

**CORPORATION OF THE TOWN OF PETROLIA**

**BY-LAW NUMBER 16-1999**

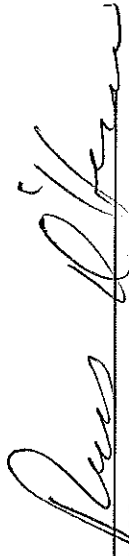
A BY-LAW TO AMEND THE MUNICIPAL CODE BEING BY-LAW 47-1992, HIGHWAY – STREET, CHAPTER 486 TREES – PLANTING.

WHEREAS it is deemed expedient to amend Chapter 486 of the Town of Petrolia Municipal Code adopted by By-Law 47-1992 on July 13<sup>th</sup>, 1992;

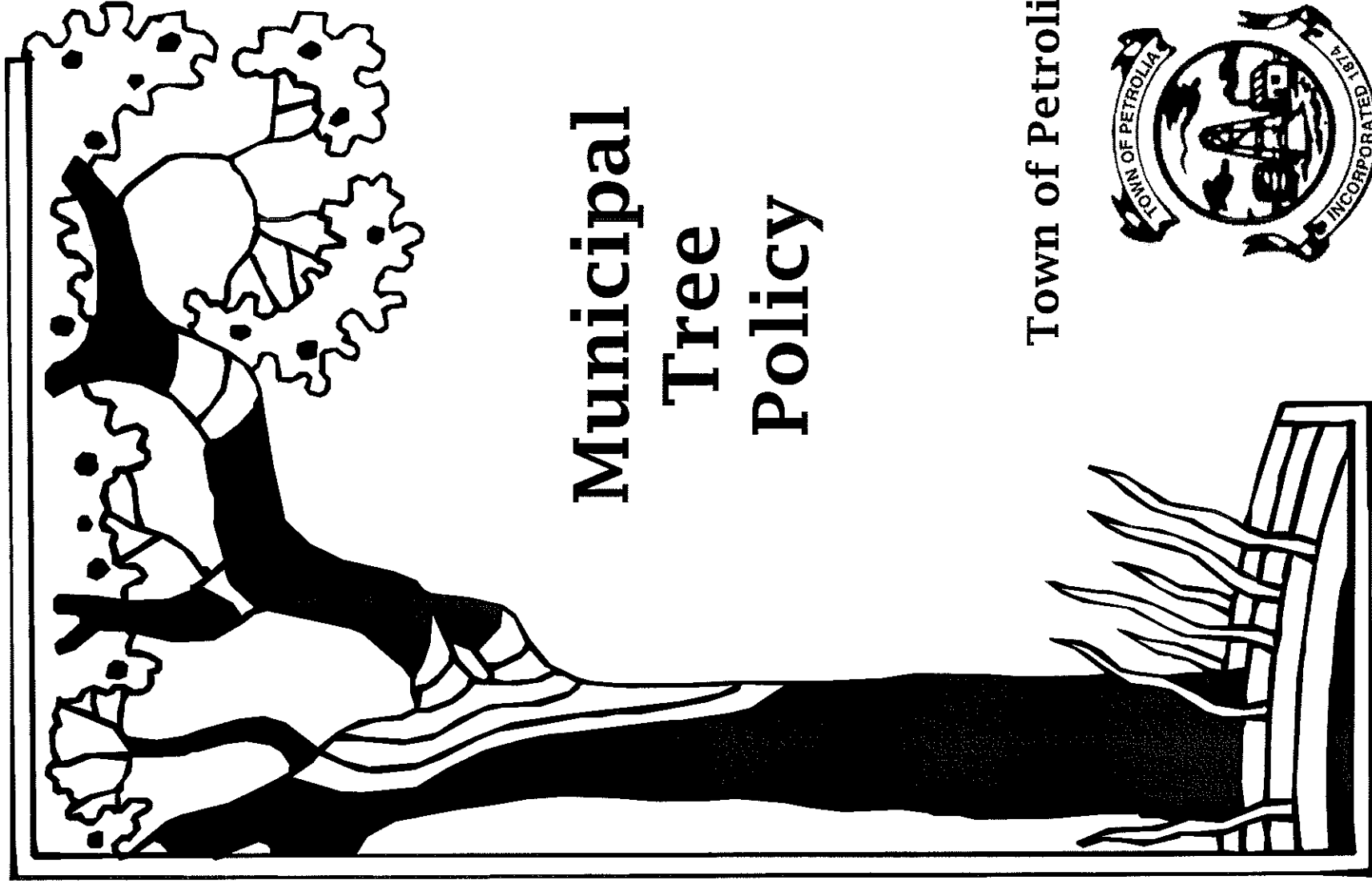
NOW THEREFORE the Council of the Corporation of the Town of Petrolia Hereby Enacts as Follows:

1. Chapter 486 – Trees – Planting is hereby deleted and the new “Municipal Tree Policy” added thereto as outlined as Schedule A.
2. The annexed Schedule A shall be considered part of the By-Law.
3. This By-Law to come into force and effect upon the final passing thereof.

By-Law Read a First, Second and Third Time and Finally Passed This 22 , day of February, 1999.

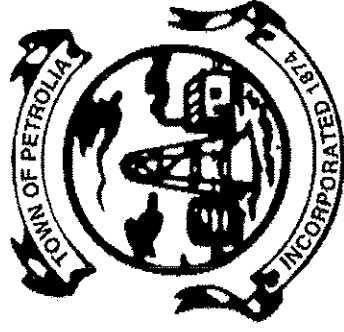
  
Mayor

  
Administrator Clerk



# Municipal Tree Policy

Town of Petrolia



Article 1  
Interpretation

486.1.1 Highway - defined

"Highway means a highway as defined in section 261 of the Municipal Act, R.S.O. 1990, c.M.45, as amended.

486.1.2 Street - defined

"Street" includes a common and public highway, avenue, parkway, driveway, alleyway, square, place, bridge, viaduct, trestle or lane designated and used for or used by, the general public for the passage of vehicles.

486.1.3 Town Property - defined

"Town Property means any property now or hereafter owned by or made available by lease, agreement or otherwise to the corporation or to any local board or municipal public utility thereof.

486.1.4 Tree - defined

"Tree means any trees, shrubs, bushes, and all other woody vegetation planted or growing in whole or in part on town lands or town right-of-way between the curb and property line along the side of town streets or in medians of all streets within the Town.

Article 2  
Tree Planting

486.2.1 Upon Request - taxpayer - location

The Town of Petrolia will supply suitable trees and plant them on front lawns, at the request of taxpayers, at least one metre (1m) or more inside the taxpayer's property line.

486.2.2 Limit - one tree - per year

The taxpayer requesting the tree shall be limited to one tree per year.

486.2.3 Spring - fall - first come service - until budget used

The planting shall take place in the spring and fall of the year, on a first come first serve basis, until the budget figure is used and names and addresses are to be carried over until the next year.

486.2.4 Tree Standards

Unless otherwise allowed for specific reasons, all trees shall have comparatively straight trunks, well developed leaders and branches, a well developed root system characteristic of the species, cultivar or variety and show evidence of proper nursery pruning. All trees must be free of insects, diseases and mechanical injury and other objectionable features at the time of planting. In general, deciduous trees should be between two to three metres (2-3 m) in height and three to four centimetres (3-4 cm) in diameter. Coniferous trees should be no more than one and one-half metres (1.5 m) in height.

Article 3  
General Provisions

486.3.1 Care - trimming - maintenance - owner responsibility

The taxpayer shall be responsible for the care, trimming and all cost of maintaining the tree.

486.3.2 Specifications and Standards of Practice

The Aborticultural Specifications and Standards of Practice shall be adhered to at all times, but may be amended at any time that experience, new research or laws indicate improved methods, or whenever circumstances make it advisable, with the approval of the Municipal Services Committee and Council.

486.3.3 Policy

The policy of the Municipal Services Committee shall be one of cooperation with the public, property owners, other municipal departments and agencies and non-profit organizations, at all times.

486.3.4 Trees - cut - replanted

For each tree cut down by the municipality, a new one is to be replanted, in accordance with Section 486.2.1 of this Chapter. Trees shall not be removed from open spaces unless they constitute a hazard to customary service, personal safety or property, become a nuisance, are diseased or if necessitated by a revision of planting plans.

486.3.5 Stumps

The stumps of all removed trees shall be cut at least eight centimetres [8 cm.] below grade and filled with topsoil and seeded.

486.3.6 Acceptable Trees

The Operations Manager shall prepare lists of trees acceptable for planting in public spaces of the Town. Only these, long lived trees of good appearance, hardiness, adaptability, and general freedom from disease or injurious insects shall be planted in public spaces. See Schedule "C".

486.3.7 Undesirable Trees

Undesirable trees shall not be recommended for general planting and their use, if any, shall be restricted to special location where, because of certain characteristics of adaptability or landscape effect, they can be used to advantage.

486.3.8 Review of Species, Cultivars and Varieties

The Municipal Services Committee in conjunction with the Director of Operations, shall review at least once every two [2] years, the species, cultivars and varieties included on the approved list to determine if any should be removed, for any reason or if certain new species, cultivars or varieties of proven dependability and aesthetic value should be added.

#### 486.3.9 Master Street Tree Plan Plantings

Where street blocks have been assigned particular species or varieties on the Master Plan Street Tree Plan, only these shall be planted, subject to revision by the Director of Operations, and approved by the Municipal Services Committee, Planning Committee and Council.

Capital projects, i.e. parks, streets, medians, substations, treatment plants, plazas, and public buildings, shall provide for street planting as part of the development process. The street planting plan for such projects shall be approved by the Municipal Services Committee and Planning Committee.

Subdivision Developments shall provide for street planting as part of the development process. Street trees shall adhere to the design objectives, spacing and locations requirements of this document.

No single species shall make more than 20% of the street tree population. This is to prevent disease susceptibility and eventual uniform senescence. See Figure 1.

#### 486.3.10 Planting - on highway - Prohibited

No person shall plant or maintain a shrub or hedge on a public highway.

#### 486.3.11 Hedge - Abutting Highway - Maximum Height

No person shall plant or maintain a hedge abutting on a public highway to a height in excess of seventy-six centimetres (76 cm) above the established grade of the centre line of the travelled portion of the abutting highway. See Figure 1.

#### 486.3.12 Obstruction - Tree - Near intersection - Prohibited

No person may plant or maintain a tree abutting on a highway within nine metres (9 m) of the intersections of highways, which tree or the branches thereof constitute an obstruction to vision on a highway. See Figure 1.

#### 486.3.13 Trimming - Ordered – Director of Operations

The Director of Operations of the Town of Petrolia is hereby authorized to order the trimming of branches of any tree planted on private property, where the said branches constitute an obstruction to vision within nine metres (9 m) of the intersection of highways, and no person shall maintain such branches on trees planted on private property.

#### 486.3.14 Trimming - Cost - To Property Owner

The cost of any tree trimming carried out by the Town of Petrolia shall be charged to the owner of the said property.

#### 486.3.15 Fence - Constructed - On Highway - Prohibited

No person shall construct or maintain a fence on a highway. By-law 69-1979, 13 November, 1979.

#### 486.3.16 Deciduous Tree Species

When otherwise specified by the Director of Operations, all deciduous tree species and their cultivars and varieties, shall conform to C.N.T.A. [Canadian Nursery Trades Association] standards and be at least four centimetres [4 cm.] in diameter measured from 15 centimetres [15 cm.] above the ground level and at least two to three metres [2-3 m.] in height as a minimum size in height when planted.

#### Article 4 Location and Spacing

##### 486.4.1 Distance - Street Intersections

Trees shall be planted at least ten metres [10 m.] from street intersections and at least three metres [3 m.] from driveways and lanes. See Figure 1.

##### 486.4.2 Distance - Utilities

No tree shall be planted closer than three metres [3 m.] radius to a utility pole, or where possible or practical, underground electrical facilities, watermains, water services: e.g. sanitary and storm sewers, catch basins and hydrants or valves.

##### 486.4.3 Spacing

Spacing of trees should be determined by the Director of Operations according to local conditions, species, cultivar, or varieties used, their mature height, spread and form. Generally, all large trees shall be planted thirteen to twenty metres [13-20 m.] on centre, all medium sized trees shall be planted a minimum of twelve metres [12 m.] on centre, and all small trees shall be planted a minimum of eight metres [8 m.] on centre. See Figure 1.

##### 486.4.4 Unpaved, Non-curbed or Sidewalk Streets

All planting of trees on unpaved or non-curbed or sidewalk streets shall have their locations determined by the Director of Operations, in consultation with Bluewater Hydro to prevent damage to the trees when the street construction is completed.

#### Article 5 Methods

##### 486.5.1 Bare Root Trees - Deciduous

Most small deciduous trees may be moved bare root, unless otherwise indicated. Roots of bare root trees shall be protected from heat, frost and drying by methods of current practice.

##### 486.5.2 Balled and Burlapped - Coniferous

All coniferous trees shall be moved balled and burlapped [B and B]. Balled roots shall be protected from drying, heat and frost by methods of current standard practice.

##### 486.5.3 Pits for Bare root

Pits dug for planting of bare root plants shall be a minimum of thirty centimetres [30 cm.] larger in diameter than the diameter of the root system to accommodate the roots without crowding.

#### 486.5.4 Pits for Balled and Burlapped

Pits dug for planting of balled and burlapped trees shall be a minimum of thirty centimetres [30 cm.] larger than the root ball to allow for proper backfilling of the tree.

#### 486.5.5 Tree Depth

Trees shall be planted no deeper than they were originally grown with due allowance for setting.

#### 486.5.6 Drainage

Where poorly drained soil is encountered, provision for drainage shall be made and/or tolerant species selected.

#### 486.5.7 Backfill

Top soil, free of foreign objects, chemicals, weeds or like material, or amended soil mixtures, being free of foreign objects, chemicals, weeds, sod, etc., shall be used for backfill. Backfill shall be properly tamped to remove air pockets. When the planting is completed, the entire root area shall be saturated with water.

#### 486.5.8 Pruning

Excessive pruning at the time of planting should be avoided. The extent of top pruning should be based on the ability of the plants roots to function.

#### 486.5.9 Wrapping and Supporting

All trees shall be suitably wrapped and guyed or supported in an upright position according to accepted arboricultural practices. All guys and supports shall be fastened in a manner so they will not girdle or abrade the tree or endanger public safety. All support systems shall be removed once the tree is established.

### Article 6 Early Maintenance

#### 486.6.1 Special Attention

Generally, newly planted trees require special attention to maintenance during the first one or two years following planting. All such maintenance practices shall follow approved arboricultural practices and standards.

#### 486.6.2 Watering

Ample soil moisture shall be maintained following planting. Thorough watering each five to ten [5-10] days depending on soil type and drainage provisions is usually adequate, with local rainfall taken into consideration.

#### 486.6.3 Fertilizing

No fertilizer is to be used during the first two [2] growing seasons. Provision for good drainage and adequate soil moisture are more important than fertilizer immediately following planting. Fertilization of public trees shall follow accepted arboricultural standards and formulations, rates and application methods shall be developed by the Director of Operations.

#### 486.6.4 Insects and Disease Control

Measures for the control of insects and diseases shall be taken as shown necessary by frequent and thorough inspections. Plants in a weakened condition following transplanting are often more susceptible to insect infestation and disease, which is not the case when trees are growing vigorously. Where it is necessary to spray, all pesticides shall be of the type recommended for the specific problem and shall be applied by a competent person licensed by the Ministry of Environment [M.O.E.] for such work.

#### 486.6.5 Pruning

Pruning practices following transplanting shall consist of the removal of dead, broken or injured branches; the suppression of rank, uneven growth; the removal of water sprouts.

#### 486.6.6 Pruning - Subsequent Years

Pruning in subsequent years shall aim to develop a strong framework free of weak crotches and poor form.

#### 486.6.7 Tree Crowns

Tree crowns should be raised as growth characteristics and location of planting dictates. Generally, trees should have their lower branches removed to a height of two and a half metres [2.5 m.], unless in areas where lower limbs do not impede traffic or where such pruning would drastically alter the normal habit of the tree.

#### 486.6.8 Pruning Cuts

All pruning cuts shall be made at a node or crotch and as near as possible the cuts will be made a branch collar. No stubs shall be left and every effort shall be made to minimize the size and number of wounds.

#### 486.6.9 Climbing Irons - Prohibited

No spurs or climbing irons shall be used on any tree unless the tree is to be removed.

#### 486.6.10 Branches

All dead, crossed or rubbing branches shall be removed.

### Article 7 General Tree Maintenance

#### 486.7.1 Topping of Trees

No topping of trees shall be permitted except by written permit from the Director of Operations. Proper cabling and bracing shall be practiced wherever possible.

#### 486.7.2 Large Trees - Pruned



All large established trees shall be pruned to allow free passage of pedestrians and vehicles, i.e. two and a half metres [2.5 m.] over sidewalks, three and a half metres [3.5 m.] over all streets except where designated truck routes shall have a minimum of four metres [4.0 m.] of clearance.

#### 486.7.3 Cooperation - Bluewater Hydro

It shall be the policy of the Municipal Services Committee to work in cooperation with Bluewater Hydro, and the Director of Operations, as applicable, in the placement of overhead utilities and the development of an effective system of line clearance tree pruning to give safe transmission corridors for electric power and street illumination, taking into consideration the value of any tree so involved and so come to a mutual decision.

#### 486.7.4 Scheduled Maintenance

Regular scheduled maintenance and/or planned construction by Bluewater Hydro, and the Town of Petrolia shall be covered by a blanket permit after consultation with the Director of Operations, and appropriate representatives from Director of Operations and the Town.

#### 486.7.5 Cavities

Extensive cavity work should be performed on trees only if they are sufficiently high in value to justify costs. All cavity work shall conform to accepted arboricultural standards.

