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**Code of Ordinances, City of Lynchburg, Virginia
Abstracted April 2016**

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Chapter 4 AIR POLLUTION

ARTICLE IV. OPEN AIR BURNING

Sec. 4-60. Definitions.

For the purpose of this article and subsequent amendments or any orders issued by the city, the words or phrases shall have the meaning given them in this section.

...

(c) Clean burning waste. Means waste which is not prohibited to be burned under this ordinance and which consists only of (i) 100 percent wood waste, (ii) 100 percent clean lumber or clean wood, (iii) 100 percent yard waste, or (iv) 100 percent mixture of only any combination of wood waste, clean lumber, clean wood or yard waste.

(d) Clean lumber. Means wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote.

(e) Clean wood. Means uncontaminated natural or untreated wood. Clean wood includes, but is not limited to, by-products of harvesting activities conducted for forest management or commercial logging, or mill residues consisting of bark, chips, edgings, sawdust, shavings or slabs. It does not include wood that has been treated, adulterated, or chemically changed in some way; treated with glues, binders or resins; or painted, stained or coated.

...

(g) Debris waste. Means wastes resulting from land clearing operations. Debris wastes include but are not limited to stumps, wood, brush, leaves, soil and road spoils.

...

(x) Wood waste. Means untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings. Wood waste does not include:

- (1) Grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands.
- (2) Construction, renovation, or demolition wastes.
- (3) Clean lumber.

(y) Yard waste. Means grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs that come from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include (i) construction, renovation, and demolition wastes or (ii) clean wood.

(Ord. No. O-81-149, § 1 [Art. I, § 4.1-1], 6-23-81; Ord. No. O-07-037, 3-13-07)

Sec. 4-62. Same—Exceptions.

The following activities are exempted to the extent covered by the State Air Pollution Control Board's Regulations for the Control and Abatement of Air Pollution:

...

(g) Open burning of tree, yard and garden trimmings located on the premises of private residences is permitted, provided the accumulation of tree, yard and garden trimmings to be burned does not exceed eight feet in any direction, and provided the requirements of section 4-64 of this chapter are met.

(h) Open burning is permitted for the destruction of any combustible liquid or gaseous material by burning in a flare or flare stack.
(Ord. No. O-81-149, § 1 [Art. I, § 4.1-3], 6-23-81; Ord. No. O-07-037, 3-13-07)

Sec. 4-64. Permissible open burning of tree, yard and garden trimmings.

Open burning is permitted on site for the destruction of tree, yard and garden trimmings located on the premises of private property, provided that the conditions are met:

- (a) The burning takes place on the premises of the private property; and
- (b) The location of the burning is not less than 300 feet from any occupied building unless the occupants have given prior written permission, other than a building located on the property on which the burning is conducted; and
- (c) The location of the burning is at least ten feet from adjoining property lines and the public streets or other public rights-of-way. The location of the burning may be less than ten feet from adjoining property lines, provided the adjoining property owner(s) has given prior written permission for such burning. The location of the burning may be less than ten feet from the public streets or other public rights-of-way, provided the fire marshal's office has given prior written permission for such burning.
- (d) At least one person of 16 years of age or older is supervising, and in close proximity to the burning at all times.
- (e) A water hose, at least one-half inch in diameter, with nozzle, connected to a fully charged, operational, outside bib spigot, is in close proximity to the burning at all times.
- (f) The accumulation of tree, yard and garden trimmings to be burned cannot exceed eight square feet in any direction. If the accumulation of tree, yard and garden trimmings to be burned exceeds eight feet in any direction, a permit must be obtained for such burning in accordance with the requirements of section 4-65 of this article.
- (g) The atmospheric conditions are acceptable, as determined by the fire marshal's office. It shall be the duty of the fire marshal's office to advise the news media in the city on those days on which the atmospheric conditions are unacceptable.
- (h) Citizens must check with the fire marshal's office prior to setting fires.
(Ord. No. O-07-037, 3-13-07)

Chapter 16.2 STORMWATER MANAGEMENT

ARTICLE I. GENERAL PROVISIONS

Sec. 16.2-8. Definitions.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

...
(4) "Best management practice (BMP)" means schedules of activities, prohibitions of practices, including both structural and nonstructural practices, maintenance procedures, and other management practices to prevent or reduce the pollution of surface waters and groundwater systems from the impacts of land-disturbing activities.

