

City of Excelsior
Hennepin County, Minnesota

Ordinance No. 566

An Ordinance to Amend Chapter 10
of the Excelsior City Code Relating
to Tree Trimming

THE CITY COUNCIL OF EXCELSIOR, MINNESOTA, HEREBY ORDAINS:

SECTION ONE: Amendment. That Chapter 10 of the Excelsior City Code be amended to add Article XXII as follows:

ARTICLE XXII – TREE TRIMMERS

Sec. 10-1101. – License Required

(A) Generally. No person shall engage in the business of tree trimming, tree removal, tree stump removal or tree maintenance and disease prevention without a license, except as provided in Article II of this Chapter 10.

(B) Exceptions. No license shall be required for the removal of trees pursuant to an excavation or grading permit as required in the Building Code. No license shall be required for a homeowner engaged in tree trimming, tree removal, tree stump removal or tree maintenance and disease prevention on their own property or on property adjacent to their premises if the homeowner has the approval of the owner of the adjacent property.

Sec. 10-1102. - Applications. In addition to the information required by Article II of this Chapter 10, each application shall contain information regarding the applicant's education, special training, and experience relating to tree trimming, tree removal, tree stump removal or tree maintenance and disease prevention; and a description of the applicant's equipment. The applicant is required to have an International Society of Arboriculture (ISA) certified arborist on staff. The applicant is also required to be certified with the Tree Care Registry of the Minnesota Department of Agriculture (MDA). If chemical substances are used in any activity related to treatment or disease control; the applicant must provide their Commercial Pesticide Applicator license issued by the MDA.

Sec. 10-1103. - Eligibility. No license shall be granted unless the Public Works Superintendent or designee is satisfied that the applicant is competent and has the necessary equipment to perform the work safely and in accordance with all applicable laws and provisions of this Code, and meets all requirements of this Chapter. License expires on December 31st of each year and applicant must reapply for the subsequent year and pay the required fee of \$50.00.

Sec. 10-1104. - Equipment. If any of the proposed work may affect a public right-of-way, the applicant shall furnish and maintain appropriate warning lights and barricades,

and shall apply for and obtain the appropriate permit required by the Building Code for work within a public right-of-way.

Sec. 10-1105. - Revocation and Suspension. In addition to the provisions of Article II of this Chapter 10, any instance where work performed is found to be improper, defective, or so unsafe as to jeopardize life or property, shall constitute grounds for suspension or revocation of a license.

Sec. 10-1106. - Bond. Each applicant shall give a \$2,500 surety bond to the City, in accordance with Section 10-32 of this Code.

Sec. 10-1107. - Insurance. Each licensee shall file with the Public Works Superintendent a certificate of insurance indicating that the licensee has public liability insurance. Such insurance shall provide coverage of not less than \$1,000,000.00 per occurrence. The policy shall further provide that it may not be cancelled except upon 30 days' written notice filed with the City. No license issued pursuant to the provisions of this section shall be valid at any time the insurance required herein is not maintained and evidence of its continuance filed with the City.

SECTION TWO: Effective Date. This ordinance shall be effective thirty (30) days after its passage and publication.

Adopted by the City Council of the City of Excelsior, Minnesota, this 20th day of March, 2017.

Mark W. Gaylord, Mayor

ATTEST:

Ann Orlofsky, City Clerk

Kristi Luger, City Manager

First Reading of Ordinance:	March 6, 2017
Second Reading and Adoption:	March 20, 2017
Publication of Ordinance:	March 30, 2017
Effective Date:	April 30, 2017