### Article 8 Spraying

#### 486.8.1 MOE Specifications

Current Ministry of the Environment [M.O.E.] specifications for warning the public of spray operations shall be adhered to at all times.

#### 486.8.2 Control of Disease and Pests

Spraying shall be done only for the control of specific diseases or pests, with the proper materials and equipment applied at the proper time to obtain the desired control. All spray operations shall conform to M.O.E. regulations and the operator shall be licensed by M.O.E. as a land class 1 and 3 exterminator.

### Article 9 Emergency Maintenance

#### 486.9.1 Amendments

The Director of Operations shall have the authority to modify, amend or extend, with the approval of the Municipal Services Committee and Council, the Arboricultural Specifications and Standards of Practice at any time that experience indicates improved methods or whenever circumstances make it advisable.

Article 10  
Schedules

486.10.1 Schedules to Form Part of the Policy

Each tree and its location will be recorded on a "Tree Inventory Form".

The following schedules are attached hereto and form part of this policy:

- a) Schedule "A" - Tree Inventory
- b) Schedule "B" - Schedule of Work - Tree Authorization
- c) Schedule "C" - Tree Planting Recommendations

Article 11  
Notification of Changes

486.11.1 Notification of Changes to Policy

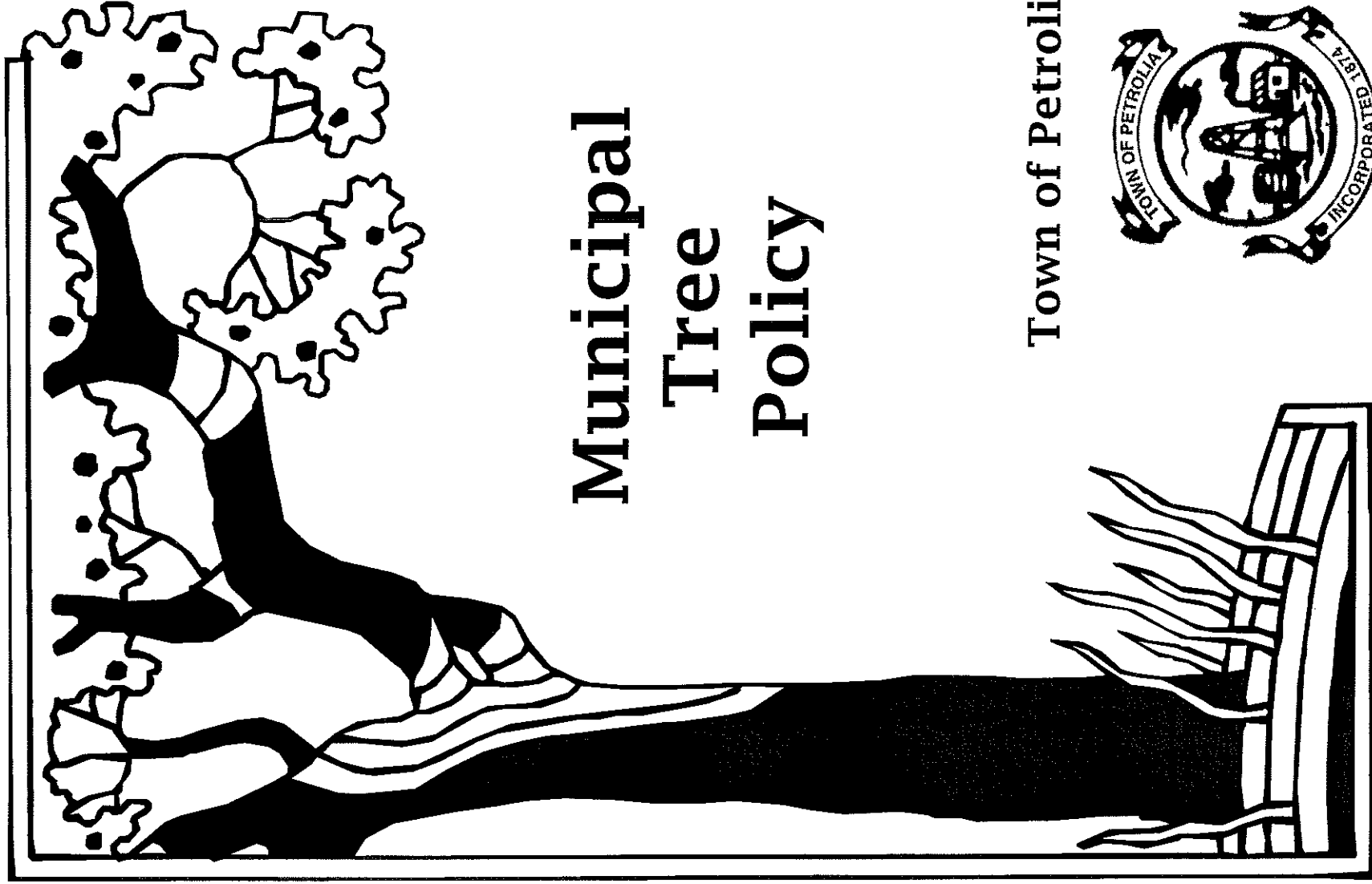
The following departments and agencies shall be notified of changes to the Tree Planting By-Law and Policy:

Chief Administrative Officer  
Clerk/Administrator  
Director of Operations  
Bluewater Hydro  
Planning Committee  
Municipal Services Committee  
Bell Canada  
Union Gas  
COGECO Cable Solutions  
Local Nurseries

Article 12  
Enforcement

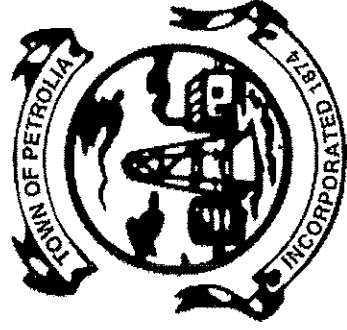
486.12.1 Fine for Contravention

Every person who contravenes any of the provisions of this Chapter is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the Provincial Offences Act. By-Law 46-1992, 22 June, 1992.



# Municipal Tree Policy

Town of Petrolia



Schedule "A" to the Tree Planting By-Law

Town of Petrolia Tree Inventory

Date: \_\_\_\_\_ Compiled by: \_\_\_\_\_  
day/month/year

Address: \_\_\_\_\_

Species: \_\_\_\_\_ D.B.H. \_\_\_\_\_ cm. Height \_\_\_\_\_ metres

Estimated Tree Age: \_\_\_\_\_ years

General Tree Condition: GOOD FAIR POOR DYING DEAD

Considered Hazardous? Yes \_\_\_\_\_ No \_\_\_\_\_

Comment on Hazard: Identify Target

Comments on Planting site: Tree Damage

DAMAGE CONDITION

- Storm damage
- Improper pruning cuts
- Mower Scuff
- Auto Impact
- Construction
- String Trimmer
- Vandalism
- Fire/Lightening
- Root Disturbance Injury
- Girdling Roots
- Compacted Soil
- Root Rot
- Pest Injury
- Insects
- Disease
- Decay/Cavity
- Die Back
- Birds/Rodents
- Environmental Injury
- Road Salt
- Mineral Deficient
- Leaf Scorch
- Herbicide Damage
- Drought
- Other - Specify

MAINTENANCE REQUIRED

- Shaping
- Thin Crown
- Remove Deadwood
- Remove Suckers
- Utility Line Clearance
- Clear for Vision
- Girdling Roots
- Storm Damage Repair
- Tree Removal
- Stump Removal
- Cabling/Bracing
- Staking/Guying
- Fertilize
- Irrigate
- Pest Management
- Wound Repair
- Replant
- Other - Specify

Schedule "B" to the Tree Planting By-Law

Town of Petrolia Tree Work Permit

Date of Application: \_\_\_\_\_ Permit # \_\_\_\_\_  
Day/Month/Year  
Name of Applicant: \_\_\_\_\_ Work Site Address: \_\_\_\_\_  
Address: \_\_\_\_\_ Ph: [ ] [ ]  
Fax: [ ] [ ]

Work Description: [Identify the number of trees and the exact manner in which the work will be done] Attach extra sheets for further explanations and drawings if necessary.

\_\_\_\_\_

Date of Proposed Work: \_\_\_\_\_ day/month/year  
Completion Date: \_\_\_\_\_ day/month/year

All work performed must conform to the Arboricultural Specifications and Standards of Practice by the Town of Petrolia.

