

# Appendix E

## Data Tables and Maps, and Other Information

### Data Tables

#### Land Cover by Neighborhood

Neighborhood	Total Acres	Canopy		Low Veg		Soil		Water		Impervious		Additional Canopy Possible		Total Canopy Potential		
		Acres	Percent	Acres	Percent	Acres	Percent	Acres	Percent	Acres	Percent	Additional Acres	Additional Percent	Possible Canopy Acres	Possible Canopy Percent	Relative Tree Canopy
Bellaire-Puritas	2,191	332	15%	717	33%	38	2%	7	0.3%	1,136	52%	1,268	58%	1,600	73%	21%
Broadway-Slavic Village	2,901	531	18%	808	28%	142	5%	6	0.2%	1,557	54%	1,584	55%	2,115	73%	25%
Brooklyn Centre	938	226	24%	267	28%	38	4%	5	0.5%	441	47%	472	51%	697	75%	32%
Buckeye-Shaker Square	742	188	25%	189	26%	0	0%	0	0.0%	364	49%	344	46%	532	72%	35%
Buckeye-Woodhill	790	190	24%	248	31%	23	3%	0	0.0%	352	45%	383	49%	573	73%	33%
Central	1,501	194	13%	401	27%	33	2%	0	0.0%	906	60%	857	57%	1,050	70%	18%
Clark-Fulton	611	120	20%	149	24%	1	0%	0	0.0%	341	56%	298	49%	418	68%	29%
Collinwood-Nottingham	2,110	286	14%	539	26%	89	4%	3	0.2%	1,282	61%	1,203	57%	1,490	71%	19%
Cudell	698	112	16%	170	24%	21	3%	0	0.0%	416	60%	360	52%	471	68%	24%
Cuyahoga Valley	2,573	125	5%	369	14%	489	19%	238	9.2%	1,841	72%	1,588	68%	1,713	73%	7%
Detroit Shoreway	974	181	19%	261	27%	19	2%	1	0.1%	531	55%	482	50%	663	68%	27%
Downtown	1,779	72	4%	424	24%	39	2%	54	3.0%	1,229	69%	852	49%	925	54%	8%
Edgewater	533	158	30%	145	27%	3	1%	1	0.2%	230	43%	241	45%	399	75%	39%
Euclid-Green	733	287	39%	174	24%	2	0%	0	0.0%	272	37%	289	39%	576	79%	50%
Fairfax	1,031	182	18%	266	26%	26	3%	0	0.0%	582	56%	549	53%	731	71%	25%
Glenville	2,454	630	26%	707	29%	20	1%	1	0.1%	1,115	45%	1,169	48%	1,800	73%	35%
Goodrich-Kirtland Pk	1,071	91	8%	179	17%	12	1%	3	0.3%	799	75%	519	49%	610	57%	15%
Hopkins	2,642	228	9%	1,091	41%	124	5%	16	0.6%	1,308	50%	1,119	43%	1,346	51%	17%
Hough	1,089	263	24%	346	32%	10	1%	0	0.0%	480	44%	543	50%	806	74%	33%
Jefferson	1,655	286	17%	469	28%	5	0%	0	0.0%	899	54%	889	54%	1,175	71%	24%
Kamm's	3,199	1,075	34%	954	30%	9	0%	40	1.2%	1,131	35%	1,389	44%	2,464	78%	43%
Kinsman	1,071	234	22%	358	33%	32	3%	0	0.0%	479	45%	588	55%	823	77%	28%
Lee-Harvard	1,059	210	20%	408	39%	10	1%	0	0.0%	441	42%	601	57%	811	77%	26%
Lee-Seville	914	189	21%	323	35%	7	1%	0	0.0%	401	44%	532	58%	721	79%	26%
Mount Pleasant	1,402	315	22%	458	33%	5	0%	0	0.0%	629	45%	709	51%	1,024	73%	31%
North Shore Collinwood	1,451	323	22%	441	30%	13	1%	8	0.6%	679	47%	726	50%	1,049	73%	31%
Ohio City	709	159	22%	164	23%	3	0%	0	0.0%	386	54%	314	44%	473	67%	34%
Old Brooklyn	3,794	847	22%	1,240	33%	20	1%	25	0.7%	1,682	44%	2,055	55%	2,902	77%	29%
St.Clair-Superior	1,037	199	19%	275	27%	25	2%	6	0.6%	557	54%	531	51%	730	71%	27%
Stockyards	1,065	172	16%	335	31%	5	0%	2	0.1%	557	52%	617	58%	789	74%	22%
Tremont	1,068	177	17%	282	26%	41	4%	1	0.1%	608	57%	569	53%	746	70%	24%
Union-Miles	2,045	449	22%	624	31%	66	3%	1	0.0%	971	47%	1,084	53%	1,533	75%	29%
University	971	254	26%	203	21%	4	0%	8	0.8%	506	52%	422	44%	676	70%	37%
West Boulevard	1,219	246	20%	351	29%	4	0%	0	0.0%	621	51%	615	50%	861	71%	29%