...
(21) "Land disturbance" or "land-disturbing activity" means a manmade change to the land surface that potentially changes its runoff characteristics including clearing, grading, or excavation except that the term shall not include those exemptions specified in section 16.2-9 of this chapter.

...
(24) "Local stormwater management program" or "local program" means a statement of the various methods adopted by this chapter and implemented by the

City of Lynchburg to manage the runoff from land development projects with provisions to require the control of post-development stormwater runoff rate of flow and may include such items as local ordinances, policies and guidelines, technical materials, inspections, enforcement and evaluation.

...
(Ord. No. O-01-079, 4-24-01, eff. 5-1-01; Ord. No. O-07-047, 4-10-07; Ord. No. O-14-070, § 1, 6-10-14)

Chapter 21.2 SOLID WASTE COLLECTION AND DISPOSAL

ARTICLE I. IN GENERAL

Sec. 21.2-3. Definitions.

Wherever used in this chapter, unless a different meaning clearly appears in the context, the following terms shall be given the following respective interpretations:

Brush: Any yard or debris wastes tree trimmings no larger than three inches in diameter and eight feet in length which cannot be placed in containers in accordance with the regulations herein set forth.

Debris waste: Wastes resulting from land clearing operations. Debris wastes include, but are not limited to, stumps, wood, brush, leaves, soil, and road spoils.

Rubbish: Combustible or slowly putrescible discarded materials which include but are not limited to trees, wood, leaves, trimmings from shrubs or trees, printed matter, plastic and paper products, grass, rags and other combustible or slowly putrescible materials not included under the term "garbage."

Site clearance materials: Any items such as boulders, rocks, tree trunks, stumps, or tree limbs.

Yard waste: That fraction of municipal solid waste that consists of grass clippings, leaves, brush and tree prunings arising from general landscape maintenance.

(Ord. No. O-91-056, 3-26-91, eff. 4-1-91; Ord. No. O-93-246, 9-14-93, eff. 10-1-93; Ord. No. O-97-201, 9-23-97, eff 10-1-97; Ord. No. O-03-113, 6-10-03, eff. 7-1-03; Ord. No. O-12-098, 9-11-12; Ord. No. O-14-012, 1-28-14)

Sec. 21.2-4. Preparation of solid waste for curbside collection.

...
(e) *Yard waste*. Yard waste collection by the city shall only be furnished to those residences regularly scheduled for the removal of solid waste by the city. All yard waste to be collected with normal residential waste shall be placed in approved containers or tied in bundles no larger than four feet in length, 15 inches in diameter and 50 pounds in weight. During special yard waste collection, all yard waste will be collected, provided no part is larger than three inches in diameter, and eight feet in length. Tree stumps and tree trunks will not be collected, nor will the waste resulting from topping or removal of a tree. Special yard waste collection is not offered to businesses. Any yard waste that is accepted pursuant to the city composting program shall be separated from other solid waste for pickup.

...
(Ord. No. O-91-056, 3-26-91, eff. 4-1-91; Ord. No. O-93-246, 9-14-93, eff. 10-1-93; Ord. No. O-03-113, 6-10-03, eff. 7-1-03; Ord. No. O-12-098, 9-11-12)

ARTICLE II. SOLID WASTE COLLECTION GENERALLY

Sec. 21.2-19. Special collections—Generally.

Special collections by the city shall only be furnished to residential customers and neighborhood cleanup programs. Special collection services are not offered to businesses. Special collections shall be scheduled by the resident, or neighborhood group in advance of placing the material out for collection.

Special collections shall include bulk waste collection, yard waste (brush and leaf) collection and a one-time mover's trash collection of solid waste. No fee will be charged for the collection of designated waste during special collection. Bagged leaves, yard waste, and appropriately bundled brush will be subject to the disposal fee when put out with refuse at other times in accordance with the provisions of section 21.2-16 through 21.2-18. Brush collection restrictions include tree trimming sizes not exceeding three inches in diameter and eight feet in length. As of July 1, 2012, segregated loads of brush and bulk may be brought to the RSA facility at no charge. Residents will be allowed an unlimited number of trips for segregated brush and bulk material.

