Village of Holland
Ordinance No. 13-2025
Exhibit B

TREE REGULATIONS

DEFINITIONS

1. "Person" means any person, firm, partnership, association, corporation, company, or organization of any kind.
2. "Street or Highway" means the entire width of every public way, easement of right-of-way when any part thereof is open to the public, as a matter of right, for the purpose of vehicular and pedestrian traffic, and shall include alleys.
3. "Public Places" shall include all other grounds owned by the Village of Holland.
4. "Property Line" means the outer edge of a street or highway.
5. "Mayor or their Agent" is the Village Mayor or employee hired by the Village of Holland charged with the administrative duties of the Village.
6. "Treelawn" means that part of a street or highway, lying between the property line and that portion of the street or highway usually used for vehicular traffic.
7. "Property Owner" means the person owning such property as shown by the County Auditor's Plat of the Village of Holland, Lucas County, Ohio, including the executor, administrator, or beneficiary of the estate of a deceased owner.
8. "Tree" means a tall growing woody plant with one or more perennial main stems or trunk which develops branches from the aerial section of the stem rather than from the base; capable of being pruned to at least six feet of clear branchless trunk below the crown within five years of planting.
9. "Shrub" means a low growing woody plant with one or several perennial main stems producing branches, shoots, or multiple stems from or near the base of the plant and incapable of being pruned to provide at least six feet of clear branchless trunk within five years of planting.
10. "Public Trees" shall include all shade and ornamental trees now or hereafter growing on any public places.
11. "Right-of-Way" means any portion of the public way, street, alley, or sidewalk.
12. "Tree Topping" means the severe cutting back of limbs to stubs of three (3) inches or more in diameter within the tree's crown to such a degree as to remove the normal canopy and disfigure the tree.
13. "DBH" (diameter at breast height) is the diameter in inches of the stem of a standing tree at 4.5 feet above the ground level.

PRIVATELY OWNED TREES

DUTY OF PRIVATE PROPERTY OWNER

1. It shall be the duty of any property owner owning or occupying property bordering on right of way upon which property there may be trees or shrubs, to prune or cause to be pruned such tree or shrub in a manner that they will not shade or obstruct street lights, street signs, or obstruct pedestrian or vehicular traffic on sidewalks or streets.

2. It shall be the duty of any person owning or occupying property bordering on right of way upon which property there are any trees or shrubs which are designated by the Mayor or their Agent as dead, dying, diseased, or hazardous or deemed a menace to the health, safety, and welfare of the people of Holland, to remove or cause to be removed said tree(s) and/or shrub(s).
3. In either of the above situations, the Mayor or their Agent shall send a written notice to the property owner indicating the required action (pruning or removal) to be taken. A period of thirty days from receipt of this letter shall be permitted for the property owner to affect the indicated action. Should the property owner or occupant fail to comply, it shall be lawful for the Mayor or their Agent to enter upon the property and cause such action. The property owner or occupant shall be charged treble the actual cost of the work and cash payment shall be made within thirty days or triple the actual cost of the work shall be assessed to the property taxes.

VILLAGE MAY REMOVE

1. The Mayor or their Agent may remove or cause or order to be removed, any trees or part thereof which by reason of its nature is injurious to existing sewers, electric power lines, gas lines, water lines, or other public improvements, as determined by the Village, solely.
2. The Mayor or their Agent shall examine or cause to be examined every tree within 100 feet of any sanitary or storm sewer, drain, manhole, or other public utility line above or below the surface of the ground, which has been reported as dangerous to or causing interference with said sewer, drain, manhole or public utility line, and if found dangerous or causing damage or obstruction of such sewer, drain, manhole or public utility line, they shall give to the property owner written notice of their findings and an order that such person remove said tree or injurious part thereof within forty five (45) days.

PUBLIC TREES

VILLAGE RESPONSIBILITY

1. Whenever it is determined by the Village to be necessary for the Village to remove one or more tree(s) from Village right of way, the Village shall remove such trees and consider, with non-binding input from the Tree Commission, the need to replace them or plant, on another right of way area, one or more trees to the satisfaction of the Mayor or their Agent.
2. No person or property owner shall remove a tree from the right of way for any reason without approval from the Mayor or their Agent. If, after request from an owner of property abutting such right of way, approval for the removal of one or more tree(s) located in the right of way is given by the Mayor or the Mayor's Agent , and the Village determines the need to plant one or more replacement tree(s) elsewhere in the Village, the owner of property abutting such right of way will be billed by the Village of Holland the cost of the reestablishment of an equal number of tree(s) to be planted by the Village in a location of i the Village's choosing. Reestablishment costs shall be determined annually per Village of Holland's Urban Forestry Management Plan. Failure to pay reestablishment fee within 30 days shall result in the fee being assessed to the property taxes.
3. Whenever any tree or shrub is planted or set out in conflict with the provisions of this ordinance and policies and specifications of the Village, the Mayor or their Agent may cause removal of the same without obligating the Village to replace the illegally planted tree(s).

