



Tree Removal



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Tree Removal

Important Permit Considerations

- A tree is defined as a long-lived, branching, woody plant, usually with one (1) main stem or trunk, and having a diameter of at least five (5) inches measured 4.5' above the surrounding ground
- A permit and inspection are required **BEFORE ANY TREE IS REMOVED.**
- There are two forms for tree removal. The first is for property owners to request a permit for tree removal for any reason stated in the City's ordinance. The second is for tree removal related to construction. The adopted city ordinance is included with this document.
- A permit is not required for trees less than five (5) inches in diameter as measured 4.5 feet above the ground.
- A permit is not required for tree trimming.
- A permit is not required for a tree which has fallen.
- A permit is not required for Palms as they are considered to be a grass.
- Trees removed in violation of the city ordinance may result in the issuance of a citation and possible municipal fines.
- There is no cost for a tree removal permit.



Ordinance

ARTICLE VI. PRESERVATION OF TREES*

***Editor's note:** Ord. No. 06-347, § 3, adopted August 15, 2006, amended the Code by repealing former art. VI, §§ 10-101--10-107, and adding a new art. VI. Former art. VI pertained to similar subject matter, and derived from Ord. No. 05-341, § 3, adopted November 15, 2005.

Sec. 10-101. Definitions.

For the purposes of this article, the following words, terms, and phrases shall have the meanings ascribed thereto:

Approved replacement tree shall mean any tree listed in section 10-105(b) hereof.

Critical root zone of a tree shall mean the area within a circle centered on the trunk location, the diameter of said circle being one-half (1/2) of the sum of the longest and shortest drip line diameters.

Damage to a tree shall mean any action that will, in reasonable probability, result in the tree's death, either immediately or within a period of three (3) years. Without limiting this definition, some examples are: severing the main trunk or large branches or large roots, girdling, poisoning, carving, mutilating, touching with live wires, piercing with nails or spikes, crushing or exposing the roots, digging or drilling any hole or trench larger than three (3) cubic feet within the critical root zone, covering with over three (3) inches of soil, or compacting the soil in the critical root zone.

Diameter of a tree shall mean the trunk of a tree measured at a point on the tree four and one-half (4 1/2) feet above the surrounding ground level.

Person shall mean any individual, entity, corporation, organization, unincorporated organization, partnership, or any other form of entity.

Protected tree shall mean any tree having a diameter of twenty (20) inches or more.

Structure shall mean that which is built or constructed, an edifice or building of any kind, or any place of work artificially built up or composed of parts joined together in some definite manner.

Subject site shall mean any lot, tract, or parcel of land upon which an applicable tree subject to a permit hereunder is located.

Tree shall mean a long-lived, branching, woody plant, usually with one (1) main stem or trunk, and having a diameter of at least five (5) inches.

(Ord. No. 06-347, § 3, 8-15-06; Ord. No. 07-358, § 1, 5-15-07)

Sec. 10-102. Enforcement.



This article shall be administered as a part of the building permit process.

(Ord. No. 06-347, § 3, 8-15-06)

Sec. 10-103. Permit required.

It shall be unlawful for any person to remove or to cause damage to a tree within the city, without having first obtained a tree destruction permit from the city.

(1) *Criteria for issuance of a permit.*

a. An application for a tree destruction permit shall be filed by the owner of the subject site on which an affected tree is located.

b. A tree destruction permit shall be issued expeditiously by the building official without cost and without requirement of a replacement tree if, in the judgment of the building official:

1. The tree in question is diseased, severely damaged, or dead;
2. The tree in question is causing or will cause damage to any structure, or has disrupted utility service or use of any public right of way;
3. The tree in question is too close to other trees causing competition for the same water, soil nutrients, and sunlight; or
4. Destruction of the tree in question is necessary due to construction, alteration, remodeling, or demolition of a structure, or construction of a subdivision improvement, for which applicable permits or other approvals have been obtained.

(Ord. No. 06-347, § 3, 8-15-06)

Sec. 10-104. Criteria for tree replacement.

(a) Notwithstanding the foregoing, the minimum number of trees on each lot shall be one (1) tree for each one thousand (1,000) square feet of lot area. Trees located on public rights-of-way that are adjacent to lots or parcels shall not be considered as part of the required number.

A maximum of seventy-five (75) percent of the required trees may be within ten (10) feet of the perimeter of the subject site. The remaining required trees shall be at least twenty (20) feet from the perimeter of the subject site. For the purposes hereof, the perimeter of a subject site shall mean the boundary lines of the lot, tract or parcel comprising the subject site. If any portion of a subject site is encumbered by public or private roadway right-of-way, the perimeter shall mean the boundary of the right-of-way nearest the interior of the subject site.