(Ord. No. O-91-056, 3-26-91, eff. 4-1-91; Ord. No. O-93-246, 9-14-93, eff. 10-1-93; Ord. No. O-97-201, 9-23-97, eff. 10-1-97; Ord. No. O-03-113, 6-10-03, eff. 7-1-03; Ord. No. O-12-098, 9-11-12)

Chapter 26 NUISANCES

ARTICLE II. WEED CONTROL

Sec. 26-28.1. Definitions.

The following definitions shall apply to these words when used in this article:

...

(c) "Weeds" shall include any plant, grass or other vegetation (herbaceous or woody) over 12 inches in height, excluding trees, ornamental shrubbery, vegetable and flower gardens purposefully planted and maintained by the property owner or occupant free of weed hazard or nuisance, cultivated crops, or undisturbed woodland not otherwise in violation.

(Ord. No. O-94-113, 5-24-94, eff. 6-1-94; Ord. No. O-95-235, 8-8-95)

Sec. 26-28.7. Application for removal of weeds.

...

(f) The provisions of this article shall not authorize an applicant to enter onto property to remove trees or shrubbery unless the branches, limbs, or other parts of the trees or shrubbery extend or protrude onto private property in a manner which constitutes a danger to citizens or property or where the limbs or branches are likely to fall in such a manner as to endanger private citizens or property. If the department of community planning and development determines that the trees or shrubbery constitute a danger to private citizens or property, the applicant may be authorized to cut and remove such trees and shrubbery that have been designated for removal by the department of community planning and development in accordance with the provisions of this article.

(Ord. No. O-94-113, 5-24-94, eff. 6-1-94; Ord. No. O-00-163, 8-8-00)

ARTICLE III. NOISE CONTROL

Sec. 26-57. Exemptions.

The following specific activities are exempt from the provisions of sections 26-55 and 26-56 herein:

(a) Sound created by the operation of domestic power tools such as power lawn mowers, chain saws, weed eaters, etc., used in connection with lawn care, leaf removal, gardening, tree maintenance or removal or other landscaping, lawn or timbering activities, provided the

operation of said equipment is limited between the hours of 7:00 a.m. and 9:00 p.m. and such equipment is operated with a standard muffler or sound dissipating devices.

...

(Ord. No. O-91-170, 7-9-91, eff. 9-1-91; Ord. No. O-15-078, § 1, 9-22-15)

Chapter 28 PARKS, PUBLIC PLACES

ARTICLE II. CEMETERIES

Sec. 28-21. Disturbing graves, injuring trees, etc.

Any person who shall disturb any grave, injure, deface or remove any tombstone, wall or fence within the limits of any cemetery, or break, cut or destroy any trees, bushes, flowers or other shrubbery within such limits, without the consent of the owner of the enclosure or square within which the same may be growing, or commit any nuisance, or do any other unlawful, indecent or improper act within such limits, shall be deemed guilty of a class 2 misdemeanor.

(Code 1959, § 23-19)

Chapter 35.1 ZONING ORDINANCE

City council adopted a revised Zoning Ordinance on Tuesday, February 23, 2016. Please contact 434.455.3900 for assistance while the new ordinance is updated on this site.

Chapter 38 TREES AND VEGETATION

ARTICLE I. IN GENERAL

Sec. 38-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them:

Buildings and grounds: The division in the department of public works under whose jurisdiction street trees fall.

Park: All public parks, or public open spaces having individual names.

Principal thoroughfare: Any street upon which trucks are not prohibited.

Property line: The right-of-way line of a street or highway.

Property owner: The person owning such property as shown by the city assessor's maps.

Public places: All other grounds owned by the city.

Public trees: All shade and ornamental trees now or hereafter growing on any street, right-of-way or any public areas where otherwise indicated.

(a) Large trees: Those attaining a height of 45 feet or more.

(b) Medium trees: Those attaining a height of 30 to 45 feet.

(c) Small trees: Those attaining a height of less than 30 feet.

Street or highway: The entire width of every public way or right-of-way when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular and pedestrian traffic.

Treelawn: That part of a street or highway, not covered by a sidewalk or other paving, lying between the property line and that portion of the street or highway usually used for vehicular traffic.

Urban forester: The person within buildings and grounds or his designated representative, assigned to carry out specified duties of this chapter.

