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Article 1 – General Provisions

1801 Purpose

The purpose of these landscape requirements are to promote, protect and preserve the general health and safety of the people of the community and, as part of the general welfare, ensure aesthetic enhancement of land uses within the community through the use of appropriately designed, installed and maintained landscaping.

The objectives of a landscape plan are to screen unsightly elements, complement structures, ensure aesthetic compatibility among land uses, help prevent soil erosion, reduce stormwater runoff, furnish shade for parking and other areas, enhance streetscape and divert winds. These regulations are also intended to encourage the retention of existing mature trees and require the replacement of indigenous trees with similar species.

1802 Definitions

For the purpose of this Chapter, certain terms and words are hereby defined. Words whether capitalized or not, used in the present tense shall include the future, words used in singular shall include the plural, and the plural the singular; the word “building” shall include the word “structure,” the word “lot” shall include the word “plot” and the word “shall” is mandatory and not directory.

Annual. A plant which completes its life cycle in one year or less.

Berm.

- **Landscape Berm.** An earthen mound designed to provide screening of undesirable views, reduced noise, etc. The soil shall be non-compacted so that plants will be able to thrive.
- **Structural Berm.** Compacted soil raised above the surrounding finished grade to retain water. The soil should be structural clay compacted to 95% modified proctor.

Building Activity Area. The area on the lot where building activity may take place and shall be as small as possible, including the entire area affected by building and grading activities related to the approved construction.

Caliper. The diameter of a tree trunk measured 6-inches above the ground up to and including 4-inch caliper size, with larger trees measured to 12-inches above the ground and in conformance with provisions of the Code of Standards (Z60.1-1986 or latest version) published by the American Association of Nurserymen, Inc. Caliper is usually used in reference to nursery stock for new plantings.

Clump. A cluster (refer to definition below) or multi-stem tree, the measurement of which shall be the total circumference at DBH as determined by the American Standard for Nursery Stock.

Cluster. Plant material installed as a “clump” or “group” as 1) within 2 feet of each other so as to appear as a single multiple-trunk tree without mown turf between trunks, or 2) several feet apart with sufficient space between trunks for the passage of turf mowing equipment, or 3) spaced on-center a distance equal to the mature drip line diameter.

Deciduous. Plants which do not retain leaves or needles during the winter season of the year.

Diameter at Breast Height (DBH). The diameter of a tree measured at 4½ feet above the existing grade. Diameter at Breast Height or DBH is used in reference to established plantings (i.e. existing plantings in wooded areas, along fence lines, etc.)

Drip Line. An imaginary vertical line extending downward from the outermost tips of the tree canopy to the ground.

Embankment. Soil, typically compacted, raised above the level of the surrounding finished grade with side slope(s) no steeper than 5:1. An embankment is usually used in reference to holding back water or supporting a roadway.

Encroachment. A protrusion outside of a parking space, display area, access way, building, sign, etc., into a landscaped area.

Evergreen. Plants which continuously retain leaves or needles over 4 seasons of the year.

Fence. A free-standing structure of metal, masonry, wood or any combination thereof resting on or partially buried in the ground and rising above ground level, and used for confinement, screening or partition purposes.

Ground Cover. A plant that grows near the ground densely and spreads. Generally a herbaceous perennial, sometimes a woody shrub or vine.

Height. Reference to the total finished height of a structure or general height of plant materials installed above the adjacent elevation of soil or paving.

Landscape Architect/Designer. A person qualified through academic and/or experience to create landscape plans.

Landscaping. Any of the following or combination thereof: material such as, but not limited to grass, ground covers, shrubs, vines, hedges or trees; and non-living durable material, such as rocks, pebbles, sand, walls or fences, but excluding pavement.

Parkway. The portion of the public right-of-way between the street and the nearest parallel property line, including the sidewalk area.

Perennial. Long-lived herbaceous plants -- those with green, non-woody stems that die back to the ground in the winter, then sprout from the roots or crowns in the spring.

Planting Bed or Planter. An area specifically designated for plant material that is separate from the surrounding turf, pavement, etc. The planting area may be above or level with the surrounding grade.

Root Zone. The area inscribed by an imaginary circular line on the ground beneath a tree having its center point the center of the trunk of the tree and a radius equal to 1 foot for every inch of DBH.

Screen. A method of reducing the impact of visual intrusions through the use of plant materials, landscape berms, fences and/or walls or any combination thereof. Screening blocks that which is unsightly or offensive with a more harmonious element.

Shrub. A woody plant, smaller than a tree, which consists of a number of small stems from the ground or small branches near the ground. A shrub may be deciduous or evergreen.

Sod. A variety of cool season turf grasses, suitable to this area, free of noxious weeds, pests or diseases, usually commercially grown and sold in rolls.

Tree. A large, woody plant having 1 or several self-supporting stems or trunks and numerous branches. A tree may be deciduous or evergreen.

- **Ornamental Tree.** A deciduous tree planted primarily for its ornamental value or for screening. May be any size at maturity but will tend to be smaller than a shade tree.
- **Parkway Tree.** A tree, usually a shade tree variety, installed within a specified distance to the street/road to provide shade and soften the street environment.
- **Shade Tree.** A deciduous (rarely, an evergreen) tree planted primarily for its high crown of foliage and overhead canopy.

Tree Preservation Area. That area of a lot or parcel which is not needed for the building and driveway construction and where all trees 12-inches or larger in diameter shall be preserved.

Turf. Lawns, sod and grass/grassy areas designed to be maintained by regular watering, mowing and raking.

Vines. Plants which normally require a support to reach mature form.

Vision Clearance Triangle. The area at a street intersection enclosed by a visibility triangle, each leg of which is measured along each curb of the intersecting streets and from the point where said curb lines or extensions thereto intersect. No parkway tree shall be planted closer than 25 feet from a street corner, measured from the point of the nearest intersecting curb or curb lines. (See Appendix A).

1803 Scope of Regulations

The provisions of this Chapter shall apply to plats of subdivision, planned unit development, new construction (residential and non-residential), non-residential additions and remodels and ground signs.

1804 Approval Process

When a landscape plan is required, the plan shall be submitted to the Village with the tentative plat of subdivision, planned unit development, building permit or ground sign application.

1805 Plan Preparation

All landscape plans required by this Chapter shall be prepared and signed by a professional landscape architect or landscape designer.

