

**AN ORDINANCE TO ADOPT  
CITY OF SANFORD TREE ORDINANCE - SECTION 33**

**WHEREAS**, the City of Sanford wishes to attain Tree City USA status; and

**WHEREAS**, the City of Sanford wishes to Adopt a Tree Ordinance which will help enhance the image and quality of life in Sanford through protection of its tree canopy; and

**WHEREAS**, the City of Sanford wishes to establish a Tree Commission under the auspices of the existing Appearance Commission.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Sanford to adopt a Tree City Ordinance that reads:

**Sec. 33 – 1. Short title.**

This article shall be referred to and cited as the Sanford Tree Ordinance.

**Sec. 33–2. Purpose.**

- A. It is the purpose of this chapter to preserve, protect and promote the health, safety and general welfare of the public, by providing for the regulation of the planting, maintenance and removal of trees located on the right-of-way of any street, roadway, easement, city park or other public areas owned or controlled by the city.
- B. It is the intent of this chapter to encourage the protection of the tree canopy of the city by providing for the removal of trees on public land when they obscure streetlights, or constitute a hazard to pedestrian or vehicular traffic or otherwise endanger the public health, safety or welfare.

**Sec. 33-3. Reserved.**

**Sec. 33-4. Removal or Pruning of Trees.**

- A. **Permit required: supervision of work.** Except as provided herein, it shall be unlawful to cut, dig up, disfigure or mar any tree or shrubbery upon the streets of the city without first obtaining from the city manager or his designee a permit to do so. Upon the issuance of a permit, any cutting shall be under the direction of the city manager or his designee and conform to ANSI A300 Standards.
- B. **Disposal of trimmings.** It shall be unlawful for any person to place or allow to be placed any tree trimmings or shrubbery trimmings on any street or sidewalk, except as provided on street right-of-way by section 28-36.
- C. **Authority of city.** The city reserves the right to prune or remove any tree on any city property, public street or right-of-way which is necessary to permit the proper maintenance or improvement of the public property, street or public utility

without the issuance of any permit. Pruning shall be done in accordance with ANSI A300 Standards.

- D. *Dead or diseased trees.*** The city may remove any dead or diseased tree from the Public Street or right-of-way without the issuance of any permit.
- E. *Private trees, plants, shrubs or vegetation which so overhang any public sidewalk or street.*** The city may remove or prune any private tree parts, plants, shrubs or vegetation which so overhang any public sidewalk or street which are growing thereon (or adjacent thereto) in such a manner as to obstruct or impair the free and full use of the sidewalk or street by the public, either directly or by obstructing traffic or vision, obstructing or shading streetlights, or obstructing the view of traffic signs or site distances
- F. *Emergencies.*** In the case of emergencies, such as windstorms, ice storms, fire or other disasters, the requirements of this chapter shall be waived so as to allow private or public work to restore order in the city to be carried out.
- G. *Exemption of Utility Companies and the North Carolina Department of Transportation.*** The provisions of this article are not applicable to and enforceable against any utility company or the North Carolina Department of Transportation from performing vegetation maintenance near and around its utility lines, roads, and related facilities; provided, however, any utility company or the North Carolina Department of Transportation performing such vegetation maintenance should do so in accordance with ANSI A300 Standards.

**Sec. 33-5. Reserved.**

**Sec. 33-6. Preservation of tree canopy.**

When removal of a tree from the public right-of-way is necessary, it is encouraged that a new tree should be planted. If conditions are not favorable in the area where the tree was removed, in the discretion of the city manager or his designee, a new tree should be planted on public property at an alternate location.

**Sec. 33-7. Tree Commission.**

The City of Sanford Appearance Commission shall serve as the Sanford Tree Commission. The Tree Commission shall research and recommend to the City Council varieties and species of trees and possible locations where replacement trees could be planted on public property to enhance the appearance of the city and to assist in preserving the city's tree canopy. A list of tree species to be and not be planted shall be maintained by the Tree Commission. The tree plantings shall be done in accordance with ANSI A300 Standards.

**Sec. 33-8. Street Tree Standards for New Development.** Reference Section 7.7 and Section 7.8 of the Sanford-Broadway-Lee County Unified Development Ordinance.

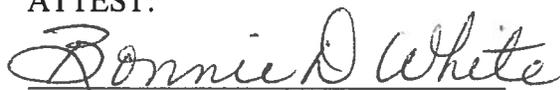
**Sec. 33-9. Reserved.**

This ordinance shall be in full force and effect from and after the date of adoption.

Adopted this 6th day of August 2013.

  
Cornelia P. Olive, Mayor

ATTEST:

  
Bonnie D. White, City Clerk

  
Susan C. Patterson, City Attorney