CHAPTER 20: TREES

§20.1 Title

This chapter shall be known and may be cited as the "Tree Law of the Town of Camillus".

§20.2 Purpose

A. The purpose of this chapter shall be to provide for the health and maintenance of existing trees and for the planting of new trees and shrubs on Town of Camillus property and within the public right-of-way for the mutual benefit of its residents. Healthy trees and a healthy community forest support the design and environmental goals of the Town of Camillus Comprehensive Plan and promote the general welfare of Town of Camillus residents and visitors. Effectively managed street and park trees are increasingly recognized as an important community resource for their aesthetic appeal and the social and ecosystem benefits, they provide, including improved air quality, reduced stormwater runoff, reduced energy use, greenhouse gas reduction, and increased residential property values.

B. This chapter will:

1. Create a Town Advisory Tree Committee to establish regulations governing the planting, maintenance, and removal of trees and shrubs in the public streets, rights-of-way, parks, and other municipal property in the Town of Camillus; and
2. Preserve and enhance green foliage on Town streets, rights-of-way, and public property; and
3. Guide the replacement of trees that must be removed from public property because of disease or other tree health issues; and
4. Guide the maintenance or removal of trees on private property that harbor insects or disease, or which are dead or decayed or damaged as to be a public nuisance and in danger of falling in whole or part, thereby having potential to cause damage to person or property of others.

§20.3 Definitions

As used in this chapter, the following terms shall have the meanings indicated:

Dripline - A vertical line extending from the outermost edge of the tree canopy or shrub branch to the ground.

Public Places - Includes all grounds owned, leased, or controlled by the Town of Camillus in the County of Onondaga for public use, including but not limited to streets, parks, and playgrounds.

Public Tree - Any wooded plant, located on municipal property or within the municipal right-of-way.

Ornamental Tree - Small to medium tree that grows 15 to 40 feet in height at maturity, and that is planted for aesthetic purposes such as colorful flowers, interesting bark or fall foliage.

Shade Tree - A large tree growing to over 40 feet in height at maturity, usually deciduous, that is planted to provide canopy cover shade.

Severe Root Pruning - Cutting back the underground tree roots inside 1.5 times the dripline of a tree that will be detrimental to the life of the tree.

Shrub - a multi-stemmed plant with woody stems persisting from season to season.

Street - A highway, road, avenue, lane, alley, culvert, embankment, or sidewalk which the public uses as a right-of-way.

Topping - Severe cutting back of limbs to stubs larger than three inches in diameter within the tree crown to such degree so as to remove the normal canopy and disfigure the tree.

Tree lawn - The green space adjacent to the street or highway, not covered by sidewalks or other paving, lying between the property line and that portion of the street or highway usually used for vehicular traffic.

Tree Work - includes, but is not limited to, pruning, shaping, thinning, cabling, stump removal, root pruning, topping, fertilizing, removing, planting, and spraying insect and disease control of a tree.

Utilities - Those entities that provide electricity, gas, sewer, water, telephone and cable television, and internet to properties within the Town.

§20.4 Town Advisory Tree Committee Established

A. The Town of Camillus Board shall create an advisory committee known as the Town of Camillus Advisory Tree Committee. The Town Advisory Tree Committee membership shall be determined and appointed by the Town of Camillus Supervisor and Councilors. In addition, the Code Enforcement Officer and the Town Engineer will serve as ex-officio members of the committee. The Town Advisory Tree Committee shall act in an advisory capacity to the Town Board.

B. The Town Advisory Tree Committee duties:

1. Study, investigate, develop, and/or update the Town's written plan for caring, preserving, pruning, topping, planting, replanting, removing, or disposing of trees and shrubs in parks along Town streets and in other public areas.
2. Maintain reference materials related to trees and shrubs.
3. Provide an inventory of the location of street trees and determine areas where such trees could exist but are absent.
4. By Resolution of the Town of Camillus Supervisor and Councilors, from time to time, establish a suggested species list for the Town including the kind of trees to be planted on Town property. Identify trees for immediate removal that have been discovered by residents and reported to either the Codes Department or the Highway department.
5. Provide a long-range street tree and shrub plan every five years for the Town of Camillus.