## Benefits by Neighborhood

Neighborhood Data			Air Pollution Avoided		Carbon Recution		Stormwater Intercepted		Energy Savings		Property Value Increase	Total Benefits	
Name	Canopy %	Size (Acres)	Unit (lb)	Value (\$)	Unit (tons)	Value (\$)	Units (gallons)	Value (\$)	Units (kWhs)	Value (\$)	Value (\$)	Total Value	Value Per Acre
Bellaire-Puritas	15%	2,191	22,402	\$49,269	43,107	\$834,704	62,373,697	\$374,242	1,041,247	\$114,537	\$168,371	\$1,541,123	\$703
Broadway-Slavic Village	18%	2,901	36,229	\$79,590	69,637	\$1,348,401	99,783,989	\$598,704	1,870,672	\$205,774	\$252,807	\$2,485,275	\$857
Brooklyn Centre	24%	938	15,340	\$33,720	29,503	\$571,284	42,413,963	\$254,484	710,833	\$78,192	\$89,266	\$1,026,946	\$1,095
Buckeye-Shaker Square	25%	742	12,793	\$28,101	24,587	\$476,087	35,425,050	\$212,550	642,106	\$70,632	\$108,067	\$895,437	\$1,207
Buckeye-Woodhill	24%	790	12,886	\$28,333	24,790	\$480,020	35,682,216	\$214,093	421,773	\$46,395	\$96,566	\$865,407	\$1,095
Central	13%	1,501	13,182	\$28,981	25,357	\$490,994	36,407,741	\$218,446	124,392	\$13,683	\$66,759	\$818,863	\$546
Clark-Fulton	20%	611	8,150	\$17,893	15,655	\$303,142	22,570,525	\$135,423	652,762	\$71,804	\$57,919	\$586,181	\$960
Collinwood-Nottingham	14%	2,110	18,249	\$42,312	37,021	\$716,842	53,801,913	\$322,811	694,639	\$76,410	\$149,325	\$1,307,701	\$620
Cudell	16%	698	5,437	\$16,572	14,500	\$280,768	21,023,576	\$126,141	422,908	\$46,520	\$58,637	\$528,639	\$757
Cuyahoga Valley	5%	2,573	8,122	\$17,831	15,601	\$302,088	23,533,822	\$141,203	35,530	\$3,908	\$18,802	\$483,832	\$188
Detroit Shoreway	19%	974	12,226	\$26,864	23,505	\$455,129	33,999,577	\$203,997	610,515	\$67,157	\$80,934	\$834,081	\$856
Downtown	4%	1,779	4,951	\$10,891	9,529	\$184,516	13,566,182	\$81,397	3,213	\$353	\$12,613	\$289,770	\$163
Edgewater	30%	533	10,657	\$23,429	20,499	\$396,938	29,666,495	\$177,999	397,711	\$43,748	\$76,371	\$718,486	\$1,348
Euclid-Green	39%	733	19,262	\$42,556	37,234	\$720,975	53,900,334	\$323,402	685,502	\$75,405	\$197,542	\$1,359,880	\$1,855
Fairfax	18%	1,031	12,364	\$27,195	23,794	\$460,736	34,279,936	\$205,680	384,612	\$42,307	\$95,162	\$831,080	\$806
Glenville	26%	2,454	42,928	\$94,394	82,590	\$1,599,217	118,555,572	\$711,333	2,942,436	\$323,668	\$321,309	\$3,049,922	\$1,243