Article 2 - Landscape Design Standards and Elements

1806 Design Standards

Design standards, which serve as a basis for development of the landscape plan, shall consist of the following in addition to the other landscape design standards for a specific project.

- 1806.1 Landscaping shall serve to integrate the project to the site, with particular sensitivity to the natural topography and existing native vegetation. Proposed plantings shall enhance the architecture of surrounding structures by being of similar scale where possible. Modifications to topography will be permitted where it contributes to good appearance.
- 1806.2 Landscape plans shall address the individual lot or overall project, as applicable, including but not limited to location of parkways and parkway trees, buffering, drainage, dust abatement, erosion prevention, model areas, provisions for shade, energy conservation, public open space areas, parks, private open space areas, parking lots, reductions of glare, sound absorption, stormwater management areas and wind barriers.
- 1806.3 Preservation of the existing landscape material and land form shall be taken into account, particularly where mature trees are a part of the site.
- 1806.4 Such landscaping may include berms, shade and ornamental trees, evergreens, shrubbery, hedges and/or other planting materials. Landscaping may be used in addition to fencing, as required by the Village in the planned unit development, site plan or plat of subdivision review process.
- 1806.5 Particular attention shall be given to plantings at or near street intersections, pedestrian crossings and off-street parking to ensure that safe visibility is maintained at all times. No parkway tree shall be planted closer than 25 feet from a street corner, measured from the point of the nearest intersecting curb or curb lines. (See Appendix A).
- 1806.6 Overhead and underground utility lines shall be taken into consideration in the landscape design and placement.
- 1806.7 Site grading is critical to ensure good drainage.

1807 Design Elements

A landscape plan shall consist of the following design elements.

- 1807.1 **Title Block.** The title block shall include the name of the subdivision/project; name, address and phone number of the developer, builder, landscape architect/designer; scale of the plan (no smaller than 1" = 50' for plans with trees only and no smaller than 1" = 20' for plans with shrubs and smaller plants); north arrow; and date of plan and latest revision.

- 1807.2 **Locations.** The locations of existing and all proposed plant material improvements shall be depicted as follows:
- A. Property lines, including frontage dimensions for each lot and lot numbers.
 - B. Location of all existing and proposed utilities and easements.
 - C. Name, location, and rights-of-way, including street widths.
 - D. Grading and drainage plan at one-foot contour intervals, showing spot elevations and/or cross-sections across the entire property.
 - E. Existing and proposed stormwater management ponds and areas.
 - F. Location, height, dimension and use of all existing and proposed buildings and other structures, including parking lots, sidewalks, and other paved areas; fences and walls; and recreation equipment.
 - G. Refuse disposal areas, loading docks, service entrances, outside storage areas and enclosures.
 - H. Lighting, including but not limited to decorative; fixtures and pole heights shall be noted and shall comply with the Building Ordinance.
 - I. Other exterior landscape amenities (including but not limited to trails, decks, bike paths, plazas, planters, benches, trash receptacles, etc.)
 - J. Ground sign locations, showing planting detail around the signs and a color rendering of the landscape materials shown on the sign elevation plan.
- 1807.3 **Tree Survey, Preservation and Removal.** The plan shall indicate those materials to be preserved, removed or transplanted, consistent with those provisions contained in Section 1824 and Articles 6 and 7.
- 1807.4 **Planting Schedule.** The proposed plant material schedule, in tabular form, listing: botanical names, common names, caliper or height as applicable, and quantity of all shrubs and trees. A cost estimate for landscape materials shall be submitted under separate cover.
- 1807.5 **Miscellaneous**
- A. Proposed treatment of all ground surfaces; i.e. stone materials, bark, sod, seed and/or other material.
 - B. Irrigation plan if proposed. Irrigation systems within public rights-of-way require a waiver of liability.
 - C. Methods to be used to protect plants and planted areas or if planting beds are to be constructed (e.g. curbs, walls, etc.). The use of railroad ties is prohibited.
 - D. Building elevations, cross sections, renderings and/or photographs to show the relationship of proposed plantings to buildings.
 - E. Sight line studies may be required by Village staff.

Article 3 - Additional Landscape Design Standards and Elements

1808 Ground Signs

Every permit application for a ground sign shall be accompanied by a landscape plan meeting the standards herein specified and a color rendering showing the plant materials in relation to the ground sign.

- 1808.1 The area around the ground sign shall be improved with such plantings as hedges, conifers, flowering plants, evergreens, etc., of a size and quantity proportionate to the size and height of the sign as judged by the Village. Sodded or seeded areas shall not qualify as such a landscape area.
- 1808.2 In addition to the plantings herein described, the landscape area shall also include ground protection such as, but not limited to, ground cover plants, landscape mulch or decorative stone.

1809 Plats of Subdivision/Planned Unit Development

The developer shall submit, at the time of Tentative Plat, a landscape plan that consists of the following landscape requirements.

- 1809.1 **Parkway Landscaping.** The developer shall design the parkway landscaping in accordance with Section 1814.
- 1809.2 **Landscaped Entrance.** The developer shall design and construct an impressive entrance into the development, which shall include a monument type sign required at each point of entrance, utilizing natural products such as stone and wood, and landscaping and lighting in accordance with this Chapter. A detailed color rendering of the landscape plan including signage, materials to be used, and types and sizes of plantings shall be submitted to the Village for review by the Village Landscape Consultant and approval by the Architectural Review Commission and Village Board.
- 1809.3 **Landscape Berms.** The developer shall design and construct landscape berms along subdivision entrances, collector streets and arterial streets in accordance with Section 1813.
- 1809.4 **Public and/or Private Open Space Area Location.** The landscape plan shall show all public and/or private open space area locations, including parks.
- 1809.5 **Stormwater Management Areas.** The landscape plan shall show all stormwater management areas. These areas shall be landscaped in accordance with Section 1816.

1809.6 **Screening/Buffering.** Additional landscape screening/buffering shall be required when an incompatible use occurs which may have an impact on adjacent development, as determined by the Village. The additional landscape screening/buffering shall be designed in accordance with Section 1817.