(b) No tree destruction permit shall be issued incidental to construction, alteration, remodeling, or destruction of any building or structure, or any subdivision improvement, unless the applicant therefore has submitted to the building official, designated by the city, and received approval therefor in accordance with this article, a tree disposition plan, together with a plan for the protection and preservation of each tree impacted by the proposed activity. The scale on the tree disposition plan shall be no smaller than one (1) inch equals twenty (20) feet. Trees proposed to be retained are to be represented by a solid circle on the tree survey. Trees proposed to be removed are to be shown by a hatched circle on the tree survey. Proposed replacement tree(s) shall be shown by a dashed circle. The tree type shall be accurate to



species level. Tree loss protective measures shall be taken for all trees subject to danger, unless removal thereof is required because of the proposed location of the building, structure, or improvement.

(Ord. No. 06-347, § 3, 8-15-06; Ord. No. 07-360, § 1, 7-11-07)

Sec. 10-105. Replacement trees.

(a) If a tree is required to be replaced it shall be replaced by:

(1) An approved replacement tree(s) of equal or greater size, both as to height and diameter, however, in no event shall such replacement tree be less than twelve (12) feet in height and three (3) inches in diameter; or

(2) By multiple approved replacement trees each having a diameter of not less than three (3) inches and the sum of whose diameter is equal to or greater than the diameter of the tree being replaced.

Provisions shall be made for maintenance of all replacement trees so as to reasonably assure survival and normal growth. No replacement tree shall be approved unless it complies with the minimum standards contained herein, and is of a variety appearing on the list of approved replacement trees listed herein below.

(b) *Approved replacement trees.*

TABLE INSET:

Pecan	Drummond red maple	River birch
Black walnut	Winged elm	Fringe tree
Cedar elm	Nuttall oak	Chinese elm
American elm	Sweetgum	Southern magnolia
Chinese Pistasche	Tulip tree	Eastern red cedar
Green ash	Yellow poplar	Bald cypress
Overcup oak	Live oak	Loblolly pine
Shumard oak	Bur oak	Post oak
White oak	Swamp chestnut oak	Sycamore

(c) *Time limit for planting replacement trees; performance guarantee.* No certificate of occupancy shall be issued for any building on a lot for which replacement tree(s) are required hereunder unless the applicant therefor files with the city a replacement tree extension application, stating the reasons for and period of the extension, a cash bond in an amount equal to the estimated costs of labor and materials based on private commercial rates to acquire and plant all required replacement trees, together with a written authorization for the city to enter the property for such purpose should the applicant fail to plant such replacement trees on or before the expiration date set forth in the permit. No such extension shall be authorized for a period longer than is reasonably necessary under the circumstances, but in no event longer than one hundred eighty (180) days. If the applicant fails to provide for the planting of such replacement tree(s) within any such extension period, the city shall be authorized to



expend the funds deposited as the cash bond for the purposes of acquiring and planting such trees, and may enter the applicant's property for such purpose. Funds held by the city as a cash bond pursuant to this section shall be returned to the depositor immediately upon compliance with the respective replacement tree planting requirements.

(d) *Transfer of liability for planting of replacement trees.* If the owner of property subject to a tree disposition permit is required to plant replacement tree(s), and such owner sells the subject property prior to planting such replacement trees, liability for such plantings shall transfer to any or all subsequent owners of the subject property.

(e) *Maintenance of replacement trees.* The owner of property upon which replacement trees are planted shall provide proper maintenance and care therefor. No replacement tree shall be damaged, destroyed, or removed except as otherwise authorized by, and subject to the terms and conditions of, this article.

(Ord. No. 06-347, § 3, 8-15-06, Ord. No. 07-360, § 1, 7-11-07)

Sec. 10-106. Required tree protection.

When required by the terms of this article, tree protection shall consist of fencing, at least forty-eight (48) inches in height, which shall be placed at the drip line of the canopy of each tree to be preserved. Fencing shall be of either metal hurricane variety with steel posts no greater than eight (8) feet apart, or a wooden rail fence with vinyl construction fencing attached, with staples every twelve (12) inches. An opening shall be left in each fence enclosure of not more than eighteen (18) inches to allow access for maintenance of grass and vegetation. No such tree protection area shall be used to store materials or equipment.

(Ord. No. 06-347, § 3, 8-15-06)

Sec. 10-107. Protected trees.

