and maintain electronic records of all trees that are planted within the city limits. Records  
26 shall include the following minimum information: Species, location, name of person that  
27 planted the tree, date tree was planted.  
28

29  
30 **Sec. 13-47. Tree Maintenance.**

31 (A) Pruning: Visibility, Clearance, Hazards, and Health

- 32 (1) Trees growing on private property: Every owner of any tree overhanging any  
33 street or right-of-way within the city is encouraged to prune the branches so that  
34 such branches shall not significantly obstruct the following: light from any street  
35 lamp, view of pedestrians or vehicles at any street intersection or driveway  
36 connection, or the passing of any pedestrian or allowable vehicle on any street.  
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4 There shall be a clear space of thirteen (13) feet above city street surfaces and  
5 eight (8) feet above the sidewalk surface. If the branches of the tree overhang  
6 state right-of-way, please refer to D.O.T.D.'s Policy for Roadside Vegetation  
7 Management. Said owners should remove all dead, diseased or dangerous  
8 trees, or broken or decayed limbs that constitute a menace to the safety of the  
9 public. If a private landowner does not prune trees as mentioned above, the city  
10 has the right to do so within the city right-of-way; state agencies have the right to  
11 do so within state right-of-ways, and utility companies have the right to do so in  
12 utility right-of-ways. If the branches in right-of-ways are trimmed as to unevenly  
13 distribute the weight of the tree, it is the private property owner's responsibility to  
14 ensure the safety of his or her self and property and the general public by  
15 pruning the tree as to more evenly distribute the weight. Pruning shall be done  
16 in accordance with all applicable state laws under the jurisdiction of the  
17 Louisiana Horticultural Commission, and ANSI Z.133.1-2000 (or latest).

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21 (2) Trees growing on public property: The city shall prune or remove any trees that  
22 are creating a visual impairment and/or causing a hazardous condition on all city  
23 public property and right-of-ways, or contract out such work, or forward such  
24 work to the appropriate agency. The city shall make every effort possible to  
25 prune public trees as necessary to encourage healthy form and resistance to  
26 breakage. The city shall conform to state laws regulated by the Louisiana  
27 Horticultural Commission and shall follow the pruning practices as outlined in the  
28 *Nurserymen's Manual*. Public Trees that are a hazard on state streets/highways  
29 should be reported to the Planning Department (that will forward the problem to  
30 D.O.T.D. as necessary), and trees that are a hazard on city streets and parks  
31 shall be reported to the Recreation Department (that will determine if city crews,  
32 a contracted arborist, or a utility company shall prune).  
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4 (B) Topping

5 It shall be unlawful for any person, firm, or city department to top any public tree  
6 except as follows: Trees severely damaged by storms or other causes, or certain trees  
7 under utility wires or other obstructions where other pruning practices are impractical, may  
8 be exempted from this ordinance at the determination of power utility companies within  
9 power line right-of-ways.

11 (C) Maintenance Requirements

12 All public tree maintenance shall incorporate the basic maintenance requirements  
13 below and meet the maintenance standards outlined in the *Nurserymen's Manual*.

- 14 (1) Make sure all of the tree's essential requirements mentioned in the planting  
15 section are still in place -- water, soil, mulch, fertilizer, air.  
16  
17 (2) There should be no compaction of soil under the drip line of trees by heavy  
18 equipment (other than grass-cutting riding mowers). If heavy equipment other  
19 than grass-cutting riding mowers is necessary, the root protection technique  
20 illustrated in the *Architectural Standards Manual* shall be implemented.  
21  
22 (3) Proper staking for at least two years, and continue Mardi Gras route protection.  
23  
24 (4) Continue proper pruning practices and prune at the recommended time intervals  
25 during the life cycle of the trees.  
26  
27 (5) The application of any fertilizer, herbicide, pesticide, or insecticide shall only be  
28 used in accordance with the *Nurserymen's Manual* and according to the  
29 products instructions and specifications. The city shall strive to use effective  
30 products with no or minimal toxic substances as much as possible.

