

TOWN OF SAN ANSELMO  
ORDINANCE NO. 889

An Ordinance amending Title 4, chapter 13, Private Trees, of the San Anselmo Municipal Code regulating the pruning of elm trees and revising procedures involving heritage trees.

The current Town of San Anselmo Municipal Code Sections 4-13.05 and 4-13.06 are hereby repealed and replaced with the following:

SECTION 4-13.05 ELM TREE PRUNING RESTRICTIONS

The spread of Dutch Elm Disease has caused the removal of a large number of elm trees within the Town limits. The spread of Dutch Elm Disease is expected to increase, causing further depletion of Town resources, finances, and causing considerable loss of urban amenities. Accordingly, it is necessary for the preservation and enjoyment of the public health and safety to restrict the pruning of elm trees to those procedures that will help preserve them for the future.

(a) Definition Pruning of elm trees as described herein shall include all utility line clearance, height reduction, thinning and shaping, and removal of dead, weak, diseased, rubbing or otherwise interfering branches.

(b) Permit Requirements. Methods

1. Pruning shall commence only after a permit is secured from the Department of Public Works.
2. No pruning shall be done during the period that the elm trees are budding or during the period when elm trees have leaves on them. Exceptions to this requirement may be granted for emergency pruning as described in subparagraph (d) and therapeutic pruning as described in subparagraph (e).
3. All pruning shall be done in accordance with the Natural Target Pruning technique as described in Exhibit A.
4. No climbing gaffs shall be used. Access to elm trees being pruned shall be by climbing ropes and/or buckets only. All tree cutting tools shall be disinfected after work on each tree.
5. No more than one-third of the foliage of vigorous trees may be removed during any one year. With regard to less vigorous trees, as determined by the Department of Public Works, foliage removal shall be limited to one-fifth of the live canopy.

6. All pruning shall be done under the supervision of a licensed arborist or as directed by the State of California Department of Forestry. At the conclusion of the pruning, the applicant shall provide the Department of Public Works with written certification from either a licensed arborist or the Department of Forestry that the work was performed as required by this Ordinance.

(c) Elm Wood Elm wood shall not be kept, given away, or sold for any purpose whatsoever. The Public Works Department of the Town of San Anselmo shall be notified prior to the commencement of any pruning in order to prepare and schedule pickup of the pruned wood. This pickup of pruned wood shall be provided without charge by the California Department of Forestry.

(d) Emergency Pruning Emergency pruning is defined to mean work necessary to be undertaken without delay in order to remove and clear an immediate threat to public safety. Emergency pruning of high-hazard trees may be done only after notification and approval of either the Public Works Department or the Police Department.

(e) Therapeutic Pruning Therapeutic pruning is defined as pruning which increases tree health and vigor by removal of diseased or damaged wood. Such pruning shall follow the permit procedure described herein.

(f) Cabling and Bracing Cabling and bracing may be done at any time when there is a clear potential for tree failure. Prior notification of such work shall be given to the Public Works Department.

(g) Conflicts These requirements shall supersede any conflicting provision of the San Anselmo Municipal Code.

#### SECTION 4-13.06 PERMITS

(a) Application Processing An application for a permit shall be made in writing to the Department of Public Works and shall contain the number and locations of trees or heritage trees to be affected and a statement of the reasons for removal or reasons for other work desired, as well as such other pertinent information as the Public Works Department may require which may include a discussion of the need for the work by a qualified arborist. In the case of subdivisions, such information shall be part of the subdivision filing pursuant to subsection (c) of this section.

Said application shall be accompanied by the appropriate fee, the amount of which shall be determined by resolution of the Town Council.

Once the Public Works Department has found the application

to be complete, the Department shall notify in writing each property owner within 300 feet, of the applicant property, that a tree permit is being considered for approval. The notification shall state the date, location and time of the administrative hearing on the permit. The date for the administrative hearing shall be set a minimum of 10 days from the date of the hearing notice. At the administrative hearing, information and testimony as the permit application shall be reviewed and the disposition of the permit application will be made based on the following considerations:

(1) The condition of the trees or heritage trees with respect to disease, danger of falling, proximity to existing structures, and interference with utility services;

(2) The necessity of the contemplated work to allow the economic enjoyment of the property;

(3) The topography of the land and the effect of the contemplated work on erosion, soil retentions, and the diversion of increased flows of surface water;

(4) The general effect of the contemplated work on property values in the area; and

(5) Good forestry practices.

A permit shall be issued unless the Public Works Department finds, after an inspection and the securing of such expert advice deemed necessary, and making the foregoing determinations, that the trees affected are of a size, type, condition, and location and in such surroundings that the contemplated work would significantly frustrate the purposes of this chapter.

(b) Emergency Conditions In the event of any emergency in which a particular tree or heritage tree causes an immediate hazard or dangerous condition, such tree may be removed or cut back by permission of the Public Works Director, the Chief of Police, or Chief of the Fire Department or their respective department representatives without following the above described permit procedure.

(c) Subdivisions All subdivision maps filed shall designate clearly the location, size, and type of any trees and heritage trees scheduled for removal. In addition, heritage trees shall be located on the tentative map, that is, submitted to the Planning Commission for approval. The approval of the improvement plans, as required by the Subdivision provisions, of this code and State law shall constitute a permit to cut, remove, or change the soil level around any tree so particularly designated on such plans.

**NATURAL TARGET PRUNING:**

1. Locate the branch bark ridge and branch collar (see Fig. 1)
2. Find target A - outside branch bark ridge and branch collar.
3. Find target B - where branch meets collar.
4. If B cannot be found, drop an imaginary vertical line AX. Angle XAB shall be equal to angle XAC.
5. Stub cut the branch.
6. Make final cut along line AB (with powersaw make final cut on upstroke).