Goodrich-Kirtland Pk	8%	1,071	6,239	\$13,696	11,983	\$232,030	17,081,311	\$102,488	83,851	\$9,224	\$25,930	\$383,368	\$358
Hopkins (Airport)	9%	2,642	15,407	\$33,850	29,617	\$573,491	42,793,849	\$256,763	97,283	\$10,701	\$39,735	\$914,541	\$346
Hough	24%	1,089	17,749	\$39,018	34,138	\$661,031	49,497,136	\$296,983	883,353	\$97,169	\$157,976	\$1,252,176	\$1,150
Jefferson	17%	1,655	19,408	\$42,664	37,329	\$722,814	53,855,121	\$323,131	1,554,956	\$171,045	\$142,677	\$1,402,331	\$847
Kamm's	34%	3,199	73,139	\$160,761	140,658	\$2,723,599	202,207,281	\$1,213,244	3,665,319	\$403,185	\$459,043	\$4,959,831	\$1,550
Kinsman	22%	1,071	15,839	\$34,805	30,453	\$589,670	44,096,775	\$264,581	448,754	\$49,363	\$111,817	\$1,050,236	\$981
Lee-Harvard	20%	1,059	14,204	\$31,222	27,317	\$528,954	39,529,462	\$237,177	1,226,879	\$134,957	\$109,730	\$1,042,040	\$984
Lee-Seville	21%	914	12,749	\$28,020	24,516	\$474,719	35,610,874	\$213,665	613,932	\$67,533	\$102,304	\$886,241	\$970
Mount Pleasant	22%	1,402	21,315	\$46,822	40,967	\$793,254	59,207,420	\$355,245	1,476,642	\$162,431	\$192,622	\$1,550,373	\$1,106
North Shore Collinwood	22%	1,451	21,883	\$48,065	42,054	\$814,308	60,763,263	\$364,580	1,126,266	\$123,889	\$177,095	\$1,527,937	\$1,053
Ohio City	22%	709	10,767	\$23,657	20,699	\$400,795	29,886,271	\$179,318	384,754	\$42,323	\$63,575	\$709,668	\$1,002
Old Brooklyn	22%	3,794	57,455	\$126,266	110,476	\$2,139,178	159,255,586	\$955,534	3,262,840	\$358,912	\$350,141	\$3,930,030	\$1,036
St.Clair-Superior	19%	1,037	13,522	\$29,723	26,006	\$503,559	37,430,687	\$224,584	520,554	\$57,261	\$84,734	\$899,860	\$868
Stockyards	16%	1,065	11,609	\$25,501	22,312	\$432,031	32,373,255	\$194,240	584,218	\$64,264	\$75,968	\$792,004	\$744
Tremont	17%	1,068	11,887	\$26,154	22,883	\$443,092	33,254,364	\$199,526	308,522	\$33,937	\$68,706	\$771,414	\$722
Union-Miles	22%	2,045	30,315	\$66,627	58,295	\$1,128,780	84,362,987	\$506,178	2,320,050	\$255,206	\$263,988	\$2,220,778	\$1,086
University	26%	971	17,205	\$37,833	33,102	\$640,957	47,855,703	\$287,134	152,929	\$16,822	\$61,769	\$1,044,515	\$1,076
West Boulevard	20%	1,219	16,728	\$36,801	32,199	\$623,473	46,287,304	\$277,724	1,325,077	\$145,758	\$131,073	\$1,214,829	\$997

