



# *City of Naples*

COMMUNITY SERVICES DEPARTMENT  
TELEPHONE (239) 213-7120 • FACSIMILE (239) 213-7130  
280 RIVERSIDE CIRCLE • NAPLES, FLORIDA 34102-6796

*Via Regular Mail Delivery*

April 13, 2009

RE: Trimming of City Owned Trees and Palms

Dear Tree Care Company Owner and Staff:

Please allow this letter to serve as notification of the City's Code of Ordinance Chapter 38 Vegetation, Article II Tree Protection which addresses trees and palms within the City. The City's ordinance allows for city planted trees/palms within the right-of-way to be protected.

From time to time your firm may be contacted to trim one of the above mentioned trees/palms. Allow this letter to serve as notification that you **MUST** call the City of Naples at the number provided below prior to trimming any city owned tree or palm. Failure to contact the City representative listed in this letter prior to trimming a City tree/palm could result in a fine and or court proceedings.

The City's goal is to protect and enhance our urban forest through education and proper pruning methods. I have attached the City's Canopy protection ordinance for your information.

Should you have any questions as it relates to this matter, please feel free to contact my office at (239) 213-7134.

Sincerely,

Joseph Boscaglia  
Parks and Parkways Superintendent

*Ethics above all else... Service to others before self... Quality in all that we do.*

**Sec. 38-107. Protection of canopy street trees.**

(a) *Requirements for utility pruning.* Utilities must conform to current ANSI A-300 standards when performing line clearing work in canopy street zone to balance the requirement to preserve the canopy and maintain safe, reliable electric service.

- (1) Franchised utilities must notify the city manager by e-mail or mail 30 business days prior to any maintenance utility line clearing work in canopy streets.
- (2) Franchised utilities must have an ISA certified arborist directing the pruning of trees in a canopy street.
- (3) Utility pruning should only provide minimum safe clearance to protect energized power lines with consideration for the combined movement of the conductors near trees in severe weather, the species of the tree, and the voltage of the conductor.

(b) *Location of protected trees.* All protected trees which will be disturbed by proposed activities shall be physically located on-site and shown on the site plan submitted for any project or site development and as a part of the tree removal request in the tree removal and protection permit petition.

(c) *Drip line preservation.* During development, construction activity, and utility construction, all areas surrounding the trunk of a protected tree within a minimum of 50 percent of the radius of the drip line shall be protected from activities that may disturb or injure the tree (such as cut and fill activities, building pad placements, road bed construction, construction material storage, driving or parking of equipment, or trenching, etc.), except where specific arboricultural analysis is provided by the applicant to demonstrate that there is no likelihood of adverse impact to the tree.

(d) *Canopy and root pruning.* When activities affect the protected tree so that more than 25 percent of the area within the drip line is disturbed, or when pruning must be performed on the crown of a protected tree, the following arboricultural techniques are required:

- (1) When more than 25 percent of the area within the drip line will be disturbed, the affected roots must be severed by clean pruning cuts where the activity impacts the roots. Roots can be pruned by utilizing trenching equipment that is specifically designed for this purpose or by hand digging a trench and pruning roots with a chain saw, pruning saw or other equipment designed for tree pruning. Roots within the drip line must be pruned to a depth of 12 inches below existing grade or to the depth of the disturbance if less than 12 inches from the existing grade. When underground utilities are to be installed through the drip line, root pruning requirements may be waived if the lines are installed via tunneling or directional boring as opposed to trenching.
- (2) All pruning of protected trees shall conform to the current ANSI A-300 standards and be supervised by an ISA certified arborist. There shall be no flush cuts, stub cuts, or lion's tailing of the crown of the tree.
- (3) It shall be a violation of this section to perform the techniques of topping or other pruning techniques that remove the vertical leader stems or other pruning which results in an unnecessary reduction of shade of protected trees in the permit area. Topping shall be considered as cutting a major branch or stem to a stub or lateral branch not sufficiently large enough to assume the terminal role.

(e) *Tree protection barrier requirements and canopy street zone protection.* During development activities or any other potential disturbance that will impact the area within the drip line of any protected tree, protective barriers shall be placed around each protected tree to prevent the destruction or damaging of roots, stems, or crowns of such trees. Barriers shall remain in place and intact until the work is completed, however, barriers may be removed temporarily to accommodate construction needs, provided that the manner and purpose for such temporary removal will not harm the tree and is approved by the city manager. The following are the minimum requirements for protective barriers and CPZ protection:

- (1) Protective posts shall be placed so as to protect all areas within a minimum of 50 percent of the distance from the trunk to the drip line boundary for each protected tree, except in right-of-way or utility placement areas where posts shall be placed so as to protect a minimum of 50 percent of the area within the drip line where approved by the city manager.
  - (2) Posts shall be a minimum of 2 inches by 4 inches or larger wooden post, 2 inches outer diameter or larger or other post material of equivalent size; shall be connected with a minimum of at least a 1-inch by 4-inch wooden board; and shall be clearly flagged. The maximum distance allowed between upright posts is 8 feet. Other similar methods, such as construction fencing, may be permitted if approved in writing by the city manager in advance of installation.
  - (3) Posts shall be implanted deep enough into the ground to be stable and extend a minimum height of 4 feet above the ground.
  - (4) Where development activity is permitted within 50 percent of the radius within the area of the drip line of a protected tree (as measured by the longest radius from trunk to drip line), the city manager may require additional tree protection provisions to be incorporated in the activity permit.
  - (5) No storage or movement of equipment, store material, debris, or fill soil is allowed within 50 percent of the area within the drip line of any protected tree, (as measured by the longest radius from trunk to drip line).
  - (6) No equipment shall be cleaned, or waste materials such as paints, oils, solvents, asphalt, concrete, mortar, or any other material shall be stored, within 50 percent of the area within the drip line on any protected tree (as measured by the longest radius from trunk to drip line).
  - (7) No damaging wires, signs or permits shall be fastened to any protected tree.
  - (8) Silt barriers, hay bales, or similar effective erosion silt control barriers will be required in any area where erosion or siltation may cause damage to protected trees.
  - (9) Where elevation changes are proposed within 50 percent of the area within the drip line of any protected tree (as measured by the longest radius from trunk to drip line), the applicant will be required to install retaining walls or drain tiles unless the cost of such walls/tiles exceeds the replacement value of the trees. The applicant shall have the choice of the type or design. These root protection measures shall be in place prior to the deposition of fill, or excavation of soil from the drip line.
- (f) *Inspections.* The city manager shall conduct periodic inspections of the site during the permitted activity in order to ensure compliance with this section.