**DO NOT:**

1. Make flush cuts behind the branch bark ridge.
2. Leave living or dead stubs.
3. Injure or remove any part of the branch collar.
4. Paint cuts.

Elms should be pruned to remove dead, weak, diseased, rubbing or otherwise interfering branches.

Limbs more than 3" in diameter shall have bark precut to prevent peeling or splitting of the bark.

All final cuts are to be made just outside the bark branch ridge and branch collar. Care must be taken not to injure any callus development on dead limbs. (see Fig. 2)

The finished cut surface must be smooth and in one plane with no jagged edges or torn bark.

When topping is necessary, all cuts are to be made at a healthy lateral branch large enough to assume the role of the terminal branch. For this purpose the remaining lateral shall be at least half the diameter of the branch removed. (see Fig. 3)

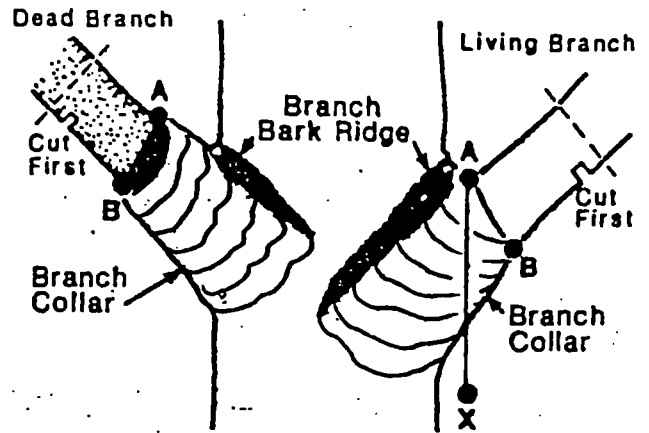


FIG. 1

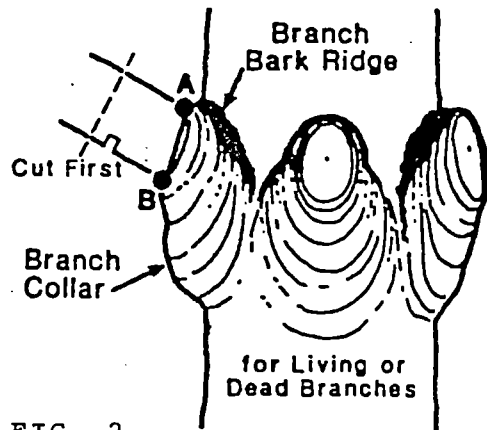


FIG. 2

**Topping**

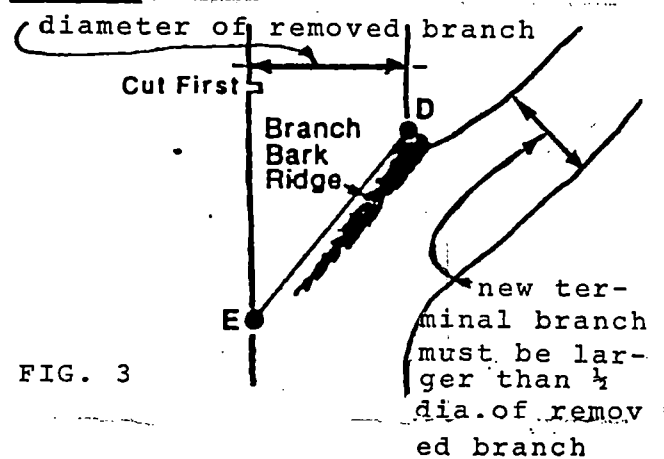


FIG. 3

(d) Utilities and Town Departments A public utility subject to the jurisdiction of the Public Utility Commission of the State and the Department of Public Works and the Park and Recreation Department of the Town may apply for a general permit to prune trees as may be necessary to maintain the safe operation of the utility business or, in the case of a Town Department, necessary to maintain traffic safety or the safe public use of public property. Such general permit shall not apply to any heritage tree or elm tree nor shall it allow the cutting, destruction, or removal of any tree, nor shall it allow changing the soil level around any tree. Such general permit shall require that pruning be performed under the supervision of a licensed tree surgeon or a landscape architect named therein. Such permit may be good for an indefinite period of time and may be revoked at any time for cause by the Public Works Director.

(e) Posting of Permit Work requiring a permit shall not be commenced until the permit holder or his agent shall have posted in a conspicuous place in the front of the premises a copy of the permit. This permit copy shall be maintained in such position by the permit holder until all permit work is complete and approval has been granted by the building officia.

#### SECTION 4-13.07 APPEALS

Any decision made by the Public Works Department may be appealed to the Town Council. Such appeal shall be processed by using the Appeals procedure established for Planning Commission appeals in Title 10 of this Code.

#### SECTION 4-13.08 PENALTY PROVISIONS

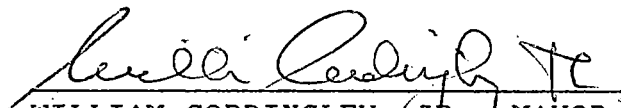
Any person violating any of the provisions of this chapter shall be guilty either of an infraction or a misdemeanor shall be subject to the penalties prescribed by this Code.

The foregoing ordinance was read and introduced at a regular meeting of the San Anselmo Town Council on September 22, 1987, and was thereafter at a regular meeting of the Town Council held on October 13, 1987, duly adopted by the following vote:


AYES: Chignell, Sharp, Walsh, Cordingley

NOES: (None)

ABSENT: Wooliever

  
WILLIAM CORDINGLEY, (JR.), MAYOR

ATTEST:

  
Caroline Foster, Town Clerk