

Shade Tree Commission
Minutes
January 14, 2021 at 7:00 pm
Via Zoom

Meeting Attendees: David Ingram, Lee Gregg, Nancy Walker, David Sincoff, Peter Kotses, Roxanne Malé -Brune, David Riggs.

1. Title 33: Tree Permit, Right-of-Way Issues, Public Land
 - a. 141 Morris Avenue, Sugar Maple to be removed.
2. Title 37: Landscape Ordinance Issues
 - a. There is new annexing along 682 in Athens that may lead to two residential developments in a new R3 zone.
3. Maintenance of the tree canopy
 - a. Planning
 - i. We should develop a plan of three parts.
 1. Sites – removal, finding possible sites
 2. Planting
 3. Maintenance/Training/Crown lifting - contractor
 - b. Consequences of non-compliance
 - i. We have to live with a process where the Law Director has the discretion not to enforce the City Code, e.g., Taco Bell
4. Other business
 - a. Possible code changes to Title 9 and Title 1 – see attachments.
 - b. Motion to thank John Kotowski for his service on the Shade Tree Commission was passed unanimously.
5. Minutes of the November 11th, 2020
 - a. Motion to approve the minutes, by Nancy Walker, seconded by David Sincoff. The minutes were approved without objection.
6. Next meeting is February 11th, 2021 at 7:00 PM on Zoom.

Introduced by Chris Fahl, Chair
Planning and Development Committee

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 9, GENERAL REGULATIONS, CHAPTER 9.10, CUTTING WEEDS.

SECTION I: Athens City Code Title 9, General Regulations, Chapter 9.10, Cutting Weeds, amending Sections 9.10.01, Definitions, and 9.10.02, Noxious Weeds, Grass to be Cut, and adding Section 9.10.02.1, to add is hereby amended

Chapter 9.10. - Cutting Weeds

9.10.01. - Definitions.

"Litter includes any garbage, waste, peelings of vegetables or fruits, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, parts of automobiles, wagons, furniture, glass, oil of an unsightly or unsanitary nature, or anything else of an unsightly or unsanitary nature.

"NOXIOUS WEEDS." ANY PLANT OR PLANT PRODUCT THAT CAN DIRECTLY INJURE PUBLIC OR ENVIRONMENTAL HEALTH OR POSES A RISK OF DAMAGE TO ECOSYSTEMS, AGRICULTURE, IRRIGATION, NAVIGATION OR OTHER NATURAL RESOURCES. NOXIOUS WEEDS INCLUDE STATE LISTED INVASIVE PLANT SPECIES.

"INVASIVE PLANTS." A PLANT SPECIES THAT IS NOT NATIVE TO OHIO WHOSE INTRODUCTION CAUSES OR IS LIELY TO CAUSE ECONOMIC OR ENVIRONMENTAL HARM, OR HARM TO HUMAN HEALTH AS DETERMINED BY SCIENTIFIC STUDIES.

9.10.02. - Noxious weeds, grass to be cut.

~~Every owner responsible for maintenance of any lot or land within the city shall be required to cut all noxious weeds, grass or other types of vegetation, other than trees or shrubs, growing or being upon the lots or land as aforesaid by cutting to a height not over eight inches. Any growth of such noxious weeds, grass or other vegetation, other than trees or shrubs, over such height or reaching maturity is hereby declared a nuisance.~~

NO PERSON, WHETHER THE OWNER, LESSEE, AGENT, TENANT OR OTHER PERSON OR ENTITY HAVING CHARGE OR CARE OF LAND IN THE CITY, SHALL PERMIT LAWN GRASS OR NOXIOUS WEEDS TO GROW THEREON OR ON THE ADJACENT RIGHT-OF-WAY TO A HEIGHT IN EXCESS OF EIGHT (8) INCHES, OR TO MATURE SEEDS THEREON, OR FAIL TO CUT AND DESTROY SUCH HIGH GRASS OR NOXIOUS WEEDS WHEN NOTIFIED BY THE CODE ENFORCEMENT OFFICER OR DESIGNEE TO DO SO. AGRICULTURAL PLANTS ARE EXEMPT IF FOR PERSONAL USE AND ARE IN COMPLIANCE WITH 37.01.07 SIGHTLINE MAINTENANCE.

ALL LANDSCAPING MATERIALS SHALL BE KEPT IN A NEAT AND ORDERLY APPEARANCE, FREE FROM LITTER, REFUSE, DEBRIS, AND NOXIOUS WEEDS.

9.10.02.1. – EXEMPTION

PROPERTIES THAT ARE REGISTERED AND IN FULL COMPLIANCE WITH THE CITY'S NATIVE AND POLLINATOR-FRIENDLY YARD REGISTRATION PROGRAM, 37.02.04, ARE EXEMPT FROM THE GRASS AND WEED HEIGHT RESTRICTIONS. SUCH REGISTRATION DOES NOT EXEMPT NOXIOUS WEEDS AND STATE LISTED INVASIVE SPECIES FROM 9.10.02.

SECTION II: This Ordinance shall be in full force and effect at the earliest moment permitted by law upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

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Introduced by Chris Fahl, Chair
Planning & Development Committee

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 1, GENERAL PROVISIONS, TO INCLUDE THE LANDSCAPING PERMIT FEES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: An Ordinance amending Athens City Code Title 1, General Provisions, to add the following fees for Title 37:

**SECTION 37.02.02(A), TREE BANK
OFF-SITE MITIGATION FEE -- \$225.00 PER TREE**

**SECTION 37.02.03(B), CELEBRATION TREE PROGRAM
APPLICATION FEE -- \$100.00**

**SECTION 37.02.04, NATIVE AND POLLINATOR-FRIENDLY PROGRAM
REGISTRATION FEE -- \$25.00**

SECTION II: This Ordinance shall be in effect and full force upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor