

## SIGNIFICANT TREES

### Chapter 8.20.070 Significant Trees

A: Except as provided by Chapter 87 of General Laws, it is unlawful for any person other than the city forester, or his designees, to cut, trim or remove, in whole or in part, any significant tree, even if such person is the owner of the fee in the land on which such tree is situated, except upon a permit in writing from the city forester, and only to the extent of the terms and condition of such permit.

B: The city forester shall grant such permit only upon a showing by preponderance of the evidence that the continued present state of such tree endangers person, or, in his discretion, if such tree is diseased or damaged.

C: For purposes of this section, a “significant tree” is any tree which is seventy-five (75) years or older, or which is three (3) feet in diameter or more.

D: Each person is held responsible for ascertaining the age and diameter of any tree prior to such person cutting, trimming, or remove same, in whole or in part.

E: A person who is aggrieved by the provisions of this section and for cause shown may apply directly to the Board of Park Commissioners for a permit to cut, trim, or remove in whole or in part, any significant tree, which is otherwise protected under this section so long as such commission in the exercise of its discretion is satisfied that such applicant would sustain a hardship, financial or otherwise, which outweighs any detriment to public interest that would result in the application of this section. For purposes of this section, “hardship” is the loss of an advantage. It may include, but not be limited to, a monetary advantage or the advantage to put property to particular use. (Prior code § 13-25).