1810 Single Family Residential – New Construction

1810.1 **Grading, Seeding or Sodding.** The yard area shall be graded smooth, covered with a minimum of 6 inches of top soil, and the entire yard shall be sodded or seeded. Sodding and seeding shall be completed in accordance with the requirements of Chapter 14, Section 1423.6. (*Revised Ord. 2017-35*)

1810.2 **Additional Tree Requirement.** Each lot shall contain a reasonable amount of initial landscaping beyond grass. Shrubs and perennials in meandering beds are encouraged. Within 2 years of occupancy all lots shall contain a minimum of 7 trees. The 7-tree requirement includes compliance with the parkway tree requirement. The front and back yards shall have a minimum of 3 trees planted in each.

1810.3 **Landscape Bond.** A \$1,000 landscape cash bond will be required at time of permitting to ensure trees are planted. The cash bond will be refunded upon the completion and inspection of the required trees. If the trees are not planted within 2 years of occupancy the bond will be forfeited and the Village may issue a citation for a violation of Section 1810 which, in addition to a fine, seeks that the trees are planted as required herein.

1811 Multi-Family Residential – New Construction

1811.1 **Grading, Seeding or Sodding.** The yard area shall be graded smooth, covered with a minimum of 6 inches of top soil, and the entire yard shall be sodded or seeded. Sodding and seeding shall be completed in accordance with the requirements of Chapter 14, Section 1423.6. (*Revised Ord. 2017-35*)

1811.2 **Additional Tree Requirement.** Each unit shall contain a reasonable amount of initial landscaping beyond grass. Shrubs and perennials in meandering beds are encouraged. Within 2 years of occupancy all lots shall contain a minimum of 7 trees. The 7-tree requirement includes compliance with the parkway tree requirement. The front and back yards shall have a minimum of 3 trees planted in each.

1811.3 **Landscape Bond.** A \$1,000 landscape cash bond per unit will be required at time of permitting to ensure trees are planted. The cash bond will be refunded upon the completion and inspection of the required trees. If the trees are not planted within 9 months of occupancy the bond will be forfeited and the Village may issue a citation for a violation of Section 1810 which, in addition to a fine, seeks that the trees are planted as required herein.

- 1811.4 **Landscaping Between Dwelling Units.** Landscaping shall be installed between dwelling units, such as a privacy hedge or fence between adjacent patios and a mixture of trees and shrubs between buildings where walls containing windows are opposite each other.
- 1811.5 **Off-Street Parking and Traffic-Ways.** Off-street parking and related traffic-ways shall be screened and enhanced with landscaped areas, including trees and tree groupings. All parking spaces shall be usable and safely and conveniently arranged and comply with the Section 1815. Plantings shall be a combination of trees and shrubs that provide a continuous screen of off-street parking and traffic ways as viewed from off-site looking on to the property. Trees will be a combination of shade, ornamental and evergreen trees. Shrubs will be a combination of evergreen and deciduous plants. It is not acceptable to install a single hedge row of shrubs around the entire area to be screened. Ornamental grasses can be included as part of the deciduous shrub requirement. Plant selection, size and spacing shall be of sufficient density to accomplish 100% screening of the off-street parking during the summer within three (3) years from the time of plant installation. A minimum of 20% of the screening shall be provided through the use of evergreen trees and shrubs. Berming is encouraged if feasible.

1812 Non Residential – New Construction

- 1812.1 **Color Rendering Required.** In addition to a landscape plan, the builder shall provide a color rendering of the landscape materials shown on the building's elevation plan which coincides with the landscape plan.
- 1812.2 Planting layouts shall clarify traffic patterns, outdoor areas and their functions, and serve to create a pleasant environment. Plantings shall not create traffic hazards. Landscaping shall be protected from vehicular and pedestrian encroachment.
- 1812.3 Aesthetic and functional aspects of the proposed landscaping, both at installation and maturity, shall be considered. In areas less than 20 feet in width, columnar varieties of shade trees or evergreens shall be used. Plantings shall be properly spaced to prevent overcrowding as they mature. Grouping of landscape plantings and trees is recommended for optimal landscaping effect and maintenance considerations. Plantings shall generally be designed in a "natural" way, rather than in formal rigidity. Groupings are preferred over unimaginative lines of plantings. Native species are strongly encouraged.
- 1812.4 **Landscape Lighting.** Exterior landscape lighting, when used, shall enhance the building design and adjoining landscape. Lighting standards and fixtures shall be compatible with the building and surrounding areas. Lighting shall be restrained with no spillover to adjacent properties. Particular sensitivity to spillover lighting

adjacent to residential areas shall be used. All exterior lighting shall comply with the Building Ordinance.

- 1812.5 With respect to lots along arterial and collector streets which are designed as double frontage lots with access prohibited on the arterial or collector street, there shall be required a 20 feet minimum landscape berm located within a dedicated landscape easement. The berm shall not interfere with site lines at street intersections. Additional landscaping shall be planted in the berm easement to result in an effective 6 feet screen. The easements shall be separate and distinct from utility easements.
- 1812.6 **Parkway Landscaping.** The builder shall provide the parkway landscaping in accordance with Section 1814.
- 1812.7 **Parking Lot Landscaping.** The builder shall provide the parking lot landscaping in accordance with Section 1815.
- 1812.8 **Stormwater Management Areas.** The landscape plan shall show all stormwater management areas. These areas shall be landscaped in accordance with Section 1816.
- 1812.9 **Additional Screening Required.** The visual screening of certain structures and facilities is an important factor in maintaining the character of the community. Service yards, loading docks and other areas that tend to be unsightly shall have special attention paid to screening of views. Additional landscape screening/buffering shall be required when an incompatible use occurs which may have an impact on adjacent development, as determined by the Village. These areas shall be screened in accordance with Section 1817.
- 1812.10 **Off-Street Parking and Traffic-Ways.** Off-street parking and related traffic-ways shall be screened and enhanced with landscaped areas, including trees and tree groupings. All parking spaces shall be usable and safely and conveniently arranged and comply with the Section 1815. Plantings shall be a combination of trees and shrubs that provide a continuous screen of off-street parking and traffic ways as viewed from off-site looking on to the property. Trees will be a combination of shade and ornamental trees and evergreen trees. Shrubs will be a combination of evergreen and deciduous plants. It is not acceptable to install a single hedge row of shrubs around the entire area to be screened. Ornamental grasses can be included as part of the deciduous shrub requirement. Plant selection, size and spacing shall be of sufficient density to accomplish 100% screening of the off-street parking during the summer within three (3) years from the time of plant installation. A minimum of 20% of the screening shall be provided through the use of evergreen trees and shrubs. Berming is encouraged if feasible.