I hereby agree to carry out the described work in accordance with the Arboricultural Specifications and Standards of Practice and Directives attached hereto:

Signed: \_\_\_\_\_ Owner By: \_\_\_\_\_ Agent if other than owner

\*\*Applicant is responsible for obtaining all locates for underground utilities

Office Use Only

Inspection Report:

Width of Planting Strip \_\_\_\_\_ m  
Width of Sidewalk \_\_\_\_\_ m  
Width of Right of Way \_\_\_\_\_ m  
Building Setback from Sidewalk \_\_\_\_\_ m  
Height of Overhead Lines - Bell Canada \_\_\_\_\_ m  
TV Cable \_\_\_\_\_ m  
Hydro \_\_\_\_\_ m  
Other \_\_\_\_\_ m  
Underground Utilities Located  
Bell Canada Y N N/A  
TV Cable Y N N/A  
Hydro Y N N/A  
Union Gas Y N N/A  
Other Y N N/A

Species of Tree[s]: \_\_\_\_\_  
Approximate Size: Height \_\_\_\_\_ DBH \_\_\_\_\_ Spread \_\_\_\_\_  
General Condition: Good \_\_\_\_\_ Fair \_\_\_\_\_ Poor \_\_\_\_\_

Inspection Recommendations: [Attach Sheet if Necessary]

\_\_\_\_\_

Inspectors Signature: \_\_\_\_\_ Date: \_\_\_\_\_ day/month/year

Application Approved: \_\_\_\_\_  
Municipal Official

Permit Issue Date: \_\_\_\_\_

Inspected and Work Approved: \_\_\_\_\_  
Signature

## Schedule "C" to the Tree Planting By-Law

### Tree Planting Recommendations

Notes: Soils - generally alkaline, toledo clay  
Drainage imperfect in some areas.

#### New Subdivisions - Developed within last 15 years.

- Drainage very poor because of compaction, soil removal and street construction etcetera.

Flowering Crab and Flowering Hawthorn varieties - best small trees for all poor soil conditions, salt tolerant, slow growing, 20' x 20' depending on variety.

**Green Ash varieties** - (*Fraxinus Pennsylvatica*) large growing, 55' x 35'.

Patmore Ash - more compact, seedless, dark green leaves, 45' x 35'.

Marshalls Ash - seedless, compact, excellent grower, 50' x 40'.

Silver Maple - large growing, fast, oval crown, extended root system, 65' x 55'.

Hackberry (*Celtis*) - V-shaped top, elm-like appearance, medium growth, salt tolerant, 40' x 30'.

Katsura Tree - heart-shaped leaves, small tree. Won't outgrow confined areas, salt tolerant, 30' x 30'.

Japanese Tree Lilac (*Ivory Silk*) - small ornamental, white flowers in June, excellent street tree. Recommend shallow planting, 20' x 15'.

Linden (*Greenspire*) - narrow pyramid, excellent grower, 40' x 30'.

Linden Littleleaf - broadly oval, 40' x 30'.

#### **Locust (*Honey*) varieties.**

Shademaster - seedless and thornless, lacy, loose growing, fast medium grower, salt tolerant, 50' x 40'.

Locust Sunburst - yellow edge on new leaf growth, 40' x 35'.

Pear Flowering (*Bradford*) - oval columnar shape, white flowers in May, excellent small street tree. Recommended for areas with better drainage, 25' x 15'.

Service Berry (*Princess Diana Tree*) - hardy small tree, edible fruit and white flowers, 20' x 15'.

Sweet gum - medium grower, maple like leaves, tolerates very poor wet soils, good Fall colour, 50' x 30'.

#### **Evergreen Trees - Black or White Cedar**

- White Pine
- Norway Spruce
- Hemlock or Larch

#### **Evergreen Shrubs - Juniper, cedar or Cypress**

**Town Centre and Older Areas** - where there is less compaction and better drainage.

All of the previously mentioned varieties will do well because of the clay base soil.

Beech - (*Rivers Copper*) - slow growing, very showy, beautiful copper coloured leaves, long life span, 50' x 40'.

Birch (*European White*) - fast growing, requires spraying, not salt tolerant, 40' x 30'.

Flowering Cherries and Plums - excellent street tree, 20' x 15'.

Norway Maple varieties - best street and park tree, many shapes and sizes to choose from.

Mountain Ash varieties - excellent small to medium street tree, 25' x 15'.

Sugar Maple - excellent, large growing, native tree, good Fall colour, 60' x 40'.

#### **TREES RECOMMENDED FOR BOULEVARDS & AREAS OF CONFINED SPACE**

Flowering Cherries

Flowering Crabs

Flowering Hawthorns

Katsura Tree

Ivory Silk Lilac

Sunburst Locust (if controlled)

Columnar Norway Maple

Flowering Pear

## TREE RECOMMENDED FOR PARKS OR AREAS REQUIRING LARGER TREES

Ash	Linden	Sugar Maple
Beech	Locust	Sycamore
Birch	Silver Maple	Oak Varieties
Hackberry	Norway Maple	Sweet Gum
Tulip Tree		

Sizes recommended for planting - 1.25 - 1.50 inches, 8 - 12 ft. - shade

- 1 - 1.25 inches, 6 - 8 ft. - ornamentals

Trees should be large enough to be self sustaining but small enough to be economically affordable.