## Current Tree and Tree Commission Ordinances

*Disclaimer: These excerpts from Cleveland's Code of Ordinances were accessed and copied via American Legal Publishing Corporation online on July 29, 2015. They may not reflect the most current legislation adopted by the Municipality and are provided for informational purposes only. This code text should not be relied upon as the definitive authority for local legislation.*

**CHAPTER 509 – TREES** (accessed online via American Legal Publishing Corporation, July 29, 2015)  
*City of Cleveland Code of Ordinances > Part Five: Municipal Utilities and Services Code > Title I: Streets and Sidewalk Areas > Chapter 509 – Trees*

- 509.01 Climbing, Breaking, Injuring Trees Prohibited; Exceptions; Permit
- 509.02 Killing, Removing Trees Prohibited; Exceptions; Permit
- 509.03 Injurious Substances in Soil around Tree Roots
- 509.04 Lethal Substances in Soil around Tree Roots
- 509.05 Injurious Substances Flowing into Tree Soil
- 509.06 Stone, Cement Obstructing Tree's Air, Water; Permit
- 509.07 Power to Preserve or Remove Trees
- 509.08 Interference with Properties Director and City Employees
- 509.09 Electrical Wires Injuring Trees
- 509.10 Electrical Wires Killing Trees

- 509.11 Attaching Wire, Signs to Trees Restricted
- 509.12 Animals Prohibited from Injuring Trees
- 509.13 Tree Planting Permit; Planting Plan
- 509.14 Protecting Trees from Construction
- 509.15 Authority of Properties Director over Trees on Private Grounds
- 509.16 Control of Elm Disease
- 509.17 Inspection and Destruction of Diseased Trees
- 509.18 Additional Tests to Determine Presence of Disease
- 509.19 Property Owner's Responsibility to Trim or Remove Trees
- 509.20 Trimming, Preservation, and Removal of Trees on Private Property
- 509.99 Penalty

Note: The legislative history of this chapter, except where specifically noted at the end of a section, is as follows: Ordinance No. 63410-A, passed September 22, 1924.

Cross-reference:

- Climbing trees in parks prohibited, CO 559.35
- Destruction of shrubs, trees, or crops, CO 623.06
- Location of shade trees on streets, CO 503.04

Statutory reference:

- Assessments for tree planting or maintenance, RC 727.011
- Power to regulate shade trees and shrubbery, RC 715.20

*§ 509.01 Climbing, Breaking, Injuring Trees Prohibited; Exceptions; Permit*

No person, firm, or corporation without a written permit from the Director of Public Properties shall cut, break, climb, or injure any tree or portion of the tree planted or growing in any public highway within the City or cause, authorize, or procure any person to cut, break, climb, or injure any such tree or portion thereof; cut, break, climb, or injure any tree or plant, or injure, misuse, or remove, or cause, authorize, or procure any person to injure, misuse, or remove any device set for the protection of any tree or plant in any public highway of the City. Any person, firm, or corporation desiring for any lawful purpose to cut, prune, treat, with a view to its preservation from disease or insect, or trim any tree in any public highway of the City, may apply to the Director, and if in the judgment of the Director the desired cutting, pruning, treatment, or trimming appears necessary and the proposed method and workmanship thereof are such as the Director approves, the Director may thereupon issue a written permit for such work. Any work done under such written permit must be performed in strict accordance with the terms thereof.

*§ 509.02 Killing, Removing Trees Prohibited; Exceptions; Permit*

No person, firm, or corporation shall kill or remove, or cause, authorize or procure the death or removal of any tree planted or growing in any public highway within the City. Any person, firm, or corporation desiring for any lawful purpose to take down or remove any tree in any public highway of the City may apply to the Director of Public Properties, and if in the judgment of the Director, the desired taking down or removal appears necessary, the Director may thereupon issue a written permit therefor. Any work done under such written permit must be performed in strict accordance with the terms thereof.