- 1812.11 **Grading, Seeding or Sodding.** The yard area shall be graded smooth, covered with a minimum of 6 inches of top soil, and the entire yard shall be sodded or seeded. Sodding and seeding shall be completed in accordance with the requirements of Chapter 14, Section 1423.6. (*Revised Ord. 2017-35*)
- 1812.12 **Landscape Bond.** A landscape bond to cover 110% of the full cost to plant all the plantings indicated in the landscape plan will be required at time of permitting to ensure trees are planted. If the trees are not planted within 9 months of occupancy the Village will draw on the bond and have the trees planted at the owner's expense.

1813 Landscape Berms

The developer shall design and construct landscape berms along subdivision entrances, collector streets and arterial streets to the following specifications. The plans for the berm shall be subject to review by the Village Engineer and its Landscape Consultant and shall be subject to approval by the Planning and Zoning Commission and Village Board at the time of Tentative Plat approval. In lieu of a berm, the Village, in its sole discretion, may allow the developer to provide continuous landscaping across the entire lot width, consisting of approximately 50 percent deciduous and 50 percent evergreen plant material, which shall grow to a minimum mature height of 6 foot within 3-5 years.

- 1813.1 **Landscape Easement.** The landscape easement shall be a minimum of 65 feet if there is a berm. If there is no berm, when and where required, landscaping shall be planted outside of any utility easement and in a 20 foot landscape easement with the required front, rear, transitional yard or side yard setbacks. (*Revised Ord 2020-05*)
- 1813.2 **Materials Used.** Berms shall be constructed of materials that will compact and develop stability. No sod, frozen material or other material, which by decay or otherwise might cause settlement, shall be placed or allowed to remain in the berm. When embankments are constructed of crushed material, stones or rocks and earth, such materials shall be well distributed, and sufficient earth, or other fine material, shall be incorporated with them to fill the interstices and provide solid embankment. No rocks or stones more than 4 inches in diameter shall be permitted within a vertical distance of 12 inches from the surface of the finished grade.
- 1813.3 **Construction.** Berms shall be contoured in an undulating manner with valleys of not less than 2 feet, a minimum of 4 feet at the low point, a maximum of 6 feet at the high point, an average height of 5 feet and a 5 feet flat top is required (see Appendix B). Slopes shall not exceed 5:1 but 6:1 is recommended. Turf areas shall be mowable and steeper grades shall be modified with retaining walls. Control of erosion over berms and embankments shall be required.

1813.4 **Landscaping.** At least 60 percent of the berm area shall be landscaped in grass via sodding or hydro seeding. Grassed areas shall be continuous with a minimum width of 4 feet. Up to 40 percent may be placed in shrub and tree pockets. Pockets should be “kidney-bean” shaped or other irregular but flowing shape on the rolling side of the berms. Trees and shrubs that meet the standards set out in this Chapter and shrubs and plants which are hardy to the area may be installed on the berm.

1814 Parkway Landscaping

1814.1 Areas to be Graded and Sodded or Seeded, Minimum Standards

- A. All parkways along dedicated streets and open space areas shall be graded smooth, covered with a minimum of 6 inches of top soil, and seeded/sodded.
- B. The unpaved portion of a public right-of-way abutting a vacant parcel or open space area shall be graded smooth, covered with a minimum of 6 inches of top soil and seeded or sodded unless otherwise approved by the Village.
- C. **Two Year Guarantee.** Seed and sod are subject to Village inspections and shall have a two year guarantee starting at the time the Village releases the Letter of Credit and accepts the Maintenance Bond for the subdivision. Seed requires 90 percent germination for any given 10 sq. ft. area inspected.

1814.2 Trees

- A. **Species.** All trees installed in the parkway shall be shade trees, clump shade trees or evergreen and ornamental trees. All parkway trees should be planted with shade trees of a hardy variety that can withstand a street side environment. The species of parkway trees shall be approved as part of the approval of the landscape plan. Additional species will be considered by the Landscape Consultant. Trees will be nursery grown and comply with the standards of the American Association of Nurseryman (AAN). A list of prohibited species can be found in Section 1821.

A minimum of 75% of the required quantity of parkway trees shall be planted between 10 and 25 feet from the edge of the pavement. All trees planted between 10 and 25 feet from the edge of the pavement shall be shade trees. The remaining parkway trees can be planted between 25 and 50 feet from the edge of the pavement and may include clump shade, ornamental and evergreen trees as well as shade trees.

- B. **Arrangement.** The spacing of parkway trees shall be calculated 1 tree per 40 lineal feet of right-of-way frontage. The village encourages that parkway trees not be necessarily spaced at 40 feet on center. Rather it is encouraged

that the trees be clustered to render a more naturalistic approach. Only under extenuating circumstances will the Village accept trees in straight lines or trees of equal spacing.

1. **Street Corners.** No parkway tree shall be planted closer than 25 feet from a street corner, measured from the point of the nearest intersecting curb or curb lines. All corner lots shall provide for a clear sight distance, as shown in Appendix A, not less than 3 feet in height above the elevation at the center line of the traveled way, free from all buildings, structures, plant materials, play equipment, parking, loading or storage uses.
 2. **Fire Hydrant.** No parkway tree shall be planted closer than 10 feet to any fire hydrant or other such items that may in the opinion of the Village or the Village's Landscape Consultant require similar distance.
 3. **Overhead Utility Wires.** No parkway trees other than those acceptable to the Landscape Consultant shall be planted under or within 10 lateral feet of any overhead utility wire. Nor shall any tree be planted over or within 5 lateral feet of any underground water line, sewer line, transmission line or other underground utility.
- C. **Avoid Monoculture Type Planting.** Parkway trees shall be planted in such a way as to avoid any monoculture type planting. No more than 20 percent of any genus and no more than 10 percent of any species may be planted within the parkway of any subdivision.
- D. **Use of Existing Trees in Tree Calculation.** If existing trees are to be considered for the tree calculation, the specific area of existing trees should be noted on the landscape plan and a tree survey done. Only desirable species, as determined by the Village's Landscape Consultant, can be included in the tree survey. Trees 3 inches in caliper or greater should be accurately plotted on a drawing with the species of each tree noted. Critical subdivision layout should be included such as: shoulder of road, property lines, right of way, building setback line, etc. The entire length of frontage adjacent to the desirable existing trees should be dimensioned on the drawings. An additional 20 feet of open space along the frontage can be added to the dimension of existing trees before it is divided by 40 feet to calculate the reduction in parkway tree requirement (i.e. 200 feet of frontage with existing trees + (2 x 20 feet) = 240 feet divided by 40 feet = 6 trees counted toward parkway tree calculation).

