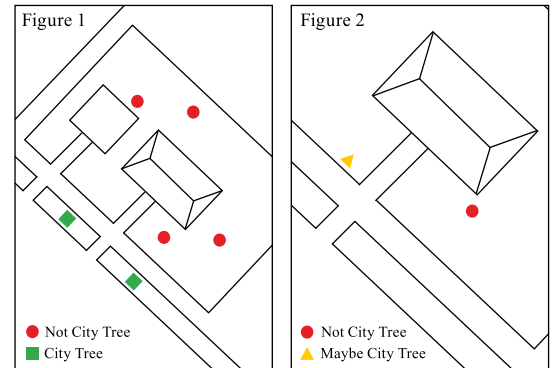


Applying for a City Tree Removal Permit: Non-Development Related

Is the tree in front of my home a City tree? (Figures 1 & 2)

- Between street and sidewalk: Yes
- Back or side yard: No
- Between street and your house: Check with the City for measurement from the edge of the pavement toward your home.
- Curb attached sidewalk: Check with the City for measurement from the edge of the street toward your home.



City Tree Removal:

If the tree is located on City property and directly abutting your property, you will need to apply for a tree removal permit as provided by provision of the **Salem Revised Code 86.050**.

A permit is required to remove City trees or tree protection devices.

Please note the following criteria used to determine the reasons to permit the removal of a City tree and reasons that will not be considered for its removal:

86.090 City Tree Removal Criteria.

- a. A permit to remove a City tree may be granted if one or more of the following criteria are met, as determined by the Director:
 1. *The tree is dead.*
 2. *The tree is in an advanced state of decline.*
 3. *The tree is structurally unsound and poses an imminent risk to person or property, as determined by a tree risk assessment, and when the risk cannot be mitigated or the tree cannot be made sound by accepted arboricultural practices.*
 4. *The tree is infected with an acute fatal disease that cannot be treated successfully or there is a strong potential that the pathogen could spread and kill other trees in the immediate vicinity (e.g., Dutch Elm Disease).*
 5. *The tree is infested with an insect that cannot be treated successfully or there is a high likelihood that the infestation could spread and kill other trees or vegetation in the immediate vicinity (e.g., Emerald Ash Borer).*
 6. *When City trees have been planted too close to each other based on administrative rules and the spacing causes an adverse effect on neighboring trees. The tree with the greatest vigor will remain unless it meets other criteria for removal. The applicant shall bear the cost of tree and stump removal.*
 7. *When past pruning and other tree maintenance practices, other than required electrical line clearance, has destroyed the natural shape of the tree or caused the tree to go into decline.*
 8. *The Director may permit the removal of a City tree due to construction if there is no reasonable alternative. The applicant shall be required to bear all cost of the tree's removal and replacement.*
 9. *The Director may permit the removal of a City tree if the tree is having an adverse effect on adjacent infrastructure and that effect cannot be mitigated by pruning, reasonable alternative construction techniques, or accepted arboricultural practices.*

- b. Except as provided in 86.085(b), if a tree is removed pursuant to subsection (a)(8) of this section, the tree will be replaced in conformance with the applicable administrative rules and Public Works Design Standards.
- c. The City shall not permit the removal of a City tree for any other reason, including but not limited to the following, unless the criteria for a variance has been approved:
 1. *Dropping of leaves, flowers, seeds, bark, sap, stems, pests, or other matter.*
 2. *Improvement or maintenance of views.*
 3. *Competition with turf or impact on non-plant landscaping (e.g. mulch or gravel).*
 4. *Common allergies.*
 5. *Damage to items that have been placed too close to the trunk such as pavers, bricks, blocks and concrete.*

When applying for a tree removal permit you will need to provide the following information:

1. The name of the property owner abutting the City tree
2. The address of the property owner and the address of the tree if different.
3. The location of the tree relative to the address (e.g., "next to the driveway to my house").
4. The criteria used to request the removal permit (e.g., # Past pruning destroyed the natural shape of the crown.)
5. The approximate date of work
6. The name and contact information of the City-licensed tree contractor doing the work. If you plan to do the work yourself, enter "Self."
7. Obtaining a separate permit for work in the parking lane and any lane closure shall be the responsibility of the permit holder. (*Construction Maintenance Temporary On-street Parking Permit–PAC Center, Work in Right-of-Way Permit–Public Works Development Services.*)

Historic District Requirements:

If the tree is located in a Historic District the removal is subject to Historic Design Review under SRC 230 and replanting will be required.

30 Day Public Notice is Required Prior to Removal – Public May Appeal: SRC 86.080

Review of Applications for City Tree Removal. Upon receipt of a complete permit application for City tree removal, the Director shall review the application, and if the application fails to meet the applicable criteria the application shall be denied, and a notice of denial shall be provided to the applicant, which notice shall identify the reasons for the denial. If the application meets the applicable criteria, the Director shall provide written notice to the neighborhood association where the tree or trees are located, and post notice of the approval as near as practicable to the tree or trees to be removed.

Appeal Procedure for a Denial of a Permit to Remove a City Tree: SRC 86.095

If you believe that the City staff erred in its decision in denying your application to remove a City tree, you can appeal the decision to the Salem Parks and Recreation Board. (A group of citizens appointed by the City Council. Decisions by this board are not appealable.). Please note that the appeal must be based on an error in the staff's interpretation and application of this code. The appeal application and fee must be filed at the Permit Application Center (PAC) – Rm 320, 555 Liberty St SE within thirty days of Staff's decision.