*§ 509.03 Injurious Substances in Soil around Tree Roots*

No person, firm, or corporation owning or using, or having control or charge of gas or other substance deleterious to tree life, shall allow such gas or other substance to come into contact with the soil surrounding the roots of any tree in any public highway in the City in such manner as may injure such tree or plant.

*§ 509.04 Lethal Substances in Soil around Tree Roots*

No person, firm, or corporation owning or using, or having control or charge of gas or other substance deleterious to tree life, shall allow such gas or other substance to come into contact with the soil surrounding the roots of any tree in any public highway in the City in such manner as shall kill or destroy such tree or plant.

*§ 509.05 Injurious Substances Flowing into Tree Soil*

No person, firm, or corporation shall cause, authorize, or procure any brine water, oil, liquid dye, or other substance deleterious to tree life to lie, leak, pour, flow, or drip on or into the soil about the base of any tree in any public highway in the City, or onto the sidewalk, road, or pavement therein at a point whence such substance may be lying on, or by flowing, dripping, or seeping into such soil, or in any other manner whatever, injure such tree; or cause or procure such lying, leaking, flowing, dripping, seeping, or injuring.

### *§ 509.06 Stone, Cement Obstructing Tree's Air, Water; Permit*

No person, firm, or corporation, except with the written permit of the Director of Public Properties, shall place or maintain upon the ground in any public highway within the City, any stone, cement, or other material or substance in such manner as may obstruct the free access of air and water to the roots of any tree or ornamental plant in such highway. Unless otherwise provided for in such written permit, there must be maintained about the base of the trunk of each shade tree in the public highways of the city at least six (6) square feet of open ground for a tree three (3) inches in diameter, and for every two (2) inches of increase of such diameter there must be an increase of at least one (1) square foot of open ground.

### *§ 509.07 Power to Preserve or Remove Trees*

The Director of Public Properties shall have the right to plant, trim, preserve, and remove all trees within the lines of all streets, alleys, avenues, lands, lanes, squares, and public grounds as may be necessary to ensure safety, or to preserve the symmetry and beauty of such public grounds. The Director, under the power given herein, may cause any tree which is in an unsafe condition, or which by reason of its nature is injurious to sewers or other improvements, or is affected by any injurious scale or other pest, to be removed.

### *§ 509.08 Interference with Properties Director and City Employees*

No person, firm, or corporation shall interfere, cause, authorize, or procure any interference with the Director of Public Properties, or any of his or her employees, agents, or servants, while they are engaged in and about the planting, cultivating, mulching, pruning, spraying, or removing of any tree in any public highway within the City, or in removing any device attached to a tree or in such removing of stone, cement, sidewalk, or other material or substance as may be

necessary for the protection and care of any such tree in accordance with the requirements set forth in Section 509.06, as to the area of open ground to be maintained about the base of the trunk of each shade tree in the public highways of the City.

### *§ 509.09 Electrical Wires Injuring Trees*

No person, firm, or corporation shall cause, authorize, or procure a wire or other conductor, charged with electricity, to come into contact with any tree in a public highway in the city, in such manner as may injure or abrade such tree or plant.

### *§ 509.10 Electrical Wires Killing Trees*

No person, firm, or corporation shall cause or authorize or procure a wire or other conductor charged with electricity, to come into contact with any tree in any public highway in the city in such manner shall destroy or kill such tree or plant.

### *§ 509.11 Attaching Wire, Signs to Trees Restricted*

No person, firm, or corporation shall attach or keep attached to any tree in any public highway in the city or to the guard or stake intended for the protection of such tree, any rope, wire, sign, or any other device whatsoever, except for the purpose of protecting it or the public.

### *§ 509.12 Animals Prohibited from Injuring Trees*

No person, firm, or corporation shall tie any horse or any other animal to any tree in any public highway within the City or having charge of such horse or other animal, allow or cause or procure it to injure any such tree; nor shall any person in charge of such horse or other animal cause or allow it to stand so that it can injure such tree.

