

## § 173-2 Removal of trees.

### A.

Trees with a circumference of less than 20 inches measured one foot above ground level **or trees that are not recognized by the Town as a native species may be removed without a permit.**

### B.

**No tree** taller than 25 feet in height measured from ground level and greater than 20 inches in circumference measured one foot above ground level, shall be removed or destroyed without written approval from the Town Code Enforcement Official, based upon the criteria set forth below.

### C.

The Town Code Enforcement Official shall only permit the removal or destruction of a tree if:

#### (1)

The tree is less than 40 inches in circumference, as measured one foot above ground level, and is shorter than 25 feet measured from ground level; or

#### (2)

The removal or destruction of the tree is required to protect persons or property from immediate harm; or

#### (3)

The tree is located within the footprint of any new construction, including the area necessary to facilitate such construction. All reasonable efforts shall be made during construction or renovation to protect from harm any and all trees otherwise protected under this chapter. To this end, the Town may identify and enforce protected areas for the protection of trees and roots during construction.

### D.

**No tree** with a circumference of greater than 40 inches as measured one foot above ground level may be removed without a signed statement from a licensed arborist or the Town Code Enforcement Official stating the reason(s) for removal or destruction of each tree.

## Questions

1. Does the Addendum and only that specific list become the 'recognized' trees approved by the Town as 'native'?
2. What does this phrase apply to : **or trees that are not recognized by the Town as a native species may be removed without a permit**
  1. non-native trees < 20 inches? (Section A only)
  2. non-native trees ≥ 20 inches but < 40 inches AND < 25 feet in height? (Section B & C)
  3. non-native trees > 40 inches and needing an arborist letter? (Section D)

**OR**

**Does this phrase apply to any size non-native tree that the property owner wishes to have removed?**
3. Does section B when it says "**No tree**" apply only to 'native trees' as listed on the addendum and requires a permit?
4. Does section D when it says "**No tree**" apply only to 'native trees' as listed on the addendum and requires a permit?

## **§173-3 Removal of trees within tree stands**

The Town Code Enforcement Official shall only permit the removal or destruction of **one or more trees in a tree stand** if:

**TREE STAND** A grouping of five or more trees of the same or related species on one or more adjacent parcels of land.

1. Are these native or non-native trees?