

# FAIRFAX POLICE DEPARTMENT

## TREE REMOVAL: A GUIDE FOR CITIZENS

In 1973, the Town of Fairfax approved Ordinance No. 387 for trees. The purpose of the ordinance is to preserve the wide variety of local native trees and to protect the benefits they provide the citizens. Trees prevent topsoil erosion, reduce the risk of landslides, and contribute to fresher air by using up excess carbon dioxide and turning it into life supporting oxygen. Additionally, trees provide scenic beauty and aesthetic characteristics to the Town.

### FAIRFAX TREE ADVISORY COMMITTEE

The four- member Tree Advisory Committee is appointed by the Town Council. It consists of a Park and Recreation Commissioner, a Planning Commissioner, a member of Open Space, and a member of the Town Council. The Committee administers the tree ordinance through a permitting process to ensure that the spirit of the Code is followed.

Chapter 8.36.020 of the Code defines “altering” and “tree.” A Tree Permit is required for removal *or* significant trimming of any tree, which has a circumference of 24 inches or more measured at 24 inches above the ground. In effect, this is a little less than an 8-inch diameter tree trunk.

The Tree Advisory Committee considers several factors before arriving at a decision. For example:

- ◆ Apparent disease of the tree
- ◆ Potential danger of falling
- ◆ Proximity to existing structures
- ◆ New construction
- ◆ Effect of tree removal on soil erosion, and diversion or increased flow of water
- ◆ The potential effect of tree removal upon property values in the neighborhood

Issuance of a tree removal or tree trimming permit requires a majority vote of the Committee. Your request will be given every consideration, but there are sound ecological reasons to maintain the trees that exist in Fairfax to the greatest extent possible.

### TREE COMMITTEE POLICY AND PROCEDURES

The applicant completes a tree removal/alteration application including the tree owner’s signature and phone number, and submits it to the Police Department. (Remember to include a map and to tag your trees!) The applicant shall post a notice, provided by the Department, of the intent to cut or trim a tree(s)

displayed. The notice shall be displayed in a prominent location visible along the frontage of the affected property. Copies of the application are distributed to Tree Committee members. The Committee members will then inspect the tree(s) and make their decision in a noticed public meeting, held on the **4<sup>th</sup> Monday** of each month at **7:30 p.m.**

The notice/agenda will be prepared 10 days before the meeting and the applicant will be sent a copy. Applications received after the notice is prepared will go on the following month's agenda. If more than 10 applications are received in a month, a second tree committee meeting may be scheduled.

The applicant is encouraged to attend the meeting to answer any questions the Committee may have. Notification of the decision will be mailed to the applicant shortly thereafter. Call us if you have not received a written reply within 10 days after the meeting.

Approval of a permit requires a majority vote of the Tree Committee. The Committee may also require the report of an arborist or reputable tree company as a condition of the permit. There is a 10 day appeal period before the permit can be exercised.

### **Appeal Procedure**

The decision of the Tree Committee may be appealed to the Town Council by any interested party concerned by filing an appeal with the Town Clerk within 10 calendar days from the date of decision. There is a fee for the appeal. If you wish to appeal the decision of the tree committee, see the Town Clerk for the necessary form and fee.

UNLESS RENEWED, PERMITS REMAIN IN EFFECT FOR 6 MONTHS.

### **EMERGENCY TREE REMOVAL.**

In case of an emergency, caused by a particular tree creating an immediate hazardous or dangerous condition, such tree may be removed by permission of the town administrator, any officer of the police or fire department, the director of public works or the street superintendent. The town administrator shall give priority of inspection to those requests based on hazard, danger or disease, and he/she may refer any request to any department, agency, board, commission, the council or any committee, for a report with recommendations, before action is taken thereon.

**Street trees are the responsibility of the nearest adjacent property owner. (Fairfax Town Code § 12.44.020)**

Upon approval by the Committee, a tree permit will be mailed to the applicant. Keep the permit on the job site when tree work is in progress or the job may be halted until proof of approval is provided. For further information regarding Tree Committee policy, procedure, and permit processing, a copy of Chapter 8.36 of the Town Code and Resolution No. 1727 can be obtained at the Fairfax Town Hall.

# **SUDDEN OAK DEATH, AMBROSIA BEETLES, AND FUNGUS**

Effective immediately, Oak trees affected by Sudden Oak Death, Ambrosia Beetles, and/or fungus require an arborist or reputable tree company to verify in writing that the tree is *completely dead* to qualify for an emergency tree removal permit.

Oak trees that have dead limbs, but are still alive, may be considered for emergency limb removal. Those trees will also require a statement by an arborist or reputable tree company detailing the problem and proposed work.

Applications for Oak removal, or alteration, that lack the required information will not be considered on an emergency basis, but will be heard at a regular Tree Committee meeting.