### § 509.13 Tree Planting Permit; Planting Plan

(a) No person, firm, or corporation shall plant or set out any shade tree or cause or authorize or procure any person to plant or set out any shade tree, in or on any part of any public highway within the City, without first obtaining from the Director of Public Properties a written permit to do so or without complying in all respects with the conditions set forth in such written permit.

(b) Before any permit shall be issued for planting more than twenty-five (25) trees on any one (1) permit, the Director may request from the applicant a detailed declaration of intentions either in the form of a planting plan or written statement in duplicate. All planting plans shall be drawn on tracing cloth in ink. One (1) copy of each plan or statement of intentions shall, when approved by the Director, be returned to the applicant and the other copy shall be kept on file by the Director.

(c) All planting plans shall show accurately:

(1) The proposed street width, together with its subdivisions of pavement, curb, gutter, parking strip, and sidewalk areas, to a definite indicated scale;

(2) The proposed location of each and every proposed tree together with the location of each existing within the proposed street lines in scaled relation to the other features of the plan;

(3) The variety of each and every tree proposed to be planted and of those already existing within the proposed street lines, either indicated on the plan or referenced with a number to key list;

(4) The distance between trees in any one (1) row in feet;

(5) The nature of the soil in the planting space, to a depth of three (3) feet, and all existing and proposed surface or subsoil drainage system.

(d) All statements filed in lieu of a planting plan shall contain the same information as required on the plan.

### § 509.14 Protecting Trees from Construction

During the erection, repair, alteration, or removal of any building or structure within the City, no person in charge of such erection, repair, alteration, or removal, shall leave any street tree in the vicinity of such building or structure without such good and sufficient guards or protectors as shall prevent injury to the tree arising out of or by reason of the erection, repair, alteration, or removal.

### § 509.15 Authority of Properties Director over Trees on Private Grounds

The Director of Public Properties shall have power to enter upon any private grounds in the City and cause to be sprayed or otherwise treated any tree or shrub infected or infested by any parasite or insect pest when it shall be necessary in the opinion of the Director to do so, to prevent the breeding or scattering of any parasite or animal pest, and to prevent danger therefrom to shade trees and shrubbery planted in the streets, alleys, and public grounds of the City. Whenever in the opinion of the Director, trimming, treatment, or removal of any such tree or shrub located on private grounds shall be deemed wise, the Director shall have power to trim, treat, or remove any such shrub.

### § 509.16 Control of Elm Disease

Council finds and determines that the Dutch elm disease and the virus disease phloem necrosis commonly known as elm blight threaten shade trees in the streets and public grounds and places of the city, and that in order to preserve such trees it is necessary to discover and control these diseases.

(Ord. No. 1779-48. Passed 10-18-48)

### *§ 509.17 Inspection and Destruction of Diseased Trees*

The Commissioner of Shade Trees is authorized to inspect any tree within the city reported or supposed to be infected with the Dutch elm disease or the virus disease phloem necrosis commonly known as elm blight. If upon such inspection the Commissioner determines that such tree is infected with either of the diseases, he or she shall, if the tree is in any public street, ground, or place within the city, immediately remove and burn the same in such manner as to prevent as fully as possible the spread of such disease. If such tree is located on private property, the Commissioner shall immediately serve upon the owner of such property a written notice that such tree is so infected and that the same must be removed and burned under the supervision of the Commissioner within five (5) days of the service of notice. If such owner cannot be found, a copy of the notice shall be posted upon the infected tree. If the tree is not so removed and burned within five (5) days after the service or posting of notice, the Commissioner shall cause the tree to be so removed and burned. The cost of removal and burning shall be reported to the owner of the property, if he or she can be found, and also Council. If the cost is not paid within thirty (30) days of such report, Council may assess the same as in other cases of the abatement of nuisances.