31 (D) Maintenance Records

32 The day after this ordinance is adopted, the Designated City Authority shall start  
33 and maintain electronic records of all trees that are maintained within the city limits.  
34 Records shall include the following minimum information: Species, location, name of  
35 person that planted the tree, date tree was planted.  
36

37 **Sec. 13-48. Tree Protection and Retention.**

38  
39

1 **ORDINANCE NO. 3253**  
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3 **PAGE 16**

4 This section applies to protected public trees, protected private trees, and trees  
5 proposed for retention on city-maintained public property, unless otherwise stated below;  
6 and shall be implemented for new construction as well as maintenance on all existing  
7 infrastructure. The design requirements and protection techniques listed below shall be  
8 observed by the following: the city, persons hired by the city, and any person who takes  
9 part in any activity that may detrimentally affect the trees as mentioned above. This  
10 section shall not supersede the regulations set forth in Section 2.2502 of the Slidell Zoning  
11 Ordinance. The techniques and illustrations contained in the *Architectural Standards*  
12 *Manual* is a helpful guide regarding construction around existing trees. Designated City  
13 Authorities responsible for the implementation of this section are as follows: Planning  
14 Department: buildings and parking lots (except for within parks); Recreation Department:  
15 infrastructure within parks; Engineering Department: water and sewer infrastructure, and  
16 new streets and sidewalks (not repaired/rebuilt), Public Operations Department: all other  
17 infrastructure and ground work (new and existing). Sec. 13-46(B) of this ordinance shall  
18 also apply.  
19

20  
21  
22 (A) Design and Maintenance Review, Approval, and Implementation  
23

- 24 (1) Design of city construction projects: Building, parking, streets, utilities, and  
25 underground utility locations shall be designed as to preserve as many existing  
26 and protected trees as possible. Priority will be given to healthy, large, and  
27 native tree species. The Designated City Authority shall review all necessary  
28 plans for all city projects that involve any protected public or private tree(s), and  
29 ensure that the plans are implemented according to the tree protection  
30 standards below.  
31  
32 (2) Tree removal policy for city construction projects: The City of Slidell shall attempt  
33 to design construction projects that will avoid damage or require the removal of  
34 trees, especially hardwood trees, larger than four (4) inches DBH (diameter  
35 breast height). The engineering and planning departments shall decide if the  
36 construction activity will cause severe damage to the trees and determine the  
37  
38  
39



4 need for their removal. If the tree is removed from the city's right-of-way,  
5 easement, or servitude, an appropriate species of tree shall be replaced if space  
6 is available. The city shall not pay monetary compensation for the loss of trees.

- 7  
8 (3) Maintenance of city infrastructure: The Designated City Authority responsible for  
9 actions to maintain city infrastructure must adhere to tree protection standards  
10 below.

11 (B) Standards for Critical Root Zone (CRZ), Trunk, and Branch Protection

12 Where applicable, the Designated City Authority shall inspect, approve, and enforce  
13 or implement the standards listed below, and may prevent the Building Safety Department  
14 from issuing a building permit or certificate of occupancy for the building, or prevent the  
15 Engineering Department from issuing a development permit, if a required standard has not  
16 been implemented. After the standard is implemented, the Designated City Authority must  
17 approve the release of the permit or certificate of occupancy.  
18

- 19  
20 (1) Fencing: Protected trees and stands of trees proposed for retention shall have  
21 orange construction fencing installed under the CRZ (at a minimum) prior to any  
22 and during all public land development and building construction activities. The  
23 fence may be removed after obtaining most of the building inspections and just  
24 before finishing the landscaping (e.g., in order to mulch and fertilize under the  
25 drip line of the tree(s).  
26

- 27 (2) No compaction from any heavy equipment, as defined by Louisiana Commercial  
28 Drivers License regulations, shall occur in the drip line. If heavy equipment must  
29 operate within the drip line, the Designated City Authority must approve such  
30 activity, and the root protection techniques contained in the *Architectural*  
31 *Standards Manual* must be implemented. Brush clearing shall be done by hand  
32 or by hand-held machines within the drip line.  
33

- 34 (3) Whenever sidewalks or streets have to be pulled-up within the drip line of a tree,  
35 great care must be taken to slowly and easily break up and pull up pieces of the  
36 surface so as to prevent or significantly minimize the tearing of roots.  
37  
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39