6. Meet during regular meeting hours to discuss planting, removal, and costs.

§20.5 Municipal Responsibility

A. The Town will select Departments that shall perform all necessary maintenance to preserve and protect street trees to keep them in a safe and healthy condition including trimming, spraying, fertilizing, watering, staking, topping, root pruning, mulching, treating for disease or injury, and removal, if necessary.

B. The Town shall have the sole authorization and right to plant, prune, maintain and remove trees, plants, and shrubs within the lines of Town streets and public grounds as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds, or provide for a healthy community forest.

C. The Town shall have the right to plant, prune, maintain and remove trees, plants and shrubs within municipal rights-of-way and areas subject to municipal easement as may be necessary to ensure public safety and the function of utilities.

D. The Town Advisory Tree Committee may recommend a tree or part of a tree be removed, in its sole discretion, after considering the following factors as to whether a particular tree:

1. Poses a potential public safety risk or hazard; or
2. Causes an unsafe condition; or
3. Is it injurious to sewers, electric power lines, gas lines, waterlines, or other public improvements; or
4. It is affected by any injurious fungus, insect, or pest.
5. Notwithstanding the above, where a property owner has the legal responsibility to take action to remove a plant or tree, the Town may elect to advise the owner to take such action immediately.

E. No property owner shall allow a tree, shrub or other plant growing on his or her property to obstruct or interfere with the view of drivers of vehicles on a street or pedestrians on the sidewalk to create a traffic hazard. If such a tree, shrub or other plant does overhang or does otherwise adversely affect any street, sidewalk, or right-of-way within the Town, the property owner shall, at the property owner's expense, prune the tree, shrub, or plant so that it shall not obstruct the view of any street intersection or obstruct or hinder passage on any street or sidewalk. If, after consultation with the Town Code Enforcement Officer, a property owner must trim a tree, shrub, or other plant, the property owner must provide for a clear space of eight feet above the surface of the sidewalk and 14 feet above the surface of the street.

F. If an obstruction persists, the Town Code Enforcement Officer shall mail a notice, in writing, to the property owner to prune or remove the tree, shrub or plant within 10 days of mailing the notice. If the property owner fails to comply with the notice, the Town may undertake the necessary work and charge the cost for such work to the property owner. If such charge remains unpaid for 30 days, the expense shall be added to the next Town tax bill of the property owner.

§20.6 Prohibited Actions

A. No person or utility, other than agents or employees of the Town of Camillus, shall plant, spray, fertilize, treat prune, cut above ground, disturb the root system, or otherwise disturb any public tree or shrub on any Town street, park, or public place without a permit which will be issued by the Codes Department. The Town Board will determine fines

B. No person shall fasten or attach to any tree any sign, poster, bill, notice or advertisement of any kind.

C. No person or utility shall cause or permit any brine, oil, gasoline, liquid dye, or other deleterious substance to tree life to lie, leak, pour, flow or drip onto or into the soil about the base of a tree which could injure such tree.

D. No person shall fasten or cause any animal to be fastened to a tree in any street or public place or permit any animal owned by said person or in said person's charge to stand so near any such tree that the tree may be gnawed or otherwise injured by the animal.

E. No trees shall be planted or allowed to grow on private or public lands within the limits of, or which will interfere with, any drainage, sewer, water, or utility easement.

§20.7 Planting and maintenance

A. Application to plant. No one, except the Town of Camillus or its agents, shall plant or remove, replant, or replace a tree or shrub upon Town property or upon a Town tree lawn without first obtaining written approval of the Town of Camillus Tree Committee.

