

**TITLE 2****BOARDS AND COMMISSIONS, ETC.****CHAPTER**

1. HISTORIC ZONING COMMISSION.
2. TREE BOARD.

**CHAPTER 1****HISTORIC ZONING COMMISSION****SECTION**

- 2-101. Created.
- 2-102. Members and terms.
- 2-103. Guidelines and rules.

**2-101. Created.** A historic zoning commission shall be created of no less than six (6) members, who shall serve without compensation, to be appointed by the mayor and confirmed by city council. (as added by Ord. #2013-07, June 2013)

**2-102. Members and terms.** (1) The commission members shall have five (5) year terms, except that the members appointed initially shall have staggered terms so that the terms of at least one (1) member, but not more than two (2) members, shall expire each year.

(2) The commission shall consist of a representative of a local patriotic or historical organization; an architect (if available); a member of the local planning commission at the time of their appointment; and the remaining members from the community in general. Any member appointed to the commission after the initial appointments shall, if possible, be a resident of the City of Jefferson City or own property in the City of Jefferson City. (as added by Ord. #2013-07, June 2013, and amended by Ord. #2015-03, Feb. 2015)

**2-103. Guidelines and rules.** The commission may adopt review guidelines, rules, and regulations consistent with the requirements of Tennessee Code Annotated, § 13-7-401, et seq. (as added by Ord. #2013-07, June 2013)

## CHAPTER 2

### TREE BOARD

#### SECTION

- 2-201. Definitions.
- 2-202. Creation and establishment of a city tree board.
- 2-203. Term of office.
- 2-204. Compensation.
- 2-205. Duties and responsibilities.
- 2-206. Operation.
- 2-207. Street tree species to be planted.
- 2-208. Spacing.
- 2-209. Distance from curb and sidewalk.
- 2-210. Distance from street corners and fireplugs.
- 2-211. Utilities.
- 2-212. Public tree care.
- 2-213. Tree topping.
- 2-214. Pruning, corner clearance.
- 2-215. Removal of stumps.
- 2-216. Interference with city tree board.
- 2-217. Review by the city council.
- 2-218. Penalty.

**2-201. Definitions.** (1) Park trees. "Park trees" are herein defined as trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the city, or to which the public has free access as a park.

(2) Street trees. "Street trees" are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the city. (as added by Ord. #2015-13, Jan. 2015)

**2-202. Creation and establishment of a city tree board.** The City Tree Board for the City of Jefferson City, Tennessee shall consist of the five (5) member beautification board which is appointed by the mayor with the approval of city council. (as added by Ord. #2015-13, Jan. 2015)

**2-203. Term of office.** The term of the five (5) persons to be appointed by the mayor shall be the same as those terms of the beautification board. In the event that a vacancy shall occur during the term of any member, a successor shall be nominated by the mayor and confirmed by city council. (as added by Ord. #2015-13, Jan. 2015)

**2-204. Compensation.** Members of the board shall serve without compensation. (as added by Ord. #2015-13, Jan. 2015)

**2-205. Duties and responsibilities.** It shall be the responsibility of the board to study, investigate, council, and develop and/or update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in park, along streets and in other public areas. Such plan will be presented annually to the city council and upon their acceptance and approval shall constitute the official comprehensive city tree plan for the City of Jefferson City, Tennessee. The board, when requested by the city council, shall consider, investigate, make finding, report and recommend upon any special matter of question coming within the scope of its work. (as added by Ord. #2015-13, Jan. 2015)

**2-206. Operation.** The board shall choose its own officers, make its own rules and regulations and keep minutes of its meetings. A majority of the members shall be a quorum for the transaction of business. (as added by Ord. #2015-13, Jan. 2015)

**2-207. Street tree species to be planted.** The tree board shall determine and adopt an appropriate and acceptable tree species listing. (as added by Ord. #2015-13, Jan. 2015)

**2-208. Spacing.** The spacing of street trees will be in accordance with the tree species size. No trees may be planted closer together than the following: small trees, thirty feet (30'); medium trees, forty feet (40'); and large trees, fifty feet (50'); except in special plantings designed or approved by a landscape architect. (as added by Ord. #2015-13, Jan. 2015)

**2-209. Distance from curb and sidewalk.** The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the three species size classes listed in § 2-208, and no trees may be planted closer to any curb or sidewalk than the following: small trees, two feet (2'); medium trees, three feet (3'); and large trees, four feet (4'). (as added by Ord. #2015-13, Jan. 2015)

**2-210. Distance from street corners and fireplugs.** No street tree shall be planted closer than thirty-five feet (35') of a street corner, measured from the point of nearest intersecting curbs or curblines. No street tree shall be planted closer than ten feet (10') of any fireplug. (as added by Ord. #2015-13, Jan. 2015)

**2-211. Utilities.** No street trees may be planted under or within ten (10) lateral feet of any overhead utility wire, or over or within five (5) lateral feet of

any underground water line, sewer line, transmission line or other utility. (as added by Ord. #2015-13, Jan. 2015)

**2-212. Public tree care.** The city shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds.

The city tree board may remove or cause or order to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is affected with any injurious fungus, insect or other pest. (as added by Ord. #2015-13, Jan. 2015)

**2-213. Tree topping.** It shall be unlawful as a normal practice for any person, firm, or city department to top any street tree, park tree, or other tree on public property. 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 so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this chapter at the determination of the city tree board. (as added by Ord. #2015-13, Jan. 2015)

**2-214. Pruning, corner clearance.** Every owner of any tree overhanging any street or right-of-way within the city shall prune the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of eight feet (15') above the surface of the street or sidewalk. Said owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The city shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a street light or interferes with visibility of any traffic control device or sign. (as added by Ord. #2015-13, Jan. 2015)

**2-215. Removal of stumps.** All stumps of street and park trees shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground. (as added by Ord. #2015-13, Jan. 2015)

**2-216. Interference with city tree board.** It shall be unlawful for any person to prevent, delay or interfere with the city tree board, or any of its agents, while engaging in and about the planting, cultivating, mulching,

pruning, spraying, or removing of any street trees, park trees, or trees on private grounds, as authorized in this chapter. (as added by Ord. #2015-13, Jan. 2015)

**2-217. Review by the city council.** The city council shall have the right to review the conduct, acts and decisions of the city tree board. Any person may appeal from any ruling or order of the city tree board to the city council who may hear the matter and make final decision. (as added by Ord. #2015-13, Jan. 2015)

**2-218. Penalty.** Any person violating any provision of this chapter shall be, upon conviction or a plea of guilty, subject to fine not to exceed fifty dollars (\$50.00). (as added by Ord. #2015-13, Jan. 2015)