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TREE PLANTING ON PUBLIC PROPERTY

All planting of public trees shall conform to the Village of Holland Tree Planting Specifications and the most current Master Street Tree Planting Design within the Village of Holland's Urban Forestry Management Plan. All selection of public trees shall promote the establishment of quality tree canopy, thus favoring the use of large stature trees where space accommodates them.

ABUSE OR MUTILATION OF PUBLIC TREES

1. Unless specifically authorized by the Tree Commission, no person shall intentionally damage, cut, carve, top, transplant, place soil or mulch against the trunk/root collar, or remove any tree; attach any rope, wire, nails, advertising posters, squirrel feeder, or other contrivance to any tree or shrub; allow any gaseous, liquid, or solid substance to come in contact with them; set fire or permit fire to burn when the fire or heat thereof shall injure any portion of any tree or shrub.
2. No person shall excavate any ditches, tunnels, trenches, or alley or drive within a radius of ten feet of any public tree or shrub between 0.5 – 10 inches DBH or twenty feet from any public tree greater than 10 inches DBH without obtaining approval from the Mayor or their Agent.

PLACING MATERIALS ON PUBLIC PROPERTY

No person shall deposit, place, store, or maintain upon any public place of the Village, any stone, brick, sand, concrete, or other inorganic materials which may impede the free passage of water or air to the roots of any tree growing therein, except by written consent of the Mayor or their Agent.

PLANTING AND MAINTENANCE OF PUBLIC TREES – PERMIT REQUIRED

No person shall plant, prune, brace, cable, spray, or otherwise perform work on a tree in a treelawn or other public place without first obtaining the prior approval of the Mayor or their Agent. The Village shall require the property owner to obtain a permit from the Mayor or their Agent. The person obtaining the permit shall abide by the standards set forth in this ordinance and policies and specifications of the Village.

TREES IN NEW SUBDIVISIONS

Trees shall be selected and incorporated in accordance with the Village of Holland's Master Street Tree Planting Design. The Mayor or their Agent shall approve the tree plan for any newly developed Village treelawns.

TREELAWN DESIGN AND CONSTRUCTION

The Village of Holland shall make every effort to design and construct treelawns that will accommodate and promote Large Trees and quality tree canopy. Considerations include, but are not limited to, treelawn width, soil quality, underground and above ground utilities, lighting, and driveways. The Mayor or their Agent shall approve all treelawn design and construction plans.

TREES IN COMMERCIAL AND DOWNTOWN DISTRICTS

The Village of Holland shall make every effort to design and construct space that will accommodate and promote Large Trees and quality tree canopy. The Mayor or their Agent shall approve all commercial design and construction plans.

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TREE SPACING

The spacing of public trees will be in accordance with the three (3) species size classes referred to in the Holland Mayor or their Agent's list of Street Trees (Master Planting Design.) Trees may not be planted closer together than the following distances:

Small Trees	fifteen (15) feet
Medium Trees	twenty-five (25) feet
Large Trees	thirty-five (35) feet

Planting distances may widen depending on tree species. All planting locations shall be approved by the Village Mayor or their Agent.

DISTANCE FROM CURB AND SIDEWALK

The distance public trees may be planted from curbs or curblines and sidewalks will be in accordance with the three species size classes in the Holland Tree Commission's list of Street Trees and no trees may be planted closer to the curb or sidewalk than the following:

Small trees:	two (2) feet	(minimum of a four-foot wide treelawn)
Medium trees:	three (3) feet	(minimum of a six-foot wide tree lawn)
Large trees:	four (4) feet	(minimum of an eight-foot wide treelawn)

except in special plantings designed or approved by the Village Mayor or their Agent.

DISTANCE FROM THE STREET CORNERS, DRIVEWAYS, AND ALLEYS

No public tree shall be planted closer than thirty-five (35) feet from any street corner, measured from the point nearest the intersecting curbs or curb lines. No public tree shall be planted closer than ten (10) feet from any driveway or alley measured laterally from the widest point of the driveway or alley apron.

UTILITIES AND FIRE PLUGS

No public trees other than those species referred to as Small Trees in the Holland Tree Commission's list of Street Trees may be planted under or within twenty-five (25) lateral feet of any overhead primary electric wire. The minimum distance from underground water and sewer laterals shall be ten (10) feet for species referred to as Small Trees and fifteen (15) feet for Medium and Large Trees. No public tree shall be planted closer than ten (10) feet to any fire hydrant.

ADOPTION OF RULES

The Mayor or their Agent, with the approval of Village Council, may adopt rules consistent with this Ordinance which shall provide detailed guidelines for the administration of this Ordinance.

PENALTY

Any person violating or failing to comply with any provision of this Ordinance, as determined by the Village shall be subject to a civil fine payable to the Village in the amount of $150 for each such offense, in addition to any required restitution for damages incurred by the Village or any special assessments levied as provided for herein, and shall be guilty of a misdemeanor of the first degree, punishable by a fine of not more than $1,000 and incarceration not more than 180 days, or both.