1 **ORDINANCE NO. 3253**

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- 4 (4) Drastic changes in drainage patterns that may significantly harm existing trees  
5 shall be avoided or negated. This includes raising sidewalks or streets as to  
6 create the pooling of water under the drip line of the tree. Where necessary,  
7 new drain lines shall be installed.  
8
- 9 (5) No more than one inch of fill is permitted under the drip line (no fill is preferred).  
10 If fill is necessary, it must be added and spread out by hand (no heavy  
11 equipment is allowed). If necessary, and if the health of the tree is good, one  
12 inch of fill per year may be hand-added thereafter.  
13
- 14 (6) Grates or other pervious surfaces shall be utilized within the CRZ. In situations  
15 where impervious surfaces within the CRZ are not practical, feasible, or limited,  
16 tree feeders may be installed as a last resort, but no closer than eight (8) feet  
17 away from the trunk. Tree feeders must be installed per the specifications of the  
18 manufacturer, and inspected by the Designated City Authority.  
19
- 20 (7) No grading below the existing ground elevation or soil replacement shall occur  
21 within the drip line (even if tree feeders in concrete are used). If a curb is  
22 constructed around the drip line or if more than two inches of fill will be  
23 necessary immediately outside of the drip line, a tree well must be constructed.  
24 The Designated City Authority must approve the well design prior to  
25 construction, and must inspect the well during construction (for proper material  
26 amounts and placement) and after construction (for proper function – e.g.,  
27 during or shortly after a heavy rain).  
28
- 29 (8) There shall be no deposit or placement of any materials under the drip line that  
30 may impede the free passage of water, air, or fertilizer to the roots, except by  
31 written approval of the Designated City Authority.  
32
- 33 (9) If it is absolutely necessary to prune roots within the drip line of the tree, no more  
34 than one-third of the feeder root system can be affected. The tree species,  
35 health, and physical surroundings must be evaluated as well. If no employee  
36 with the Designated City Authority possesses the proper training or knowledge  
37  
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4 to determine the tree and root harm, the pruning decision must be made the city  
5 volunteer arborist, or an arborist hired by the city. Roots over two and one-half  
6 (2½) inches thick must be pruned using the following techniques (in order): dig a  
7 small hole around the root prune area, smoothly cut the root with the least  
8 amount of vibration to the tree, pour rubbing alcohol or a fungal treatment on the  
9 root cut, fill the hole with sand or gravel, and if concrete is poured over the root,  
10 a piece of two mil thickness visqueen shall be laid over it.

11  
12 (10) If roots are greater than four (4) inches in width, tunneling of underground  
13 utilities is required. If the tree is fifteen (15) to nineteen (19) inches in diameter,  
14 the minimum distance from the trunk to start tunneling is twelve (feet), and if the  
15 tree is more than nineteen (19) inches in diameter, the minimum distance is  
16 fifteen (15) feet. If tunneling cannot occur at these minimum distances, then root  
17 pruning following the directions in number 9 above shall be implemented.  
18

19  
20 (11) In situations where a sidewalk or road must be built or replaced and root pruning  
21 will harm more than a one-third of the entire root system, an alternate form of  
22 construction must be used as described in "Reducing Infrastructure Damage by  
23 Tree Roots" by L. R. Costello and K. S. Jones and approved by Public Works,  
24 Engineering, and the Designated City Authority (Planning or Recreation).  
25

26 (12) The spraying or pouring of any oils, whitewash, gaseous liquids, or any other  
27 harmful chemical on any part of the tree or within the drip line shall be  
28 prohibited.  
29

30 (13) The spraying or pouring of any other necessary chemicals (e.g., fertilizer,  
31 herbicide, pesticide, or insecticide) on protected public trees shall only be done  
32 by the city, or with the written permission of the Designated City Authority.  
33

34 (14) The placement of any nail, screw, wire, lights, rope, sign, poster, barricade, or  
35 other fixture on protected public trees shall only be done by the city, or with the  
36 written permission of the Designated City Authority, but not as to detrimentally  
37 harm the tree.  
38  
39

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4 (15) In the event that a root greater than two and one-half (2 ½) inches thick is cut by  
5 accident, the root pruning technique mentioned in number 9 above must be  
6 implemented.  
7

8 (16) In the event that a branch greater than two and one-half (2 ½) inches thick is  
9 broken by accident, it must be repaired by proper pruning. If the branch is on a  
10 protected public tree, only city employees may prune it. If the city accidentally  
11 breaks the branch of a protected private tree, and the pruning area is on private  
12 property, the city must get written permission from the owner prior to pruning.  
13

14 (17) In the event that the trunk is damaged by accident, it shall be left alone to heal  
15 on its own – no tars or other substances shall be painted on the trunk.