(Tax Code 1959, § 23.1-1; Ord. of 5-23-78; Ord. No. O-81-106, § 1, 5-26-81; Ord. No. O-99-254, 11-23-99; Ord. No. O-12-136, 11-27-12)

Sec. 38-2. Community forest plan.

The urban forester is herewith charged to formulate and administer a community forest plan covering all trees and tree work within the municipal boundaries of the city. This plan shall list suitable species of trees to be planted on each of the streets or other public sites of the city. From and after the effective date of the community forest plan, or any amendment thereof, all planting shall conform thereto.

(a) The urban forester shall consider all existing and future utility and environmental factors in the formulation of this plan in order to minimize any conflict between trees and utilities.

(b) The urban forester shall have the authority to revise the community forest plan at any time circumstance dictates. An important tool in fulfilling the community forest plan and in managing overall supervision of all trees on city property shall be a computerized tree inventory system.

(c) The community forest plan shall utilize ANSI A300 (the standard set by the National Standards Institute). Pending issuance of any topical segment of A300, the Manual of Arboricultural Specifications and Standards of Practice shall comprise the standards for tree work and tree care in the city. (See section 38-23 below.)

(Code 1959, § 23.1-2; Ord. of 5-23-78; Ord. No. O-81-106, § 1, 5-26-81; Ord. No. O-99-254, 11-23-99)

Sec. 38-3. Obstruction.

(a) *Duty of occupant*: It shall be the duty of any person or persons owning or occupying real property bordering on any street upon which property there may be trees, shrubs, weeds and other vegetation, to prune such trees, shrubs, weeds and vegetation in such manner that they will not obstruct or shade the streetlights, obstruct the passage of pedestrians on sidewalks, obstruct vision of traffic signs, or obstruct view of any street or alley intersection. The minimum clearance of any overhanging portion thereof shall be eight feet over sidewalks, and 14 feet over all.

(b) *Duty of property owner*: It shall be the duty of any person or person owning or occupying real property bordering on any street upon which property there may be trees, shrubs, weeds and other vegetation which cause potential hazard to public safety, to prune or remove such trees, shrubs, weeds and other vegetation.

(c) *Notice to prune*: Should any person or persons owning real property bordering on any street fail to prune trees, shrubs, weeds and other vegetation as hereinabove provided, the urban forester shall order such person or persons to so prune such trees, shrubs, weeds and other vegetation within a reasonable time.

(d) *Service of order*: All notices to comply with the provisions of this article shall be served either by personal service, publication, posting or by certified mail and such procedures shall be deemed the equivalent of personal service. If the owner or owners of any unoccupied lot or premises is not a resident of the city and does not have an agent in the city upon whom notice can be served, notice may be given by sending the same by certified mail to the last-known address of the non-resident owner. The last known address of the

owner shall be that shown on the current real estate tax assessment books or current real estate tax assessment records.

(e) *Failure to comply*: When a person to whom an order is directed shall fail to comply within the specified time, the city may prune such trees, shrubs, weeds, and other vegetation, and the cost thereof shall be recoverable from such person so failing to comply. (Code 1959, § 23.1-3; Ord. of 5-23-78; Ord. No. O-99-254, 11-23-99; Ord. No. O-12-136, 11-27-12)

Sec. 38-4. Abuse, mutilation, or damage to public trees.

Unless specifically authorized by the urban forester, no person shall intentionally damage, cut, carve, transplant or remove any tree on public property; nor attach any rope, wire, nails, advertising posters or other contrivance to any public tree; nor allow any gaseous liquid or solid substance which is harmful to such trees to come in contact with them; nor set fire or permit any fire to burn when such fire or the heat thereof will injure any portion of any public tree. Any person violating the provisions of this section shall be guilty of a class 2 misdemeanor and, in addition thereto, shall be responsible for the cost of repair, or removal and replacement of any public tree so damaged. The owner of any vehicle which accidentally damages a tree(s) on public property shall be responsible for the cost of repair or removal, and the cost of a replacement tree(s) on public property.

(Code 1959, § 23.1-4; Ord. of 5-23-78; Ord. No. O-99-254, 11-23-99)

Sec. 38-5. Protection of trees.