(Ord. No. 1779-48. Passed 10-18-48)

### *§ 509.18 Additional Tests to Determine Presence of Disease*

If upon the inspection of any tree within the city reported or supposed to be infected as aforesaid, it is impossible to determine with certainty the existence of either of the diseases in such tree, it is hereby determined that in such event specimens from the tree shall be forwarded for complete examination, diagnosis, and report to either the Ohio State Experimental Station at Wooster, Ohio, or to the United States Department of Agriculture Station at Beltsville, Maryland.

The action of the Commissioner of Shade Trees under this section shall await and be determined by the report received from such examination and diagnosis.

(Ord. No. 1779-48. Passed 10-18-48)

### *§ 509.19 Property Owner's Responsibility to Trim or Remove Trees*

The owner or agent of any lot or parcel of land fronting on any street, avenue, or public ground in the City, in which shade trees are planted and growing, shall trim or cause to be trimmed, the branches from the trees in or in front of their respective lots or lands, near which any street lamp is placed, so as not to obstruct the passage of light from such lamp to the street or sidewalk adjacent, and shall trim all branches overhanging any sidewalk or roadway, so as to have a clear height of eight (8) feet above the surface of the sidewalk, and a clear height of ten (10) feet above the surface of the roadway, unobstructed by branches, and shall remove from the trees all dead, decaying, and broken limbs or branches that overhang the sidewalk or street, or are liable to fall thereon. When any trees are dead the owner thereof shall take up, or cause to be taken up, the dead trees and remove the same from the lot or parcel of land. If any owner or agent of any lot or land in which shade trees are planted fails or refuses to comply with the requirements of this section, after being duly notified to do so, the Shade Tree Commissioner shall cause the same to be done at the expense of the owner of the property in or in front of which the trees may be located, which expense, together with the cost of suit, may be collected by a suit in Municipal Court.

*§ 509.20 Trimming, Preservation and Removal of Trees on Private Property*

(a) The Commissioner of Shade Trees shall have the authority and he or she shall order the trimming, preservation, or removal of any dead or diseased tree or branch or limb thereof located upon private property when he or she finds that such action is necessary to prevent injury to person or damage to property, or to prevent the spread of disease to trees located upon or adjacent to public land or a dedicated street.

(b) Such order of the Commissioner shall be in writing and shall be served either personally or by certified mail upon the owner of such private property. If service is by certified mail it shall be sent to the last known residence of the owner.

(c) When the owner to whom such an order is directed fails to comply within the time specified in such order, the Commissioner shall cause the condition to be remedied at the cost of the person to whom the order is directed. The Commissioner or persons designated by him or her to remedy the condition complained of in the order shall be authorized to enter upon private premises for the purpose of carrying out such order.

(Ord. No. 2096-66. Passed 12-12-66, eff. 12-14-66)

*§ 509.99 Penalty*

(a) Any person, firm, or corporation which violates Sections 509.01, 509.05, 509.09, 509.11, or 509.13 shall be fined not more than five dollars (\$5.00) for each offense.

(b) Any person, firm, or corporation which violates Sections 509.03, 509.06, 509.08, 509.12, or 509.14 shall be fined not more than ten dollars (\$10.00) for each offense.

(c) Any person, firm, or corporation which violates Sections 509.02, 509.04, or 509.10 shall be fined not more than fifty dollars (\$50.00) for each offense.

(d) Every violation by the same person, firm, or corporation of Sections 509.01 to 509.14 which continues on any day succeeding the first violation thereof, constitutes an additional violation for each of such succeeding days.

(e) In addition to civil liability for the cost of any work performed by the Commissioner of Shade Trees or persons designated by him or her, any person who fails to comply with an order of the Commissioner to trim, preserve, or remove any dead or diseased tree or branch or limb thereof dangerous to person or property or to prevent the spread of disease to trees upon public property or streets within the time specified in such order shall be fined not more than five hundred dollars (\$500.00) and imprisoned for not more than thirty (30) days, or both.