Landscaping at the subdivision entrance and around signage shall not use trees from parkway tree calculations.

- E. **For Areas with Curbs.** Trees shall be planted a minimum of 15 feet from the curb line but not in any easement prohibiting planting.
- F. **For Areas with Open Ditches.** Trees shall be planted a minimum of 30-50 feet from the edge of the pavement but not in any easement prohibiting planting. In areas with small rights of way or building setback limits, trees should be planted at least 10-15 feet away from the building setback line. On vacant lots, use of maximum planting distance from edge of pavement (generally 50 feet) may be most appropriate near the side lot lines, providing distance in the middle of the lot (where homes are likely to be placed) so there will be more room for contractors to work during the construction process. The maximum planting distance shall not be for lots that may require major grade changes. When the house already exists on the lot, consideration shall be given to existing utility services to the home, possible front yard septic or any other obstructions in the front yard. Trees are not to be planted in the bottom of a swale regardless of the distance from the edge of the pavement.
- G. **Two Year Guarantee.** The landscape materials, parkway trees and the trees and shrubs installed in the berms and at the entrance, shall have a two year guarantee starting at the time the Village releases the Letter of Credit and accepts the Maintenance Bond for the subdivision. The Village accepts no responsibility for maintenance or replacement of the trees that die after the expiration of the developer's two year maintenance bond. Landscape material value for the parkway trees and the trees and shrubs installed in the berms and at the entrance as required herein will be included in the amount of the maintenance bond. After the two year maintenance bond expires, either a homeowner or homeowners association shall be responsible for maintaining the landscaping and replacing any trees or shrubs which are planted in accordance with this Chapter.

1815 Parking Lots

Landscaping in parking lots shall minimize the adverse effects of wind, heat, noise, and glare; assist in reducing the level of carbon monoxide in the atmosphere; prevent soil erosion; to provide shade; and lessen the visual impact of the parking lot.

- 1815.1 **Adjacent to Street Right-of-Way.** Any parking lot located in front of the primary building shall be screened with a hedge or similar treatment covering 100 percent of the width of the parking lot, maintained between 30 inches and 48 inches tall to help block headlights yet to also ensure that safety is not compromised.
- 1815.2 **Perimeter Plantings.** The perimeter of all parking lots shall be planted with shade trees. The spacing of shade trees shall be calculated as 1 tree per 40 lineal feet of buffer length. The village encourages that shade trees not be necessarily

spaced at 40 feet on center. Rather it is encouraged that the trees be clustered to render a more naturalistic approach.

1815.3 **Primary Planting Materials.** The primary planting materials used in parking lots shall be trees which provide shade or are capable of providing shade. Ornamental trees, shrubbery, hedges and other live planting materials may be used to supplement the shade tree planting, but shall not be the sole contribution to the landscaping. Plants which have proven to be the most tolerant of ice removal materials are recommended.

1815.4 **Landscaped Islands.** Fewer large islands will sustain healthy trees better than more numerous, very small islands. It is recommended that, where possible, shade trees be grouped within “tree islands.” Trees located in larger islands are likely to provide a larger canopy, be healthier and make significantly more impact than trees planted in small landscape islands. Plantings shall be level or slightly below the island’s edge to facilitate rain water collection for the plants and to keep all plant materials (mulch, stones, etc.) in the island.

A. A concrete curbed landscape island shall be dispersed so as to define aisles and limit unbroken rows of parking to every 10 to 15 spaces and shall be provided at the end of each parking row.

B. By placing landscape islands opposite each other, tree canopies extend overhead and bridge together, resulting in increased shade.

1815.5 **Pedestrian Flow.** The flow of pedestrians (especially in large lots) shall be channeled through a clear hierarchy of routes that bring pedestrians to central walkways and towards main entrances. This hierarchy shall be re-enforced through the design of planting areas.

1815.6 Parking lot planting areas shall be designed to accommodate winter snow storage.

1815.7 Trees shall not be planted less than 4 feet from any curb or paved area.

1815.8 **Abutting Residential Use.** Where a parking lot abuts property zoned for residential use, landscaping shall be provided as follows:

A. The screen/buffer setback area between the parking lot and residential property line shall be a minimum of 20 feet. Based on the scale of the project, this setback may be greater as required and approved by the Village.

B. Other planting material, including ornamental trees, evergreens, shrubbery and/or other planting materials may be required.

1816 Stormwater Management Areas

1816.1 Dry detention areas shall be completely seeded and/or sodded, unless a “wetland enhanced” bottom is required. Retention areas, which are designed to hold water shall be seeded/sodded and/or planted with wetland plants on the sides.

- 1816.2 Additional landscaping shall be used when a stormwater management area, particularly a dry detention basin, is adjacent to or across a public street from property zoned for residential use.
- 1816.3 Retention ponds shall have a 2-foot edging at the water level to prevent erosion of the banks. A wetland and naturalized planting edge is encouraged and preferred. The use of hard edge treatments should be used sparingly.
- 1816.4 Other landscape improvements, including shade trees, ornamental trees, evergreens, shrubbery and hedges, shall be provided along the perimeter of the detention/retention area. The location of the landscape improvements shall be approved by the Village Engineer.
- 1816.5 Additional landscaping may be required by the Village.
- 1816.6 **Density Testing.** At the time of a Letter of Credit reduction request, the developer shall provide a density test on the detention basin berms. The detention basin berms should be 95% modified proctor.