B. Costs. The costs for work initiated by the adjacent property owner and permitted by the Town of Camillus Town Advisory Tree Committee for tree or shrub planting, removal, or placements shall be borne by such adjacent property owner. The Town may share in the expense of this work at the sole discretion of the Town of Camillus Supervisor and Councilors.

C. The cost for work performed by or for utilities shall be borne by the respective utility.

§20.8 Removal of Dead and Diseased Trees From Private Property

A. Private property owners have the duty, at their own expense, to cut down and remove any trees upon their property which are dead, harbor insects or disease, or which are so damaged as to be a public nuisance and in danger of falling upon municipal property or to be a danger to the general public, thereby potentially causing damage to person or property. This provision does not apply to private property disputes.

B. The Town Code Enforcement Officer shall provide the property owner with written notification that a tree or shrub should be removed for any or all of the reasons stated above. Property owners shall, at their own expense, remove such trees. Property owners shall have 15 days after the date of service of the notice (either personal service or by Certified Mail)

to inform the Town Code Enforcement Officer as to when the tree shall be removed. Property owners shall have no more than 30 days after informing the Town Code Enforcement Officer to remove such trees unless the Town Code Enforcement Officer indicates otherwise in writing. If a property owner fails to comply with such provisions, the Town shall remove such trees and charge the cost of removal to the property owner upon notice and hearing. If the cost of such removal remains unpaid for 60 days, the cost of removal shall be added to the next Town tax bill of the property owner."

§20.9 Topping and Root Pruning Trees

It shall be unlawful for any person, firm, entity, corporation, or utility to top any street tree or shrub, or to engage in severe root pruning in the public right-of-way. Trees severely damaged by storms or certain trees under utility wires or other obstacles where other pruning practices are impractical, may be exempted from this chapter upon the recommendation of the Town of Camillus Tree Committee.

§20.10 Trees near Excavation or Construction

A. No person or utility may excavate any ditches, tunnels, or trenches, or lay any sidewalk or driveway within the dripline of a public tree without first obtaining a permit from the Town Code Enforcement Officer.

B. No person or utility shall remove a tree or shrub from a tree lawn for the purpose of construction or for any other reason without first filing an application and receiving a permit from the Town Code Enforcement Officer.

C. 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 substantial fence, frame, or box not less than six feet high. Whenever possible, the diameter of such fence, frame or box should be at least one and one-half times the dripline. At no time shall the fence, frame, or box extend beyond the sidewalk into the street, nor shall such fence, frame, or box cause a hardship for pedestrians using the sidewalk.

D. When construction, excavation, and/or material deposits result in the destruction and/or removal of a street tree, the person(s) or utility responsible for that damage shall replace the street tree with either a tree or trees of equivalent dollar value in the vicinity of the removed street tree, upon written approval of the Town Code Enforcement Officer.

§20.11 Interference with Tree Work

No one shall hinder, prevent, delay, or interfere with the Town of Camillus or its agents including the Town of Camillus Tree Committee, or any of its assistants, or any contractors, while engaging in conducting the enforcement of this chapter or duly adopted regulations.

§20.12 Specifications and Standards of Practice

By Resolution, from time to time, the Town of Camillus Supervisor and Councilors may establish standards of practice for all tree work in the Town of Camillus.

§20.13 Standards for Issuance of Permit

Whenever a permit is received herein, the desired action and/or treatment must be necessary and in conformity with Chapter 20 and the proposed method and workmanship must be proper, safe, and satisfactory.

§20.14 Severability

If any section, paragraph, sentence, clause, or phrase of this chapter is found to be invalid by a court of competent authority, such judgment shall not affect, impair, or invalidate the remaining options of this chapter.

§20.15 Penalties for Offenses

Any person, firm, entity, or corporation violating or failing to comply with any of the provisions of this chapter shall upon conviction thereof shall be fined no more than $250.00 for each offense. Each week (Sunday through Saturday) that the violation continues shall be a separate offense."

Historical notes:

Chapter Created, LL #7-2025
§20.8-paragraphs A & B updated