(Ord. No. 2096-66. Passed 12-12-66, eff. 12-14-66)



**CHAPTER 163 – TREE COMMISSION** (accessed online via American Legal Publishing Corporation, July 29, 2015) *City of Cleveland Code of Ordinances > Part One: Administrative Code > Title IX: Boards and Commissions > Chapter 163 – Tree Commission*

163.01 Tree Commission, Composition, Terms, and Compensation

163.02 Organization and Procedures

163.03 Duties of the Commission

### § 163.01 Tree Commission, Composition, Terms, and Compensation

(a) There is hereby created the Cleveland Tree Commission, which shall consist of nineteen (19) members, eighteen (18) of whom shall be appointed by the Mayor, subject to the confirmation of Council. The remaining member shall be the Commissioner of Park Maintenance and Properties, or his or her designee.

(b) Other than the Commissioner of Park Maintenance and Properties, the term of the members shall be three (3) years; provided that of the initial appointments, six (6) members shall serve three (3) years, six (6) members shall serve two (2) years, and six (6) members shall serve one (1) year. In the event that a vacancy occurs during the term of any member, the Mayor shall appoint a successor to serve the unexpired portion of that term.

(c) The members of the Commission shall serve without compensation.

(Ord. No. 2044-92. Passed 12-7-92, eff. 12-14-92)

Note: Pursuant to Sections 5, 6, and 7 of Ord. No. 2044-92, any references to Division of Park Maintenance and Commissioner of Park Maintenance shall be amended to read Division of Park Maintenance and Properties and Commissioner of Park Maintenance and Properties, respectively.

### § 163.02 Organization and Procedures

(a) The Mayor shall appoint a chairperson. At the first meeting of the Commission, the chairperson shall appoint from the Commission's membership a vice chairperson and secretary.

(b) The Commission shall meet at least once a month at such time and place as it shall decide. Special meetings may be called by the chairperson at the chairperson's discretion. A simple majority of the members shall constitute a quorum for the transaction of business. Any member who is absent from three (3) consecutive duly called meetings shall be removed from the Commission unless said member files a written appeal with the Commission and a majority thereof votes to retain said member.

(c) The Commission shall adopt such rules and regulations governing its own conduct as are not in conflict with the Charter or these Codified Ordinances.

(d) The Commission shall keep minutes of its meetings, a copy of which shall be kept on file in the Division of Park Maintenance and Properties. All plans, findings, reports, and recommendations of the Commission shall be in writing and shall designate thereon the names of the members concurring therein. A member who does not concur in any such plan, finding, report, or recommendation may note thereof the reasons for said member's failure to concur.

(Ord. No. 2044-92. Passed 12-7-92, eff. 12-14-92)

Note: Pursuant to Sections 5, 6, and 7 of Ord. No. 2044-92, any references to Division of Park Maintenance and Commissioner of Park Maintenance shall be amended to read Division of Park Maintenance and Properties and Commissioner of Park Maintenance and Properties, respectively.

### § 163.03 *Duties of the Commission*

The Commission shall:

- (a) Study, plan, and recommend to the Director of Parks, Recreation and Properties any action or program which the Commission deems necessary or advisable for the care, preservation, trimming, planting, removal, or disposition of trees, shrubs, and planting sites in public rights-of-way, parks, or other public grounds owned and controlled by the City;
- (b) Disseminate to the public information regarding the selection, planting, and maintenance of trees within the city;
- (c) Promote the programs and policies of the Division of Park Maintenance and Properties relating to trees, shrubs, and planting sites and recommend improvements thereto;
- (d) Investigate and make findings and recommendations regarding any special matter involving trees, shrubs, or planting sites when so requested by Council or the Administration;
- (e) Solicit grants or contributions on behalf of the City for use in enhancing the urban forest and educating the public with respect thereto.

(Ord. No. 2044-92. Passed 12-7-92, eff. 12-14-92)

Note: Pursuant to Sections 5, 6, and 7 of Ord. No. 2044-92, any references to Division of Park Maintenance and Commissioner of Park Maintenance shall be amended to read Division of Park Maintenance and Properties and Commissioner of Park Maintenance and Properties, respectively.