1817 Additional Screening Required

The intent of screening is to improve compatibility and provide transition between different uses and zoning districts; to minimize the harmful effects of and to reduce dust and debris, and other objectionable activities or views on adjoining or nearby uses; and to protect property values and preserve the character of an area. Berms, graded slopes with plantings and mature stands of trees are preferred screening methods. (*Revised Ord. 2010-33*)

- 1817.1 **Screening between Incompatible Uses.** Additional landscape screening/buffering shall be required when an incompatible use occurs which may have an impact on adjacent development, as determined by the Village. A minimum 6 foot screen shall be required of all uses in the Business, Office/Research and Industrial zoning districts when they are adjacent to other zoning districts. No additional screening is required if the existing property already has such screening in place. Continuous landscaping shall be provided across 100 percent of the lot width, of a minimum 6-foot in mature height, consisting approximately of 50 percent deciduous and 50 percent evergreen plant material. The Village, at its sole discretion, may allow the developer to choose a 6-foot commercial grade wood fence of a single material and single color, with shade trees placed inside the fence at the equivalent of 1 tree per 50 lineal feet. (*Revised Ord. 2010-33*)
- 1817.2 **Outside Storage in Commercial and Industrial Areas.** The outside storage of vehicles, equipment, etc. in a commercial and industrial area shall be required to be screened from public streets and from all adjacent properties by a minimum 6-foot fence, or 100 percent landscaping consisting of at least 75 percent evergreen plant material, to a minimum height of 6 feet

- 1817.3 **Loading Docks, Semi-Trailers and Service Yards.** Loading docks, semi-trailers and service yards must be screened from view from all adjacent properties and the public right-of-way by a minimum 6-foot fence, or 100 percent landscaping consisting of at least 75 percent evergreen plant material, to a minimum height of 6 feet
- 1817.4 **Ground Level Mechanical and Air Conditioning Equipment.** Ground level mechanical and air conditioning equipment shall be screened on all sides by landscape material of mature height that will meet or exceed the height of the equipment being screened but should allow maintenance and serviceability access.

Article 4 - Plant Material Standards, Specifications, Installation and Maintenance

1818 Plant Material Standards

Selected plant materials shall be well-adapted to the soil and climate of the region, be resistant to insects, pests and diseases, and require minimum maintenance. Proposed plant materials shall be compatible with Zone 5 conditions as defined by the United States Department of Agriculture (USDA) Hardiness Zone Designations. Plant materials used in conformance with provisions of this Chapter shall conform to the American Association of Nurserymen's Standard for Nursery Stock (ANSI 260.1-1986), or equal thereto.

- 1818.1 **Planting Stock.** Planting stock shall be well branched and well formed, sound, vigorous, healthy and free from disease, sunscald, windburn, abrasion, harmful insects or insect eggs, and shall have healthy, normal and unbroken root systems.
- 1818.2 **Deciduous Trees and Shrubs.** Deciduous trees and shrubs shall have symmetrical tops with typical spread of branches for each particular species or variety.
- 1818.3 **Sod/Seed.** Grass sod shall be clean and reasonably free of noxious weeds and pests or diseases. Grass seed shall be in conformance with U. S. Department of Agriculture rules and regulations under the Federal Seed Act and applicable Illinois state seed laws. Grass areas shall be planted in species normally grown as permanent lawn in Northeast Illinois.
- 1818.4 **Native Vegetation.** Open space or planting bed areas may contain specific mixes or groupings of singular native plants such as prairie grasses and/or forbs, meadow or wetland grasses or sedges, or other specific plant groupings.
- 1818.5 **Ground Cover.** Ground covers used in lieu of grass in whole or in part shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within 1 year after planting.

1819 Minimum Size of Plants

The minimum acceptable sizes of all plants, measured before pruning and with branches in normal position, shall conform to the measurements indicated on approved plans. Plants larger in size than specified may be used. Substitutions shall be made only when a plant is not obtainable and after the Village Landscape Consultant, after having been notified in writing, authorizes a change order.

- 1819.1 **Trees.** Deciduous shade trees and ornamental deciduous trees shall be a minimum of 3 inches in diameter when measured at DBH, unless otherwise approved by the Village. Evergreen trees shall be a minimum of 6 feet in height, unless otherwise approved by the Village.

- 1819.2 **Shrubs and Hedges.** Shrubs shall be a minimum of 3 feet in height when measured immediately after planting, unless a dwarf variety is specified and approved. Evergreen shrubs must be an average width of 24 inches when planted. Hedges, where required, shall be planted and maintained so as to form a continuous, unbroken, solid, visual screen within 3 years after time of planting.
- 1819.3 **Ornamental Grasses.** Ornament grasses shall be a minimum of 1 gallon container size at time of planting

1820 Acceptable Trees

A list of acceptable trees can be found in Appendix C.

1821 Prohibited Species

The following species of trees shall not be planted in parkways, rights of way or as street trees. The reasons for the prohibitions are in parentheses.

- Ash – Green and White (Emerald Ash Borer)
- Aspen (borers)
- Black Locust (borer)
- Box Elder (box elder bugs, brittle wood)
- Any Elm that is not improved and resistant to Dutch Elm disease
- Cottonwood (litter)
- Fruit Trees, any type (fruit)
- Ginkgo – Female (fruit)
- Hawthorns (thorns) (thornless cultivars are acceptable)
- Mountain Ash (pest problems)
- Osage Orange (fruit)
- Poplar (suckers, cotton seed, brittle wood, disease)
- Russian Olive (canker disease)
- Silver Maple (aggressive, shallow roots, weak)
- Tree of Heaven (brittle wood)

1822 Plant Installation

- 1822.1 It shall be the developer's/builder's responsibility to ensure that the planting specifications are adhered to by all personnel working at the site. The developer/builder shall conduct a preconstruction meeting with its landscape contractor and the Village to assure full understanding of the contents of the planting plan and specifications.
- 1822.2 The installation of the landscaping must follow the landscape plan approved by the Village. Any changes or modifications must first be approved by the Village or its Landscape Consultant.

- 1822.3 The Village Landscape Consultant must be notified at least 7 days prior to the start of planting operations on the site.
- 1822.4 Planting operations shall be performed during allowed construction hours consistent with Chapter 19 of the Municipal Code.
- 1822.5 A Village representative at any time before, during and/or within 1 year of plant installation may make inspections of the site, plant material, installation practices, etc., to determine developer/contractor compliance with guidelines, regulations and Village ordinances.
- 1822.6 Trees and plants will be installed using sound horticultural techniques (i.e. mulching, wrapping, staking, watering, etc.) and installed at the time and season appropriate for the particular tree or plant species.