(a) All trees on any street or other publicly owned property near any excavation or construction of any building, structure or street work, shall be guarded with a good substantial fence, frame or box not less than four feet high and eight feet square, or at a distance in feet from the tree equal to the diameter of the trunk in inches dbh, whichever is greater, and all building material, dirt or other debris shall be kept outside the barrier.

(b) No person shall excavate any ditches, tunnels, trenches, or lay any drive within a radius of ten feet from any public tree without first obtaining a written permit from the urban forester.

(c) The public works department shall notify the urban forester in advance of any applications for new curb, gutter, sidewalks, or driveway installations, or other improvements which might require the removal of or cause injury to any street tree, or its root system, or interfere with the fulfillment of the street tree plan.

(Code 1959, § 23.1-5; Ord. of 5-23-78; Ord. No. O-99-254, 11-23-99)

Sec. 38-6. Placing materials on public property.

No person shall deposit, place, store or maintain upon any public place of the city, any stone, brick, sand, concrete or other materials which may impede the free passage of water, air and fertilizer to the roots of any tree growing thereon, except by written permit of the urban forester.

(Code 1959, § 23.1-6; Ord. of 5-23-78; Ord. No. O-99-254, 11-23-99)

Sec. 38-7. Improper planting.

Whenever any tree shall be planted or set out in conflict with the provisions of this chapter, it shall be lawful for the urban forester to remove or cause removal of said trees; and the cost thereof shall be recoverable from the person(s) responsible for such planting.

(Code 1959, § 23.1-7; Ord. of 5-23-78; Ord. No. O-99-254, 11-23-99)

Sec. 38-8. Removal, replanting, and replacement.

(a) If conditions prevent planting on treelawns, this requirement can be satisfied if any equivalent number of trees of an accepted species and size are planted on neighboring public or private property, so as to create a tree-lined street effect.

(b) No person shall remove a tree from the treelawn for the purpose of construction, or for any other reason, without first filing an application and procuring a permit from the urban forester, and without replacing the removed tree or trees in accordance with the adopted arboricultural specifications. Such replacement shall meet the standards of size, species and placement as provided for in a permit issued by the urban forester. The person or property owner shall bear the cost of removal and replacement of all trees removed.

(Code 1959, § 23.1-8; Ord. of 5-23-78; Ord. No. O-99-254, 11-23-99)

Sec. 38-9. Planting in rights-of-way.

It shall be unlawful for any person to plant or cultivate any plants, trees, shrubs or other landscaping materials within a public right-of-way without first obtaining a permit therefor from the urban forester.

(Code 1959, § 23.1-9; Ord. of 5-23-78; Ord. No. O-99-254, 11-23-99)

Sec. 38-10. Planting by city on application of lot owner.

On the written application of any lot owner, desiring to have trees planted in the treelawn adjacent to his lot, and agreeing to pay the actual cost thereof, the urban forester may comply with such application, if the conditions are found to be favorable, and the convenient use of the street will not be affected thereby.

(Code 1959, § 23.1-10; Ord. of 5-23-78; Ord. No. O-99-254, 11-23-99)

Sec. 38-11. City maintenance of trees and vegetation in public rights-of-way.

(a) The city is not required to cut and/or remove weeds, brush, plants, grass or other vegetation growing in the public alleys, unimproved streets and other unimproved rights-of-way except as provided in subsection 26-28.1(c) of the city's weed ordinance. The city shall not cut and/or remove weeds, brush, plants, grass or other vegetation growing in the unimproved portion of the public right-of-way lying between any public street and private property lines except when the weeds, brush, plants, grass or other vegetation grow in such a manner as to obstruct the view of traffic signs, obstruct the view of an intersection or otherwise create a traffic hazard.

(b) If any tree growing in a public alley, unimproved street or other unimproved right-of-way is dead or is growing in such a manner that the branches, limbs or other parts of the tree extend or protrude onto private property in a manner that constitutes a danger to citizens or property, the city will cut and remove or prune such tree once it has been notified of the condition of the tree. It shall be the responsibility of the adjoining property owner or tenant to notify the city when a tree is growing in such a manner that it needs to be cut and removed or pruned.

(c) Any adjacent property owner, tenant or citizen, at their own expense, may cut and/or remove any weeds, brush, plants, grass or other vegetation growing in the public alleys, unimproved streets and other unimproved rights-of-way and in the unimproved portion of the public right-of-way lying between any public property and private property lines. No person shall cut and remove or prune any tree growing in the public right-of-way without first obtaining a permit from the urban forester as required in section 38-38 of the City Code.