Larger trees can be planted for more immediate effect.

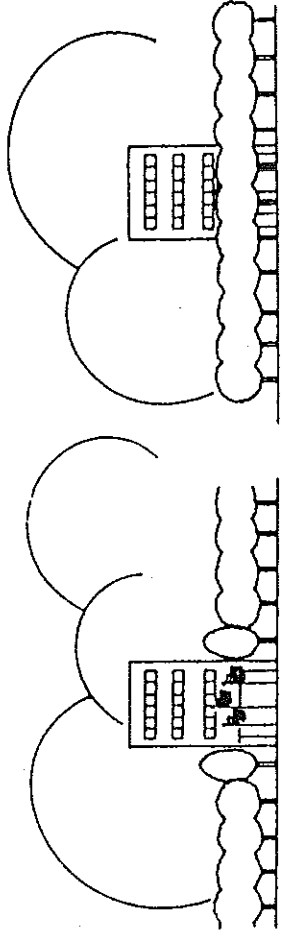
The above recommendations are for trees only.



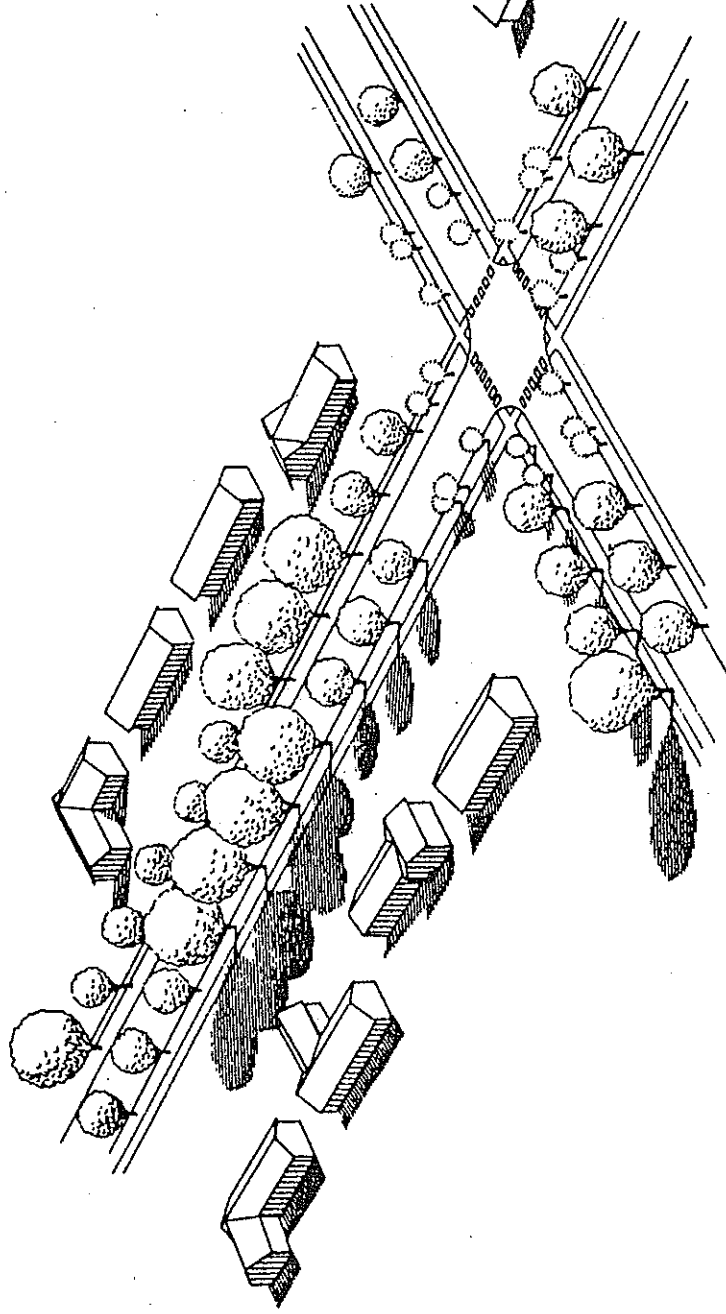


FIGURE 2

Street Tree Design



Manipulation of the vertical enclosure can emphasize or negate an object.



Generally strong contrasts within street tree groupings should be avoided. Repetition and subtle changes are desirable. Exceptions would be at intersections or other areas where alertness and viewer attention is desired.