

**TOWN OF PLATTEVILLE**  
**Weld County, Colorado**

**ORDINANCE NO. 625**

**AN ORDINANCE OF THE TOWN OF PLATTEVILLE IDENTIFYING AND DESCRIBING THE REQUIREMENT OF CARE OF TREES, AND PROVIDING FOR THE CREATION OF A TOWN TREE COMMITTEE BY THE ADDITION OF A NEW SECTION 2-2-110 TO THE PLATTEVILLE MUNICIPAL CODE TITLED “TREE COMMITTEE”**

**WHEREAS**, trees have a positive environmental effect on the Town of Platteville (“Town”) by providing oxygen, filtering pollution, abating heat, noise, and glare, providing shade on streets and sidewalks, mitigating drainage and soil erosion, and moderating the climate; and

**WHEREAS**, trees have a positive economic impact on the Town by enhancing property values and making the Town an attractive place to visit and do business; and

**WHEREAS**, the Town Board of Trustees recognizes that trees generally enhance the quality of life for residents of the Town.

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PLATTEVILLE, WELD COUNTY, COLORADO:**

**Section 1.** The Platteville Municipal Code Chapter 2, Article II is hereby amended by the addition of the following Section 2-2-110 titled, “Tree Committee” which shall read as follows:

(a) Definitions. The definitions used herein concerning trees are as follows:

(1) **Park Trees:** Trees, shrubs, bushes, and all other woody vegetation in designated Public Parks and all areas owned by the Town, or to which the public has free access.

(2) **Private Trees:** Trees, shrubs, bushes, and all other woody vegetation located on private property, which may or may not protrude or project over or outside a property line.

(3) **Public Right-of-way:** Streets, sidewalks, easements, alleys, curbs, gutters, and all other publicly accessed areas.

(4) **Street Trees:** Trees, shrubs, bushes, and all other woody vegetation found on the Town’s streets, rights-of-way, and existing between private property and the adjacent street.

(b) Creation and Establishment of a Tree Committee.

(1) There shall be a Tree Committee consisting of five (5) members. Three (3) of these shall be members of the community of the Town, appointed by the Board of Trustees. One (1) of these shall be a member of the Board of Trustees, appointed by the Board of Trustees. The fifth member shall be a staff member from the Town, appointed by the Board of Trustees,

preferably the Director of Public Works or the Director of Parks and/or Recreation. All serve on a volunteer basis without pay.

(2) The terms of office for the first Tree Committee shall be one (1) year for two (2) members, and two (2) years for the remaining three members. From then all the terms of the members shall all be two (2) years, in staggered terms.

(3) The Tree Committee shall make recommendations to the Board of Trustees concerning the purchase, disposition, trimming, spraying, removal, planting, pruning, and protection of Street trees, Park Trees, and any other trees on public property.

(4) The Tree Committee shall work with the Department of Public Works to see that an Arbor Day Celebration is held in the Town of Platteville every year. It will also be the duty of the Tree Committee to submit, in a timely manner, the annual Tree City USA application and information, which shall be the responsibility of the Tree Committee and signed by the Mayor.

(5) The Tree Committee shall be responsible for reviewing and responding to all Town policy relating to trees and tree care.

(6) The Tree Committee shall act in an advisory capacity to the Board of Trustees of the Town, leaving the Board of Trustees to make all final decisions.

(7) The Tree Committee shall select a Committee Chairperson. This individual shall be one of the community members serving on the Committee.

(c) Trees and Limbs in public right-of-way.

(1) It shall be the duty of any owner of any property adjacent to the public right of way to remove any trees or limbs located in or above the public right-of-way when such trees or limbs constitute a danger to public safety. Such trees and limbs shall constitute a nuisance pursuant to Sec. 7-4-50 of this Code. For the purpose of this section, a danger to public safety shall include all trees and limbs which hinder visibility, obstruct the view of traffic, obscure any traffic-control device, or which may otherwise affect public health, safety, and welfare, and trees and limbs which may fall on a person or on property.

(2) Limbs above sidewalks will be cut to allow a clearance of eight feet, and limbs above streets will be cut to allow a clearance of fourteen (14) feet.

(3) Any trees which fail to conform to this Section or Sec. 7-4-50 may be abated in the manner set forth in Chapter 7, Article I of this Code.