(Ord. No. O-95-327, 12-12-95; Ord. No. O-99-254, 11-23-99)

ARTICLE II. URBAN FORESTER

Sec. 38-22. Urban forester.

The urban forester shall have the authority and jurisdiction of regulating the planting, maintenance and removal of trees on all publicly owned property in Lynchburg to ensure safety and/or preserve the aesthetics of such public sites.

(Code 1959, § 23.1-11; Ord. of 5-23-78; Ord. No. O-99-254, 11-23-99)

Sec. 38-23. Duties generally.

The urban forester shall have the authority to establish the rules and regulations of the arboricultural specifications and standards of practice governing the planting, maintenance, removal, fertilization, pruning, and bracing of trees on the streets or other public sites in the city, and shall direct, regulate, and control the planting, maintenance, and removal of all trees growing now or hereafter in any public area of the city. The urban forester shall cause the provisions of this chapter to be enforced. In the urban forester's absence these duties shall be the responsibility of a qualified alternate designated by the superintendent of buildings and grounds.

(Code 1959, § 23.1-12; Ord. of 5-23-78; Ord. No. O-99-254, 11-23-99)

Sec. 38-24. Supervision.

The urban forester shall have the authority and it shall be his duty to supervise or inspect all work done under a permit issued in accordance with the terms of this chapter.

(Ord. No. O-99-254, 11-23-99)

Sec. 38-26. Interference.

No person shall hinder, prevent, delay, or interfere with the urban forester or any of his assistants while engaged in carrying out the execution or enforcement of this chapter; provided, however, that nothing herein shall be construed as an attempt to prohibit the pursuit of any remedy, legal or equitable, in any court of competent jurisdiction for the protection of property rights by the owner of any property within the city.

(Code 1959, § 23.1-13; Ord. of 5-23-78; Ord. No. O-99-254, 11-23-99)

ARTICLE III. PERMITS

Sec. 38-38. Required.

No person shall plant, spray, fertilize, preserve, prune, remove, cut above ground, or otherwise disturb any tree on any street or city owned property without first filing an application and procuring a permit from the urban forester. The person receiving the permit shall abide by the arboricultural specifications and standards of practice adopted by this chapter.

(Code 1959, § 23.1-14; Ord. of 5-23-78; Ord. No. O-99-254, 11-23-99)

Sec. 38-39. Application—When due.

Application for permits required by the provisions of this article shall be made at the office of the urban forester not less than 48 hours in advance of the time the work is to be done.

(Code 1959, § 23.1-15; Ord. of 5-23-78; Ord. No. O-99-254, 11-23-99)

Sec. 38-40. Same—Planting.

The application for a permit to plant a tree under the provisions of this chapter shall state the number of trees to be set out; the location, grade, species, cultivar or variety of each tree; the method of planting; and such other information as the urban forester shall find reasonably necessary to a fair determination of whether a permit should be issued.

(Code 1959, § 23.1-16; Ord. of 5-23-78; Ord. No. O-99-254, 11-23-99)

Sec. 38-41. Same—Maintenance.

The application for a permit to maintain trees under the provisions of this chapter shall state the number and kinds of trees to be sprayed, fertilized, pruned or otherwise preserved; the kind of treatment to be administered; the composition of the spray material to be applied;

and such other information as the urban forester shall find reasonably necessary to a fair determination of whether a permit should be issued.
(Code 1959, § 23.1-17; Ord. of 5-23-78; Ord. No. O-99-254, 11-23-99)

Sec. 38-42. Standards of issuance.

The urban forester shall issue the permit required by this article if, in his judgment, the proposed work is desirable and the proposed method of workmanship thereof is of a satisfactory nature.
(Code 1959, § 23.1-18; Ord. of 5-23-78; Ord. No. O-99-254, 11-23-99)

Sec. 38-43. Conditions.

The urban forester shall have the authority to affix reasonable conditions to the granting of a permit in accordance with the terms of this chapter.
(Code 1959, § 23.1-19; Ord. of 5-23-78; Ord. No. O-99-254, 11-23-99)

Sec. 38-44. Expiration.

