

ORDINANCE NO. 2699

AN ORDINANCE to amend and reordain Sections 6-2-1, 6-2-2, 6-2-3, subsections (1) and (2) of subsection (a), subsection (c), Section 6-2-5, Sections 6-2-6, 6-2-7 and 6-2-8, Article A; Sections 6-2-23 and 6-2-24, Article B, all of Chapter 2, Title 6 of The Code of the City of Alexandria, Virginia, 1981, as amended; which Title 6 relates to PARKS, RECREATION AND CULTURAL ACTIVITIES, which Chapter 2 relates to TREES, SHRUBS, PLANTS AND VEGETATION, which Article A relates to REGULATION OF TREES, SHRUBS, ETC., ON PUBLIC PROPERTY, which Section 6-2-1 relates to MANAGEMENT AND SUPERVISION, which Section 6-2-2 relates to PERMIT TO PLANT, REMOVE, ETC., IN PUBLIC PLACES--REQUIRED, which Section 6-2-3 relates to SAME--ISSUANCE; INFORMATION TO BE SHOWN, which Section 6-2-5 relates to PERMITTED TREES, ETC., which subsection (a) relates to PERMITTED TREES, which subsection (1) relates to MAJOR TREES, which subsection (2) relates to MINOR TREES, which subsection (c) relates to AUTHORIZATION TO PLANT TREES NOT LISTED, which Section 6-2-6 relates to MASTER PLAN, which Section 6-2-7 relates to RESPONSIBILITY OF DIRECTOR OF RECREATION AND CULTURAL ACTIVITIES FOR PLANTING, TRIMMING, REMOVAL, ETC., which Section 6-2-8 relates to RESTRICTIONS ON REMOVAL FROM PUBLIC PROPERTY BY DIRECTOR OF RECREATION AND CULTURAL ACTIVITIES, which Article B relates to REGULATION OF TREES, SHRUBS, ETC., ON PRIVATE PROPERTY INTERFERING WITH OR ENDANGERING THE PUBLIC OR PUBLIC PROPERTY, which Section 6-2-23 relates to SAME--FINAL ACTION BY CITY UPON FAILURE TO COMPLY WITH SECTION 6-2-22 and which Section 6-2-24 relates to DANGEROUS TREES, SHRUBS, ETC., DECLARED NUISANCE; TRIMMING OR REMOVAL.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 6-2-1, Article A, Chapter 2, Title 6 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 6-2-1. Management and supervision.

The director of transportation and environmental services (hereinafter "director") or his duly authorized representative, under the city manager, shall have general management and supervision of all trees, shrubs, plants and vegetation embraced by this article.

Section 2. That Section 6-2-2, Article A, Chapter 2, Title 6 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 6-2-2. Permit to plant, remove, etc., in public places--Required.

It shall be unlawful for any person, except the director or his duly authorized representative, to plant, trim or prune any tree, shrub, plant or vegetation on or to remove any tree, shrub, plant or vegetation from any dedicated street, alley or highway, public right-of-way or easement, public land lying between property lines on either side of a public street, highway or alley, public parking strip, public street, sidewalk or divider, public median strip or planting strip or other land or public place owned by the city, except public school sites, without first applying for and obtaining a permit from the director; provided, however, that nothing contained in this section shall prohibit the trimming or cutting of grass in the public right-of-way.

Section 3. That Section 6-2-3, Article A, Chapter 2, Title 6 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 6-2-3. Same--Issuance; information to be shown.

(a) The director shall issue a written permit, as required by the preceding section, to any applicant without charge, only when he finds that the action proposed is necessary or desirable, will not be contrary to any city master plan for trees, shrubs, plants or other vegetation, is not contrary to the provisions of this chapter and will be performed in a workmanlike manner.

(b) Any permit issued pursuant to the preceding section shall contain the location approved, the species of tree or shrub, the action allowed to be performed, the duration of the permit and any other requirements deemed necessary or desirable by the director to regulate the proper planting, trimming or cutting or removal of trees, shrubs, plants and vegetation within the city, and all work done under a permit issued by the director shall be performed in strict accordance with the terms thereof.

Section 4. That subsections (1) and (2) of subsection (a), subsection (c), Section 6-2-5, Article A, Chapter 2, Title 6 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

(1) Major trees

Common Name	Botanical Name
Amur Maple	Acer ginnala
Norway Maple	Acer platanoides

Columnar Norway Maple
 Crimson King Norway Maple
 Sycamore Maple
 Red Maple
 Columnar Red Maple
 Sugar Maple
 Columnar Sugar Maple
 Sentry Sugar Maple
 Hornbeams
 Deodar Cedar
 Hackberries
 Leyland Cypress
 Lobb Cryptomeria
 Green Ash
 Marshall's Seedless Ash

Modesto Ash
 Maidenhair Tree
 Sentry Ginkgo
 Thornless Honey Locust
 Sweet Gum
 Dawn Redwood
 Sourgum
 American Hop Hornbeam
 Sourwood
 Amur Cork Tree

