

### 12.20.060 – Permits

#### A. Scope of Requirements

No person or contractor may perform any of the following acts without first obtaining from the City, a permit for which no fee shall be charged. Nothing in this section shall be construed to exempt any person from the requirements of obtaining any additional permits as are required by law. Persons obtaining such permits must have a qualified tree expert. No work shall be done without the City's Arborist approval.

1. Plant on city-owned property or right-of-way, remove or otherwise disturb any tree, shrub, or stump located on city-owned property. Except that this provision shall not be construed to prohibit owners of property adjacent to city-owned property from watering, pruning or fertilizing without a permit, any tree or shrub located on such city-owned property.  
(Ord. 2012-M-47 § 5.)
2. Trim, prune or remove any tree or portions thereof if such tree or portions thereof reasonably may be expected to fall on city-owned property and thereby to cause damage to persons or property.
3. Mulch applied to City R.O.W. trees must meet with ISA standards. Mulch should not be in contact with trees. No volcano mulching. Mulch should be 2"- 4" thick but dished at trunk to keep mulch from contacting trunk.
4. Planter boxes that are added after a tree has been planted can only be approximately 4"- 6" higher than root flare. Materials added to box cannot cover root flare or come into contact with trunk. No existing planter boxes can be grandfathered in. Any plants or planter boxes damaged in the removal or maintenance of tree is homeowner's responsibility.
5. No vegetation shall be planted that interferes with the inspection of the root flare or trunk for parkway tree. Any damage or removal to said vegetation shall not be replaced and is not the responsibility of the City of St. Charles.
6. Place on city-owned property or right-of-way, either above or below ground level, a container for trees or shrubs.
7. Damage, cut, tap, carve or transplant any tree or shrub located on city-owned property or right-of-way.
8. Attach any rope, wire, nail, sign, poster or any other man-made object to any tree or shrub located on city-owned property.  
(Ord. 2012-M-47 § 5.)

#### B. Issuance

Within seven days of receipt of the application, the Public Works Department shall issue a permit to perform within thirty days of the day of issuance any of the acts specified in Parts (A) and (B), immediately above, for which a permit is requested whenever:

1. Such acts would result in the abatement of a public nuisance; or
2. Such acts are not inconsistent with the development and implementation of the Urban Forestry Plan or with any regulations or standards of the Tree and Shrub Ordinance; and whenever
3. An application has been signed by the applicant and submitted to the Public Works Department detailing the location, number, size and species of trees or shrubs, that will be affected by such acts, setting forth the purpose of such acts and the methods to be used, and presenting any additional information that the Public Works Department may find reasonably necessary;  
(Ord. 2012-M-47 § 5.)
4. The applicant agrees to perform the work for which the permit is sought in accordance with the provisions of this Ordinance, the Urban Forestry Plan.
5. The applicant certifies that he or she has read and understands those provisions of the Urban Forestry Plan, this Chapter and of the Ordinance which are pertinent to the work for which the permit is sought.
6. If the work for which a permit is issued entails the felling of any tree or part thereof, located on private property, which, as a result of such felling reasonably may be expected to fall upon city-owned property or right-of-way, and if such felling is done by one other than the owner of the property on which such felling is done, the applicant agrees to indemnify and to hold the city of St. Charles harmless for all damages resulting from work conducted pursuant to the permit and deposits with the City Clerk a Liability Insurance Policy in the amount of \$100,000 per person/\$300,000 per accident for Bodily Injury Liability and \$50,000 aggregate for Property Damage Liability, which policy shall name St. Charles as an additional insured.

#### C. Public Utility Companies

Nothing in this section shall be construed to exempt public utility companies or their agents from any of the requirements of this Ordinance.

#### D. Exceptions

The following persons are exempt from permit requirements noted above:

1. The Public Works Department

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2. Persons hired by or agents of the Public Works Department with proof of insurance
3. Persons performing work within city right of way authorized by an approved subdivision
4. Building permit or right-of-way permit
5. Those acts which the Director of Public Works determines are immediately necessary because of public health and safety hazards

(2007-M-56 : § 1; 1998-M-28 : § 1)