(d) Control of trees.

(1) The Town shall have the right to plant, prune, maintain and remove trees within the public rights-of-way of all streets, alleys, public parks, greenbelts and other public grounds, as may be necessary for public safety or to preserve or enhance the symmetry and beauty of such public grounds. The Board of Trustees may remove or cause to be removed any Park Tree, Private Tree, or Street Tree or part thereof which is in an unsafe condition, unsafe position, or is for any reason injurious to sewers, electric power lines, gas lines, water lines, or other public improvements. The Town may also remove or cause to be removed any Street Tree, Private Tree, or Public Tree that is affected with any injurious fungus, insect, or other pest.

(2) The property owner and/or occupant of each property in the Town shall perform the care, maintenance, and trimming of trees located in or near the boundary lines of such

property, usually on the street side of the property, according to the usual standards of care as established by the *Recommended Trees for Colorado Front Range Communities: A Guide for Selecting, Planting, and Caring for Trees* published in cooperation by the Colorado State Forest Service, Colorado Tree Coalition, and the U.S. Forest Service (a copy of which is available at Town Hall). Property owners are responsible for keeping lots and adjacent public rights-of-way clear of leaves, fruits, branches, and any other debris from trees.

(3) It is unlawful and deemed a nuisance for any person to cut, trim, spray, remove, or treat any tree upon access controlled arterials, public parks, and greenbelts within the Town, unless authorized or directed by the Town.

(4) It is unlawful and deemed a nuisance for any person to injure, damage, or destroy any tree in or upon public rights-of-way, public parks, or other public property within the Town.

(5) It is unlawful, as a normal practice, for any person, or firm to top any Street Tree or Park Tree. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree as to remove the natural canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where regular pruning practices are impractical may be exempted on a case-by-case basis by the Tree Committee.

(6) This section does not prohibit the planting of Street Trees by adjacent property owners in accordance with Subsections e and f below.

(e) Landscape design. All land development applications in the Town shall be accompanied by an appropriate landscape plan as required by the Town. Building permit applications for individual single-family residences will not require landscape plans. However, all landscaping within the Town shall comply with the intent of these regulations and comply with the minimum standards for new tree planting and landscape design.

(f) Tree Species.

(1) The above referenced publication *Recommended Trees for Colorado Front Range Communities: A Guide for Selecting, Planting, and Caring for Trees* reference tree species not recommended for the Colorado Front Range. Of the trees reference, the following tree species are specifically prohibited from limits and discouraged from use elsewhere: (Austree, Russian-olive, Tree-of-Heaven, Tamarisk, and cotton-bearing Cottonwoods).

(2) The *Recommended Trees for Colorado Front Range Communities: A Guide for Selecting, Planting, and Caring for Trees* publication references tree species recommended for the Colorado Front Range Communities; and these tree species are allowed for Town limits and encouraged for use elsewhere in Colorado Front Range communities.

(3) As *Recommended Trees for Colorado Front Range Communities: A Guide for Selecting, Planting, and Caring for Trees* may be updated from time to time, it is highly recommended that interested parties obtain the latest information from the Town or the Colorado State Forest Service.

(g) Penalties.

(1) Any person who fails to comply with any notice issued pursuant to any provision

of this ordinance, upon being found guilty of violation, shall be subject to the general penalties set forth in Article IV, Chapter 1 of this Code.

(2) If, as a result of the violation of any provision of this ordinance, the injury, mutilation or death of a Street Tree or Park Tree or any other plant on Town property is caused, the party in violation shall make restitution to the Town for the cost of repair or removal or replacement of such tree or plant. Such requirement shall be in addition to any other penalty.

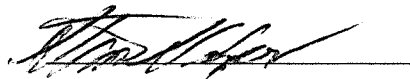
(h) Conflicting provisions. When any provision of this Section conflicts with any other provision of this Code or any other applicable law of the Town, the more specific, stringent provisions shall apply.

**Section 2.** Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance.


**Section 3.** Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

**Section 4:** Effective Date. The Board of Trustees of the Town of Platteville herewith finds, determines and designates that this ordinance shall take effect and be in force thirty (30) days after publication.

Town of Platteville:



Steve Shafer  
Mayor



Leah Heneger, CMC  
Town Clerk

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