16 (18) Any person who intentionally damages a tree as mentioned in this Article shall  
17 be guilty of a misdemeanor and upon conviction be punishable by a fine not to  
18 exceed \$500.00 that is determined by the damage to the tree and based on the  
19 species, age, and location.  
20

21 (C) Tree Replacement

22 Should any required tree die or be removed; the tree should be replaced by a  
23 similar tree meeting the requirements of this article. Replacement trees shall be required to  
24 be installed within twenty (20) days of written notice Designated City Authority.  
25

26 **Sec. 13-49. Tree and Stump Removal.**

27 (A) Tree Removal

28 The city may remove any public tree, except those on state streets/highways right-  
29 of-way that the city is not responsible for, for the following reasons:  
30

- 31 (1) Necessity to remove trees which pose a safety hazard to buildings, pedestrian  
32 or vehicular traffic, or threaten to cause disruption of public services.  
33 (2) Necessity to remove trees weakened by disease or insects, age, storm, fire, or  
34 other injury.  
35 (3) Necessity to remove trees that have major anchoring roots that are cracking or  
36 very close to cracking the slab of a building, are significantly hampering proper  
37  
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39

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4 drainage patterns that cannot be rectified by other techniques (e.g., installing  
5 pipes under a root), or are causing or very close to causing damage to  
6 underground sewer, water, or gas lines.

7  
8 (4) Necessity to remove trees in order to construct city improvement projects or to  
9 properly maintain city property, or for the necessary access to such projects  
10 and property. Activities include, but are not limited to: access to a public  
11 building, parking lot, or service equipment (e.g., sewer lift stations); and  
12 essential grade changes or surface water drainage improvements. Locations  
13 of proposed city improvement projects should be based on Sec. 13.48 (A)(1),  
14 but not so as to cause unreasonable economic hardship.

15  
16 (5) Necessity to remove trees to observe good tree maintenance practices that will  
17 strengthen and protect existing desirable and protected public trees.

18  
19 (B) Stump Removal

20 All stumps within public property or city-maintained state highways, when in or near  
21 the path of vehicular, bike, or foot traffic, shall be removed below the surface of the ground  
22 so that the top of the stump shall not project above the surface of the ground. Exceptions  
23 may be made if removing the stump will cause significant damage to a protected public  
24 tree as defined in this ordinance, and there is no trip/fall hazard or the trip/fall hazard is  
25 mitigated by some other means such as bollards, fencing, or alternative routes. The  
26 removal of stumps is determined by the Designated City Authority.

27  
28 (C) Removal Records

29 The day after this ordinance is adopted, the Designated City Authority shall start  
30 and maintain electronic records of all trees that are removed within the city limits. Records  
31 shall include the following minimum information: Species, location, name of person that  
32 removed the tree, date tree was removed.

33  
34 **Sec. 13-50. Interference with Tree Board.**

35 It shall be unlawful for any person to prevent, delay or interfere with the Tree Board,  
36 or any of its agents, while undergoing the planting, cultivating, mulching, pruning, spraying,  
37  
38  
39

4 or removing of any street trees, park trees, or trees on private grounds, as authorized in  
5 this ordinance.

6 **Sec. 13-51. Requirements and Procedures Regarding City Contracts.**

7  
8 Per State law, if trees are within one hundred (100) feet of developed property, they  
9 must be removed by a state-licensed and insured arborist. If trees are not within one  
10 hundred (100) feet within developed property, contracted persons may bulldoze trees.  
11 These persons must be insured, and city or state licensed contractors or subcontractors.

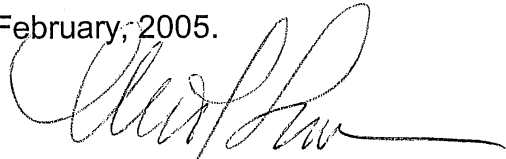
12 **Sec. 13-52. Review by City Planning and Zoning Commission.**

13  
14 The City Planning and Zoning Commission shall have the right to review the  
15 conduct, acts, and decisions of the Tree Board. Any person may appeal any ruling or  
16 order of the City Tree Board to the City Board of Zoning Adjustment, who may hear the  
17 matter and make final decisions.

18 **Sec. 13-53. Penalty.**

19  
20 Any person violating any provision of this ordinance shall be guilty of a  
21 misdemeanor violation and upon conviction be punishable by a fine not to exceed \$500.00  
22 that is determined by the damage to the tree and based on the species, age, and location.

23 **ADOPTED** this 22nd day of February, 2005.

24  
25 

26 Marti Livaudais  
27 President of the Council  
28 Councilwoman-at-Large

29  
30 

31 Ben O. Morris  
32 Mayor

33  
34 

35 Shawn B. McManus, CMC  
36 Clerk of the Council

37  
38  
39  

DELIVERED	3:00 p.m.
2/22/05	to the Mayor
RECEIVED	9:20 a.m.
2/28/05	from the Mayor