<u>Normal Planting Season</u>	<u>Spring</u>	<u>Fall</u>
All trees and shrubs	March 15 - May 15	Oct. 1 - Dec. 1
Evergreens	April 1 - May 15	Oct. 1 - Nov. 15
Ground Cover	April 1 - June 1	When sod is workable

1823 Maintenance

The owner, tenant and their agent shall be jointly and severally responsible for the maintenance of all landscaping as per the approved plan. All landscaping shall be maintained in good condition so as to present a healthy, neat and orderly appearance; shall be replaced when dead or dying; and shall be kept free from litter, refuse and debris.

- 1823.1 **Pruning.** The failure to prune is hereby declared to be a public nuisance.
- A. **Site Clearance.** The owner of any tree on private property that overhangs any street or right-of-way or obstructs the view of drivers or otherwise obstructs traffic within the Village shall prune the branches of such tree, if necessary, so such tree shall not obstruct the safe passage of vehicles, the light from any street light, the view of any street sign, the view of any street intersection, the view of drivers or otherwise obstructs traffic. The owner also shall prune such tree so that there is a minimum of 10 feet of clear space between the surface of the street or a minimum clear space of 8 feet between the surface of the sidewalk and the lowest hanging branch on such tree.
- B. **Safety.** The owner of any tree overhanging any street or right-of-way within the Village shall prune all dead, diseased, decaying, broken or dangerous branches from such tree and shall prune from such tree all branches that constitute a hazard to the safety of the public or to the health of any other tree.

- C. **Penalty.** If the owner fails or refuses to accomplish such pruning within 14 days after written notice to do so from the Village, the Village shall have the right, but not the obligation, to cause such pruning to be accomplished by Village staff or by contractors hired by the Village for such purposes or to bring an action in court to require the pruning to be completed. All costs shall be paid by the owner of the property.

If the owner fails to pay to the Village all of the costs incurred by the Village for such pruning within 30 days after receipt of a written invoice, then the Village shall have the right, to the extent provided by law, to place a lien on the property on which such tree was located and to perfect such lien as provided by law.

Article 5 – Miscellaneous Provisions

1824 Tree Survey

A tree survey shall be required for removal of more than 4 trees on a site or as required by the Building Inspector or Landscape Consultant. The tree survey should be done by an arborist, horticulturist, landscape architect or other qualified individual. The tree survey shall list the location of existing vegetation 5 inches DBH and greater with sizes and species (common and botanical names) and health condition recorded. The tree survey shall indicate those materials to be preserved, removed or transplanted. The scale of the tree survey shall not be less than 1" = 30".

1825 Village Authority to Care for Trees

The Village and its authorized agents shall have the right but not the obligation to plant, prune, maintain and remove trees, plants and shrubs on Village property and within any Village right-of-way or utility easement, as may be necessary to ensure public safety, preserve and enhance the quality of vegetation, and beautify the Village. For the same purposes the Village may prune or remove all portions of any tree or shrub that overhang any Village property, Village roadway, right-of-way or utility easement.

The Village may cause to be removed any tree on Village property or within the Village right-of-way, that is diseased or dying, or that poses an irreconcilable threat to a utility or that otherwise threatens the public health, safety or general welfare.

Guidelines set forth by the National Arborist Association will be used for tree trimming and maintenance activities performed by the Village or its agents.

1826 Tampering

No person shall attach or place any rope, wire, sign, poster, handbill or other thing on any tree growing in any Village right-of-way, or any guard or protection of the same. No person shall remove, injure or misuse any guard or device placed or intended to protect any tree growing in any right-of-way.

1827 Interference with Village Tree Work

No person shall prevent, delay or in any other way interfere with work undertaken by the Village and its authorized representatives to plant, cultivate, mulch, prune, spray or remove any parkway tree, park tree, or tree in the right-of-way or an easement or any other tree as authorized by this Chapter.

Article 6 - Tree Preservation

1828 Purpose

To maintain, to the greatest extent possible, existing trees within the Village. In addition to adding to the scenic beauty of the Village, trees help to provide a noise barrier, help to prevent erosion of topsoil, provide nesting areas for birds and other wildlife, provide windbreaks and shaded areas, and increase property values by adding to the aesthetic quality of the land. Therefore, the purpose of this Article is to allow the improvement of platted but undeveloped lots or building parcels where trees exist which are 12 inches or larger in diameter.

1829 Intent

All those who begin new construction in the Village shall take care to preserve existing trees and to take adequate tree protection measures during construction. The owners of existing platted lots shall also take great care to preserve existing trees. The Village Board reserves the right as part of the platting process, or the building permit process for a single lot, to require a tree inventory from a developer or property owner and to require that certain trees be preserved on a parcel of land. In its discretion, the Village Board may refer a matter to the Village Landscape Consultant for comment and approval relative to a tree preservation plan. The Village Landscape Consultant may, as part of the platting process, recommend to the Village Board that certain trees on a parcel of land be saved or that replacement trees be planted for any trees that are removed. The Village Board may either accept, modify or not follow any such recommendation.

1830 Protection of Trees

Unless otherwise specifically authorized in this Article, it shall be unlawful for any person without a Village issued Tree Removal Permit to remove, injure, destroy or undertake any procedure, the result of which is to cause the death or substantial destruction of any tree, within the Village limits, having a diameter of 12 inches DBH or larger.

1831 Tree Preservation Area

No construction activity, movement and placement of equipment or material storage shall be permitted outside the building activity area but in the tree preservation area. All buildings and driveways shall be located to minimize tree damage and/or removal but consistent with minimum building setback requirements of the Zoning Ordinance. The building areas shall be temporarily fenced by the owner or contractor during all construction so all trees in the tree preservation area shall be preserved.

1832 Tree Preservation Plan

In connection with projects requiring a permit, a Tree Preservation Plan shall be filed. The Tree Preservation Plan shall specify the tree preservation area and building activity area upon the lot or parcel of land for which a permit application has been filed.

1833 Barriers

During construction the general contractor shall take all reasonable steps necessary to prevent the destruction or damaging of trees in the tree preservation area (other than those specified to be removed), including, but not limited to the following:

- A. Appropriate protective fencing, such as orange construction fence, shall be temporarily installed for protection of remaining trees. Silt fencing is not an acceptable protective fencing material; and
- B. All required protective fencing or other physical barrier must be in place and approved by the Building Inspector prior to beginning construction. The fencing must remain in place during the entire construction period to prevent the impingement of construction vehicles, materials, spoils and equipment into or upon the tree preservation area. All fencing must be secured to metal posts driven into the ground spaced no further than 10 feet apart.