Any person desiring to remove a protected tree shall complete the following steps:

- (1) File an application with the building official, stating the reason for requesting removal of a protected tree.
- (2) Provide a site map showing the location of the proposed tree to be removed.
- (3) Any denial of a tree removal permit by the building official may be appealed to the city council.

(Ord. No. 06-347, § 3, 8-15-06)

Sec. 10-108. Appeals/review.

(a) Any person who is aggrieved by a decision of the building official hereunder may appeal such decision to the city council, by written notice to the city secretary thereof, not less than ten (10) days following entry of the decision appealed. Upon such appeal, the building official shall forthwith submit all applicable records and findings to the city council as part of the record of such application. The city council may affirm the decision of the building official or may reverse or modify such decision and issue such orders as it deems necessary and appropriate. Any



decision of the building official not appealed within thirty-five (35) days from the date of entry by the building official shall become final and not subject to appeal.

(b) Any person who believes that the application of a tree density requirement hereunder constitutes economic waste to property owned or occupied by such person may seek review by the city council, by filing a written request to the city secretary thereof. Upon such request, the building official shall forthwith submit all applicable records and pertinent information to the city council. The city council may vary a tree density requirement if the petitioner establishes that the application of the requirement creates economic waste to property owned or occupied by such person, that the variance would not be injurious to adjacent or area properties, and that the maintenance of the urban forest within the city would not be adversely affected thereby.

(Ord. No. 06-347, § 3, 8-15-06; Ord. No. 07-360, § 1, 7-11-07)



PERMIT APPLICATION

TREE REMOVAL – NON CONSTRUCTION RELATED

DATE: _____

PROPERTY OWNER: _____

PROPERTY ADDRESS: _____

TELEPHONE HOME: _____ WORK: _____

TOTAL TREES TO BE REMOVED: _____

PROVIDE LOCATION OF EACH TREE, WHY THE TREE IS TO BE REMOVED AND ESTIMATED DIAMETER OF EACH TREE AT 4.5' ABOVE THE GROUND. A PERMIT IS NOT REQUIRED FOR TREES LESS THAN 5" IN DIAMETER.

PROPERTY OWNER SIGNATURE

The trees will be inspected and the permit delivered to your home if removal is approved. This form may be faxed to 713-827-8752 or delivered to 11977 Memorial Drive.



PERMIT APPLICATION TREE REMOVAL CONSTRUCTION RELATED

Address: _____

Owner of Subject Site: _____ Phone Number: _____

Contractor: _____ Phone Number: _____

A tree is defined as a long-lived, branching, woody plant, usually with one (1) main stem or trunk, and having a diameter of at least five (5) inches measured 4.5' above the surrounding ground. Plants which do not meet this definition are not required to be reported.

- A. _____ Total number of existing trees on the lot prior to any construction.
- B. _____ Total number of trees to be removed.*
- C. _____ Number of trees to be left on the lot after tree removal (A-B)
- D. _____ Area of the lot in square feet
- E. _____ Required minimum number of trees for this lot. (1 Tree per 1,000 square feet of lot rounded up)
- F. _____ Number of required replacement trees (Required replacement trees will be inspected at the time of the building final. Minimum diameter of replacement trees is 3". See ordinance for approved replacement trees and required placement. www.bunkerhill.net)
- G. _____ Number of trees to be removed with a diameter of 20" or greater.

*If trees are to be removed, a survey for the property with each tree properly located and labeled must be attached to this application. In addition to identifying each tree as to general kind and trunk diameter, the following legend must be used to label each tree:

- Trees to remain
- Tree to be Removed
- Proposed Replacement Tree

Example: 14" Oak

Comments:

Signature of Owner

Date:

Approval by Building Official

Date:



Contractor Registration

Company Name: _____

Contact Person: _____

Mailing Address: _____

City _____ State: _____ Zip: _____

Office Telephone: _____ Fax: _____

Email: _____

Field Contact Person: _____ Telephone: _____

Texas License Type: _____ Expiration Date: _____

Name on License: _____

License Number: _____

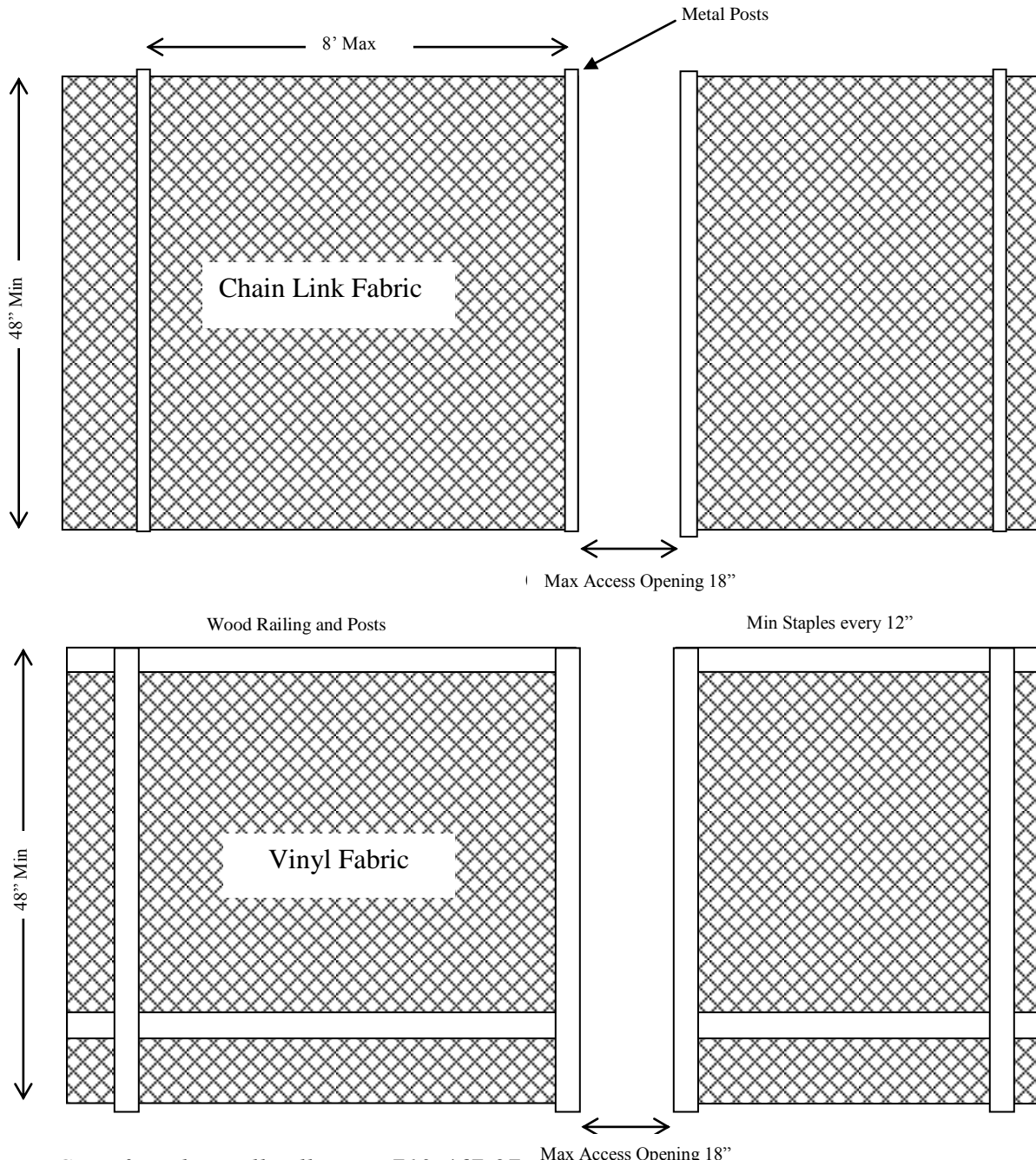
Insurance Underwriter: _____ Expiration Date: _____

Please request your insurance carrier to fax the required insurance certificate to (713) 827-8752. The City of Bunker Hill must be the certificate holder shown on the certificate. A copy of your applicable state license is also required. A permit will not be issued until this information is on file.



Types of Allowable Tree Protection Fencing

Tree protection shall consist of fencing, at least forty-eight (48) inches in height, which shall be placed at the drip line of the canopy of each tree to be preserved. Fencing shall be of either metal hurricane variety with steel posts no greater than eight (8) feet apart, or a wooden rail fence with vinyl construction fencing attached, with staples every twelve (12) inches. An opening shall be left in each fence enclosure of not more than eighteen (18) inches to allow access for maintenance of grass and vegetation. No such tree protection area shall be used to store materials or equipment.





WORKING HOURS

**MONDAY – FRIDAY
7:00 A.M. TO 6:00 P.M.**

**SATURDAY
8:00 A.M. TO 5:00 P.M.**

**SUNDAY
HOLIDAY (NO WORK ALLOWED)**



LAS HORAS DE TRABAJO

LUNES – VIERNES

7:00 A.M. HASTA LAS 6:00 P.M.

SABADO

8:00 A.M. HASTA LAS 5:00 P.M.

DOMINGO

**DIA DE DESCANSO (NO SE PERMITE
TRABAJAR)**