

# Street Trees and City Ordinance

By The East Row Tree Revitalization Team

Each city has a tree ordinance – a legal set of rules on everything concerning street trees. Some cities assume complete responsibility for the trees (planting, maintenance and care, removal, emergency services, etc.) and some divide the responsibilities up between homeowner and a city department. This is usually determined by the size of the municipality and the availability of funding. For example, the City of Cincinnati assumes 100% of the street tree planting and maintenance, primarily due to their size but also thanks to their annual urban forestry tax line item charged at \$0.18 per front footage. Other cities save on staff and equipment by requiring homeowners to care for the street trees, as is the case for Newport. Highlights from the ordinance are answered below. The full ordinance can be found online in the “General Regulations, Chapter 94” section at <http://www.amlegal.com/library/ky/newport.shtml>.

## **Q: What is a “street tree” and who takes care of it?**

A: A street tree is a tree located in the area between the sidewalk and the street (or “tree lawn”). If you have a tree in this area in front of your house, city ordinance states that it is your responsibility to maintain the tree, which includes pruning.

## **Q: But I thought the city pruned street trees.**

A: Any public utility serving the City, such as Duke Energy, has the right to trim a street tree (such as for power line clearance), but pruning and other maintenance of the tree is the property owner’s responsibility.

## **Q: What if the tree is dead and needs to be removed?**

A: If a street tree is dead and needs to be removed, the city will remove and replace the tree at no cost to the homeowner. If the property owner doesn’t want the tree replaced, then the cost of removal is paid for by the property owner. Homeowners cannot remove a tree without prior city permission.

## **Q: Aside from pruning, how else should I care for my street tree?**

A: Proper care of trees (not just street trees) is something we plan to cover in future articles, but note the picture showing proper mulching technique this spring. Read more about tree mulching on the East Row Garden Club website at [EastRowGardenClub.org/Trees](http://EastRowGardenClub.org/Trees).

## **Q: Other than removal and replacement, will the city do anything else to my street tree?**

A: Street trees are ultimately owned by the city. City staff can and will limb up trees for unobstructed maintenance of streets, and will repair and/or replace sidewalk panels which have become damaged by the trees.

## **Q: Who do I contact at the city with concerns about my street tree?**

A: Contact Doug Roell, Public Works [859.292.3686](tel:859.292.3686).

## **Q: I don’t have a street tree right now, but I want one. Do I pay for a new tree myself?**

A: Stay tuned for information about an upcoming new planting project, which will include some funding for new trees for our area. The East Row Tree Revitalization team is excited about this effort, and will help you with a selection of trees appropriate for your tree lawn.

The East Row Tree Revitalization is a project of the East Row Garden Club in order to assess, maintain and build our urban forest. This is the second in a series of articles to educate homeowners about their street trees. If you have a question about your tree or want to join the group, contact us at [trees@eastrowgardenclub.org](mailto:trees@eastrowgardenclub.org).