Any permit granted under the provisions of this article shall contain a definite date of expiration and the work shall be completed in the time allowed on the permit and in the manner as therein described.
(Code 1959, § 23.1-20; Ord. of 5-23-78)

Sec. 38-45. Notice of completion.

Notice of completion of work authorized by a permit issued under the provisions of this article shall be given within five days to the urban forester for his inspection.
(Code 1959, § 23.1-21; Ord. of 5-23-78; Ord. No. O-99-254, 11-23-99)

Sec. 38-46. Voidance.

Any permit issued under the provisions of this article shall be void if its terms are violated.
(Code 1959, § 23.1-22; Ord. of 5-23-78)

Chapter 39 WATER

ARTICLE V. WATER EMERGENCIES

Sec. 39-94. Water conservation measures.

Upon a determination by the city manager of the existence of the following conditions, the city manager shall take the following actions that shall apply to any person whose water supply is furnished from the city water system:

...

(b) Stage 2: When very limited supplies of water are available, the city manager shall order curtailment of less essential usages of water, including, but not limited to, one or more of the following:

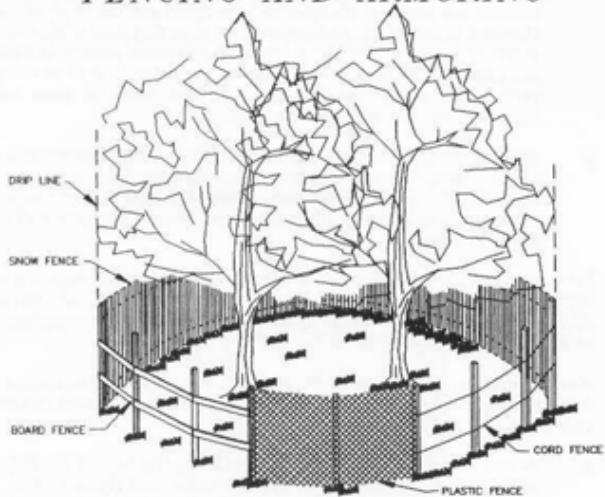
- (1) The watering of shrubbery, trees, lawns, grass, plants, or any other vegetation, except indoor plantings, greenhouse or nursery stocks and except limited watering for new lawns and watering by commercial nurseries of freshly planted plants upon planting and once a week for five weeks following planting. Athletic fields are also exempt but shall only be watered to match the evaporation-transpiration rate. In all cases where the above exceptions apply, the watering is not to occur between the hours of 8:00 a.m. and 8:00 p.m. Watering with buckets that have a capacity of five or fewer gallons is permitted at any time.

...

...

(Ord. No. O-02-175, 9-24-02)

FENCING AND ARMORING



CORRECT METHODS OF TREE FENCING

Tree Protection Detail

Roadway

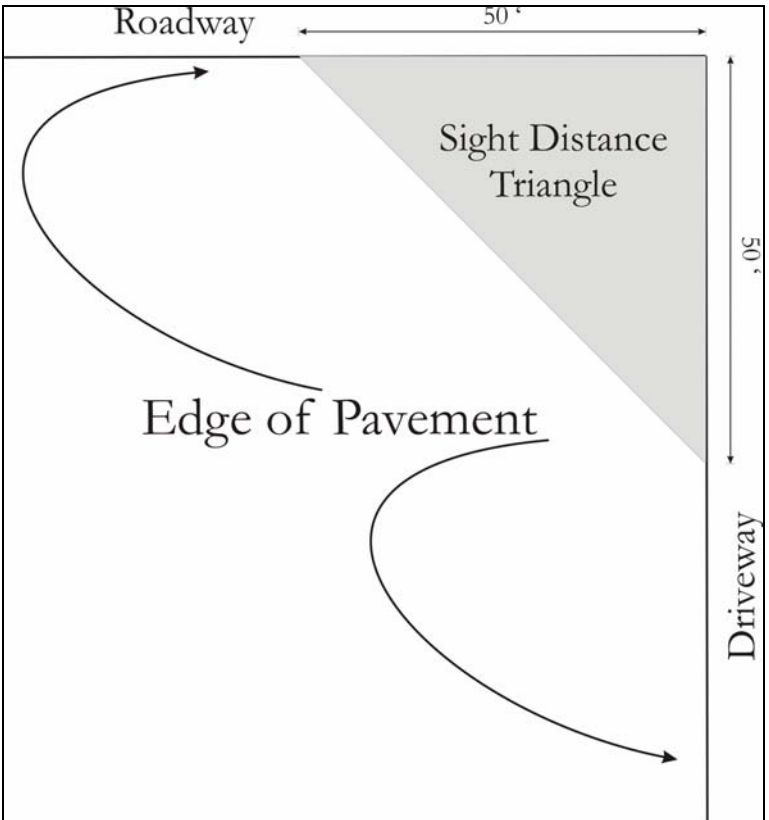
50'

