

## ORDINANCE NO. 31-26

BY: **DEBORAH LIME, ALLAN DIVIS, KELLY ZACHARIAS**  
(By Request - Service Director)

AN ORDINANCE TO AMEND SECTION 913.03 "PERMITS  
REQUIRED" OF THE CODIFIED ORDINANCES OF THE  
CITY OF PARMA, AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That Section 913.03 "Permits Required," within Chapter 913 "Urban Forest" of the Codified Ordinances of the City of Parma, which presently reads as follows:

913.03 PERMITS REQUIRED.

- (a) No person shall plant or remove any public, commercial or multi-family residential tree in a treelawn or other public, commercial, multi-family or single-family residential place without first procuring a permit from the City Forester. The person receiving the permit shall abide by aboricultural specification and standards of practice generally accepted by the arboriculture trade.
- (b) No person shall make any excavation, place any fill, compact soil, or construct any building, structure, street, sidewalk, driveway, pavement or public utility within the dripline of any public, commercial, multi-family or single-family residential tree without first obtaining a permit for such work. As condition of issuing such permit, the City Forester shall require that the work be done in accordance with such generally accepted aboricultural methods as may be necessary to protect the vitality of such trees.
- (c) Application for permits shall be made at the office of the City Forester no less than five days in advance of the time the work is to be done. In case of emergency, the City Forester may waive this requirement. The cost for a tree removal permit shall be established in the fee schedule of Section 185.05 of the Parma Codified Ordinances. There shall be no cost for a tree planting permit.
- (d) All departments of the City shall be exempt from these permit provisions subject only to the notification of City Forester of any construction project that will affect any public, commercial, multi-family or single-family residential trees.
- (e) No permit shall issue to remove any commercial or multi-family residential tree from a commercial, multi-family or single-family residential place, unless:
  - (1) With respect to a vacant or undeveloped lot, the owner or his designee has first presented to the City Planning Commission, pursuant to Section 1105.02 of the Planning and Zoning Code a drawing or rendering setting forth his landscaping proposal for such lot, and such proposal has been accepted by the Planning Commission; and,
  - (2) With respect to a developed lot, the owner or designee obtains from the city Building Commissioner written notice that the proposed removal does not violate or conflict with any landscaping plan previously approved by the City for such lot, pursuant to the applicable provisions of the Planning and Zoning Codes.

Is hereby amended to read as follows, with additions shown in bold, underlined text, and deletions shown in crossed out text:

### 913.03 PERMITS REQUIRED.

- (a) No person shall plant or remove any public, commercial or multi-family residential tree in a treelawn or other public, commercial, multi-family or single-family residential place without first procuring a permit from the City Forester. The person receiving the permit shall abide by arboricultural specification and standards of practice generally accepted by the arboriculture trade.
- (b) No person shall make any excavation, place any fill, compact soil, or construct any building, structure, street, sidewalk, driveway, pavement or public utility within the dripline of any public, commercial, multi-family or single-family residential tree without first obtaining a permit for such work. As condition of issuing such permit, the City Forester shall require that the work be done in accordance with such generally accepted arboricultural methods as may be necessary to protect the vitality of such trees.
- (c) Application for permits shall be made at the office of the City Forester no less than five days in advance of the time the work is to be done. In case of emergency, the City Forester may waive this requirement. The cost for a tree removal permit shall be established in the fee schedule of Section 185.05 of the Parma Codified Ordinances. There shall be no cost for a tree planting permit.
- (d) ~~All departments of the City~~ **The City** shall be exempt from these permit provisions subject only to the notification of City Forester of ~~any construction project that will affect any public, commercial, multi-family or single-family residential~~ **the removal of any** trees.
- (e) No permit shall issue to remove any commercial or multi-family residential tree from a commercial, multi-family or single-family residential place, unless:
  - (1) With respect to a vacant or undeveloped lot, the owner or his designee has first presented to the City Planning Commission, pursuant to Section 1105.02 of the Planning and Zoning Code a drawing or rendering setting forth his landscaping proposal for such lot, and such proposal has been accepted by the Planning Commission; and,
  - (2) With respect to a developed lot, the owner or designee obtains from the city Building Commissioner written notice that the proposed removal does not violate or conflict with any landscaping plan previously approved by the City for such lot, pursuant to the applicable provisions of the Planning and Zoning Codes.

Section 2. That only that portion of Section 913.03 "Permits Required" within Chapter 913 "Urban Forest" of the Codified Ordinances of the City of Parma, as it existed heretofore, is hereby repealed and replaced.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Parma, and for the further reason that this measure is necessary to coordinate the maintenance of trees between the City Forester and the Service Director; and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-

thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_ PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
CLERK OF COUNCIL

FILED WITH  
THE MAYOR: \_\_\_\_\_ MAYOR, CITY OF PARMA, OHIO