

**CHAPTER 33**  
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**GENERALLY**

**33.005. License Required.** A current and valid license issued pursuant to the provisions of chapter 30 of this Code shall be required for any business or vocation defined in this chapter. (Ord No. 33-73)

**33.040. Investigation of Applicant.** Upon receipt of an application for any license required by SRC 33.005, the director shall refer the same to the building official or other prescribed city official who may make investigation of the applicant's business and moral character, and of the statements contained in the application as may be necessary for the protection of the public health, safety and welfare, and to determine whether any cause exists for denial of the license. Such investigation may include written, oral, and practical examinations to determine the applicant's competency in the business or vocation for which the applicant seeks a license. (Ord No. 131-65; Ord No. 33-73; Ord No. 72-74; Ord No. 4-98)

**33.042. Report of Investigation.** The building official or other prescribed city official shall, upon concluding any investigation pursuant to SRC 33.040, prepare a report of findings and submit the same to the director, recommending either issuance or denial of the license. Such recommendation shall be considered by but shall not be binding upon the director. (Ord No. 33-73; Ord No. 72-74; Ord No. 4-98)

**TREE TRIMMERS**

**33.190. Defined.** "Tree trimmer" means any person engaged in the business of trimming, pruning, altering, removing, or providing tree surgery for trees growing, standing, or located upon any public street, sidewalk, parks, or other public right-of-way, except a person owning a plant nursery and treating, trimming, pruning, altering, or removing shade trees in stock in such nursery or at the time of planting the same after sale. (Ord No. 131-65; Ord No. 185-71; Ord No. 33-73)

**33.195. License Issuance.**

- (a) Tree trimmer's license shall be issued only after an individual successfully passes a written and practical examination formulated by the Director and the payment of the required application and license fee.
- (b) Tree trimmers shall display in an easily identifiable place the name and address of the firm on all vehicles and equipment they operate.

(c) Tree trimmers shall secure for each public tree project, no matter how many trees or species of trees, a permit specifying the types of trees and kinds of services to be performed, plus other pertinent information required under this Chapter. (Ord No. 185-71; Ord No. 42-09)

**33.200. Exemptions.** The following persons shall be exempt from obtaining a tree trimmer's license:

- (a) Any person owning the land abutting the street at the point and on the side of the street where the tree stands.
- (b) Any person owning a plant nursery and treating, trimming, pruning, altering, or removing shade trees in stock in such nursery or at the time of planting the same after sale. (Ord No. 131-65; Ord No. 33-73)

**33.210. Insurance.** Before a tree trimmer's license is issued to any person under this chapter, the applicant therefor shall first obtain and file with the director a certificate showing a policy of comprehensive or commercial general liability insurance from an insurance company authorized to do business within the state of Oregon, which policy shall have at least the following minimum coverage limits:

- (a) \$50,000 to any claimant for any number of claims for damage to or destruction of property, including consequential damages, arising out of a single accident or occurrence;
  - (b) \$200,000 to any claimant as general and special damages for all other claims arising out of a single accident or occurrence;
  - (c) \$500,000 for any number of claims arising out of a single accident or occurrence.
- Such policy shall be on an "occurrence" and not a "claims made" form and shall name as additional insureds the City of Salem, its officers, agents and employees. (Ord No. 155-66; Ord No. 4-98)

**33.220. License; Suspension and Revocation.** Tree trimmers' license issued under this chapter may be suspended or revoked for any of the following causes in addition to those listed in SRC 30.120.

- (a) Performing the services of a tree surgeon, trimmer, pruner or altering or removing trees in an unlawful manner or such manner as to constitute a breach of the peace or to constitute a menace to the health, safety, or general welfare of the public.
- (b) Failure to observe the rules for tree care, pruning, topping, altering, moving or removing, promulgated pursuant to this chapter. (Ord No. 131-65)

**33.230. Promulgation of Rules and Regulations.** The Director shall promulgate such rules required to carry out the provisions of SRC 33.190-33.240. Such rules shall include the qualifications for a tree trimmer's license. (Ord No. 131-65; Ord No. 42-09)

**33.240. Inapplicability to Trimming, Etc., Trees or Shrubs on Private Property.** The provisions of SRC 33.190 to 33.240 shall have no application to the trimming, pruning, altering, or removing of any trees or shrubs standing or growing upon private property. (Ord No. 131-65)

**33.990. Violations.** Violation of any of the provisions of this chapter is an infraction. It is punishable by a fine of not less than \$100 and not more than \$250. The second and subsequent violation in any one year period is punishable by a fine of not less than \$250. In addition to any other penalty provided by law, a person adjudged responsible for violation of any of the provisions of this chapter may be ordered by the court to correct the violation. (Ord No. 193-79; Ord No. 47-97)