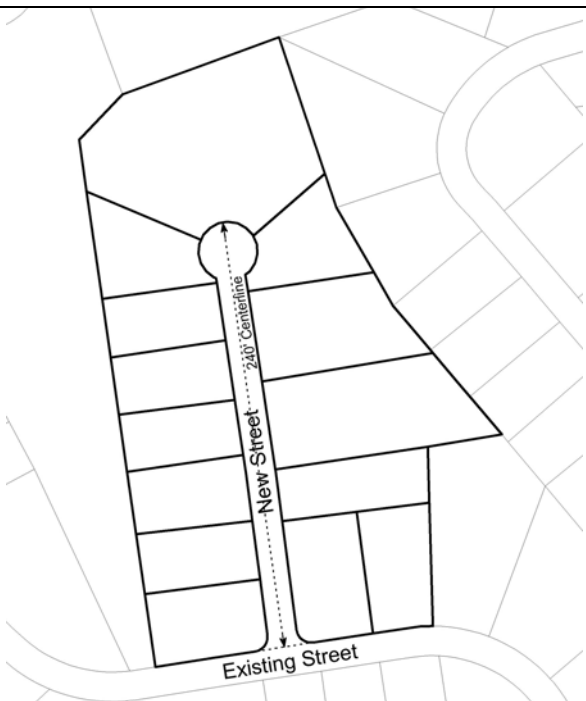
Sight Distance Triangle

Edge of Pavement

50'

Driveway

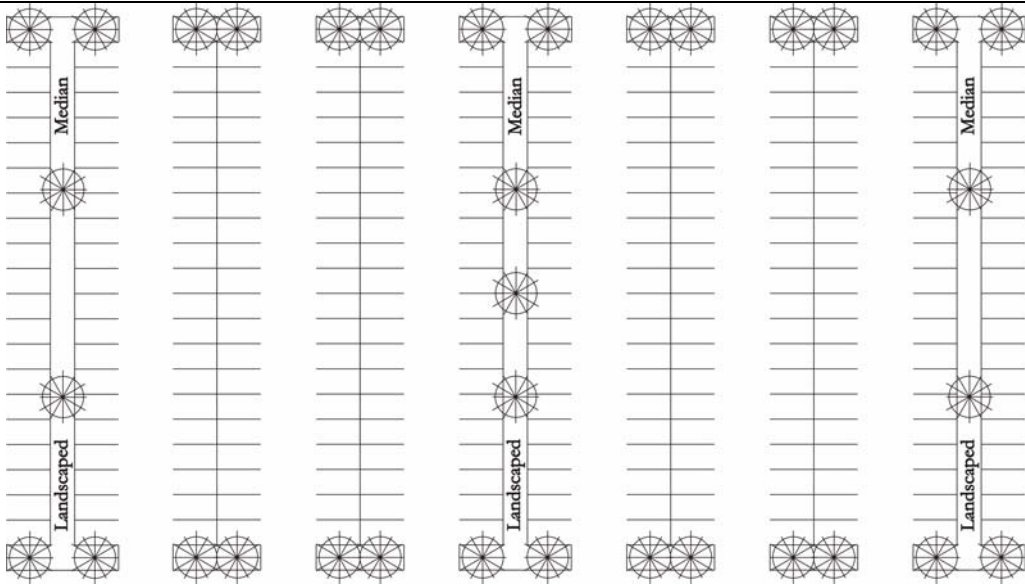




$(240' / 40) \times 2 = 12$ Shade Trees

$(240' / 30) \times 2 = 16$ Ornamental Trees

Calculation of Street Trees for New Residential Subdivisions



1 Median Every 3rd Parking Bay

Landscape Median Required