1834 Stop Work Order

If, in the opinion of the Village Landscape Consultant or Building Inspector, the necessary precautions as specified in Section 1833 were not undertaken before construction commenced, or are not maintained at any time during construction, a stop work order shall be issued by the Building Department until such time as the permittee complies with the precautions herein.

1835 Tree Preservation during Road Construction

Tree preservation during road construction shall be strictly enforced. Any additional requirements of tree preservation during road construction will be provided from the Village Landscape Consultant at the time the condition/situation becomes apparent.

Article 7 – Tree Removal

1836 Intent

It is the intent of this Article to protect all mature trees in new and existing subdivisions and discourages the removal of trees, 12 inches DBH or larger, from property located in the Village. Therefore, it is the public policy of the Village that the clear-cutting of trees is hereby prohibited.

1837 Removal of Undesirable Plants and Trees

Undesirable trees, shrubs, bushes and weeds shall be cleared from the lots, entrances, rights of way and common areas for any new development. The removal of undesirable plants and trees does not require the issuance of a tree removal permit. Other plants may be required to be cleared for reasons such as safety, site distance, aesthetics, disease/insect problems, etc. A list of undesirable plants include, but are not limited to the following:

- Boxelder, Acer Negundo
- Mulberry, Morus Alba
- Common Buckthorn, Robinia Pseudoacacia
- Multiflora Rose, Rosa Multiflore

1838 Removal of Trees by Village Order

The owner of any tree in the Village that constitutes a hazard to life or property or that harbors harmful insects or disease constituting a threat to other trees shall remove such tree within 60 days after written notice to do so from the Village. The failure to remove such tree is hereby declared to be a public nuisance. If the owner fails or refuses to accomplish such removal within the required time period, the Village shall have the right, but not the obligation, at the owner's expense, to cause such tree to be removed by Village staff or by contractors hired by the Village for such purposes or to bring an action in court to require the tree to be removed.

If the owner fails to pay to the Village all of the costs incurred by the Village for such removal within 30 days after receipt of a written invoice, then the Village shall have the right, to the extent provided by law, to place a lien on the property on which such tree was located and to perfect such lien as provided by law.

No person, except those authorized or employed by the Village, shall remove, destroy, break, cut, deface, trim or in any way injure or interfere with any tree growing in any right-of-way without the written permission of the Village.

1839 Tree Removal Permit

Tree Removal Permits authorizing the removal of trees 12 inches DBH or larger may be issued by the Building Inspector for, but not limited to, the following reasons:

- A. Removal of the tree for new construction is unavoidable after taking great care to preserve existing trees on the lot;
- B. Removal of the tree will avoid or alleviate an economic hardship or hardship of another nature on the lot or residence located on the lot.
- C. The tree is dead or dying;
- D. The tree is diseased;
- E. The tree is damaged or injured to the extent that it is likely to die or become diseased, or that it constitutes a hazard to persons or property;
- F. Removal of the tree is consistent with good forestry practice; and/or
- G. Removal of the tree will enhance the health of remaining trees within the immediate vicinity.

1839.1 **Replacement of Tree Removed.** Upon receipt of a Tree Removal Permit, the permittee shall replace the tree so removed in each of the following instances in order to maintain the seven (7) required trees within 30 days of removal, depending on the season:

- A. To avoid or alleviate an economic hardship or hardship of another nature on the lot or the residence located on such lot.
- B. In the event a tree is damaged or injured by other than natural causes to the extent that it is likely to die or become diseased, or it constitutes a hazard to persons or property.
- C. The tree is diseased, dead or dying from natural causes, or in the event the tree is damaged or injured by natural causes where it is likely to die or become diseased.

1839.2 **Application in Connection with Work for which no Building Permit is Required.** In the event a Tree Removal Permit is applied for in connection with work for which no building permit is required, there shall be no charge for such permit. The application for a Tree Removal Permit shall contain:

- A. Name of applicant;
- B. Commonly known address of the lot or property where said tree or trees are proposed to be removed is located (PIN of parcel if tree is in an undeveloped area of the Village);

- C. A written statement indicating the reason for removing the tree or trees;
- D. A general sketch plan of other trees on the lot or property, including size and species; and
- E. Name and address of contractor or other person who will have the responsibility for tree removal.

1839.3 Application in Connection with Work for which a Building Permit is Required. In the event a Tree Removal Permit is applied for in connection with construction requiring a building permit, the application shall be accompanied by:

- A. The Tree Removal Permit fee of \$150;
- B. A tree survey of the lot in conformance with the requirements of Section 1824. In the event construction activity is to take place in the root zone of such trees, protected trees on adjoining lots should be shown;
- C. A Tree Preservation Plan in conformance with the requirements of Section 1832; and
- D. A report from a certified arborist if required by the Village Landscape Consultant.

1840 Emergencies

In order to avoid danger or hazard to persons or property, during emergency conditions requiring the immediate cutting or removal of a tree or trees protected hereunder, a Tree Removal Permit will be issued by the Building Inspector without formal application.

In the event of such an emergency, if the Building Inspector is unavailable to issue such a Tree Removal Permit, it shall be lawful to proceed with the cutting of the tree or trees to the extent necessary to avoid immediate danger or hazard. In such event, the person causing the cutting shall report the action taken to the Building Inspector within 48 hours thereof.

Article 8 - Enforcement

1841 Requirements are Minimum Standards

The requirements of this Chapter shall be deemed a minimum standard and shall be enforced by the Village.

1842 Compliance

Compliance with all landscape plantings with the approved landscape plan shall be confirmed by site inspection by the Village. A Certificate of Occupancy shall not be issued prior to satisfactory completion of the landscape plan installation. Replacement trees shall be of "like kind," according to the approved plan.

1843 Penalty

Any person who violates any provision of this Chapter shall be fined \$100 for each offense and shall be further ordered to plant replacement trees as required herein. A separate offense shall be deemed committed on each day during or on which a violation continues to occur. Further, a separate offense shall be deemed committed for each tree injured, removed, destroyed or for undertaking any procedure that results in the death or substantial destruction of any tree within the Village limits having a diameter of 12 inches DBH or larger.