White Pine
 London Planetree
 Bradford Pear
 Sawtooth Oak
 Northern Red Oak
 Scarlet Oak
 Willow Oak
 Japanese Pagodatree
 Lindens
 Chinese Elm
 Japanese Zelkova

(2) Minor trees

Common Name

Hedge Maple
 Redbuds
 American Yellowwood
 Flowering Dogwood
 Red Flowering Dogwood
 Japanese Dogwood
 Hawthorns
 Russian Olive
 Silverbells

Acer platanoides "Columnare"
 Acer platanoides "Crimson King"
 Acer pseudoplatanus
 Acer rubrum
 Acer rubrum "Columnare"
 Acer saccharum
 Acer saccharum "Columnare"
 Acer saccharum "Monumentale"
 Carpinus species
 Cedrus deodara
 Celtis species
 Cuppressocyparis leylandii
 Cryptomeria japonica lobbi
 Fraxinus pennsylvanica lanceolata
 Fraxinus pennsylvanica
 "Marshall's Seedless"
 Fraxinus velutina glabra
 Ginkgo biloba (Male)
 Ginkgo biloba "Fastigiata"
 Gleditsia triacanthos inermis
 Liquidambar styraciflua
 Metasequoia glyptostroboides
 Nyssa Sylvatica
 Ostrya virginiana
 Oxydendron arboreum
 Phellodendron amurense
 (seedless variety)
 Pinus strobus
 Platanus acerifolia
 Pyrus calleryana "Bradford"
 Quercus acutissima
 Quercus borealis
 Quercus coccinea
 Quercus phellos
 Sophora japonica
 Tilia species
 Ulmus parvifolia
 Zelkova serrata

Botanical Name

Acer campestre
 Cercis species
 Cladrastis lutea
 Cornus florida
 Cornus florida rubru
 Cornus kousa
 Crataegus species
 Eleagnus augustifolia
 Halesia species

American Holly
Golden Raintree
Golden Chaintree
Kobus Magnolia
Star Magnolia
Sweet Bay Magnolia
Crabapples
Flowering Cherries
European Mountain Ash
Japanese Snowbell

Illex Opaca
Koelreuteria paniculata
Laburnum wateri
Magnolia Kobus
Magnolia stellata
Magnolia virginiana
Malus species
Prunus species
Sorbus aucuparia
Styrax japonica

(c) The director or his duly authorized representative may plant trees and shrubs not permitted above in parks only.

Section 5. That Section 6-2-6, Article A, Chapter 2, Title 6 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 6-2-6. Master plan.

The director, in order to promote an orderly, attractive, economical and nuisance-free planting system for the city, may, within the funds at his disposal, devise, place in force and carry out a master tree, shrub, plant and vegetation plan for all or any portion of the public places within the city, except public school sites.

Section 6. That Section 6-2-7, Article A, Chapter 2, Title 6 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 6-2-7. Responsibility of director for planting, trimming, removal, etc.

The director, under the city manager, shall be responsible for the planting, trimming, removal and care of trees, shrubs, plants or other vegetation in all public places in the city, except public school sites. He or his duly authorized representative is hereby authorized to trim, prune, spray, water, cultivate, maintain, plant or remove trees, shrubs, plants or other vegetation in any places subject to the restrictions of this chapter.

Section 7. That Section 6-2-8, Article A, Chapter 2, Title 6 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 6-2-8. Restrictions on removal from public property by director.

The director shall not remove or permit removal of all or any part of any tree, shrub, plant or other vegetation from any public place unless he has determined that such tree, shrub, plant or vegetation:

- (1) Is infected with a disease;
- (2) Is infected with injurious insects or pests;
- (3) Should be removed to make room for public improvement;
- (4) Is endangering or is likely to endanger streets, highways, sidewalks, sewers, utility installations, property, vehicles or the traveling public; and/or
- (5) Is dead or unsightly.

Section 8. That Section 6-2-23, Article B, Chapter 2, Title 6 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 6-2-23. Same--Final action by city upon failure to comply with section 6-2-22.

The director, or his duly authorized representative, may trim or prune the trees, shrubs, plants or other vegetation described in the notice in section 6-2-22 in the event there is no appeal and there is failure to comply with the notice when the time limit prescribed therein has expired. Such action by the director shall not preclude any criminal proceeding for the violation.

Section 9. That Section 6-2-24, Article B, Chapter 2, Title 6 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 6-2-24. Dangerous trees, shrubs, etc., declared nuisance; trimming or removal.

Notwithstanding any other provision of this chapter, any tree, shrub, plant or other vegetation or part thereof, located on private property which is an immediate and serious danger to any public street or highway or vehicle or person thereon, any public sidewalk or person thereon or any public property or the traveling public, is hereby declared a public nuisance and may be immediately trimmed or removed by the director when the person in control fails to do so; provided, that the director shall attempt

to give the owner, operator, occupant or other person responsible or in control at least four (4) hours' notice.

Section 10. That the title of and an informal memorandum explaining this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

CHARLES E. BEATLEY, JR.
Mayor

Final Passage: June 12, 1982