



**ORDINANCE 2026-08**

**AN ORDINANCE ENACTING CHAPTER 154 OF THE CODIFIED ORDINANCES OF THE CITY OF POWELL, OHIO, TO ESTABLISH REGULATIONS FOR THE CARE, MAINTENANCE, PLANTING, AND PROTECTION OF PUBLIC TREES AND DECLARING THE AUTHORITY FOR PUBLIC TREE MANAGEMENT.**

**WHEREAS,** the City of Powell has been recognized as a Tree City USA community and desires to maintain compliance with the standards established by the Arbor Day Foundation; and

**WHEREAS,** Tree City USA requires the adoption of a public tree care ordinance that establishes responsibility, authority, and standards for the management of public trees; and

**WHEREAS,** City Council finds that trees located on public property provide significant environmental, aesthetic, economic, and public safety benefits to the community; and

**WHEREAS,** City Council desires to establish clear policies governing the planting, maintenance, preservation, and removal of public trees and to assign responsibility for such activities to ensure consistency and accountability

**WHEREAS,** the enactment of this Chapter will support the City's urban forestry program and promote the long-term health and sustainability of the community's tree canopy.

**NOW THEREFORE BE IT ORDAINED BY THE CITY OF POWELL, COUNTY OF DELAWARE, STATE OF OHIO, AS FOLLOWS:**

Section 1: That a new Chapter 154 of the Codified Ordinances of the City of Powell, Ohio, is hereby enacted to read as follows:

**CHAPTER 154– PUBLIC TREE CARE**

**Sections:**

- 154.01 Purpose and Intent**
- 154.02 Definitions**
- 154.03 Authority and Administration**
- 154.04 Tree Board Responsibilities**
- 154.05 Public Tree Planting and Selection**
- 154.06 Maintenance and Care of Public Trees**
- 154.07 Removal of Trees**
- 154.08 Protection of Public Trees**
- 154.09 Planting and Trees in the Public Right-of-Way**
- 154.10 Interference with Public Trees**
- 154.11 Enforcement**

**154.01 – PURPOSE AND INTENT**

The purpose of this chapter is to promote and protect the public health, safety, and welfare by providing for the regulation, planting, maintenance, preservation, and removal of trees located on public property within the City.

This chapter establishes policies and procedures for the care and management of public trees in order to:

- (a) Promote a healthy urban forest;
- (b) Preserve and enhance the aesthetic character of the community;
- (c) Improve environmental quality and public safety;
- (d) Establish responsibility and authority for public tree care; and
- (e) Support the City's participation in the Tree City USA.

#### **154.02 – DEFINITIONS**

For the purposes of this chapter, the following definitions shall apply:

##### **Public Tree**

Any tree located within public rights-of-way, parks, municipal properties, or other public lands owned or maintained by the City.

##### **Street Tree**

A tree planted or growing within a public street right-of-way between property lines or within designated tree lawns.

##### **Tree Board**

The advisory body established by the City responsible for advising City officials regarding urban forestry policies and public tree management.

##### **Public Right-of-Way**

Land dedicated for public use including streets, sidewalks, and utility corridors.

#### **154.03 – AUTHORITY AND ADMINISTRATION**

##### **(a) Oversight of Public Trees**

Authority over the care, maintenance, planting, and removal of public trees is hereby assigned to the Public Service Director, or their designee, in coordination with the City Manager and the Tree Board.

##### **(b) Administrative Responsibility**

The Public Service Department shall be responsible for administering and enforcing this chapter, including oversight of urban forestry activities and public tree care programs.

##### **(c) Advisory Role of the Tree Board**

The Tree Board shall provide recommendations to City Council and the City Manager regarding:

- Public tree policies
- Tree planting programs
- Urban forestry initiatives
- Preservation and replacement strategies

#### **154.04 – TREE BOARD RESPONSIBILITIES**

The Tree Board shall serve in an advisory capacity regarding the City's urban forest and shall assist the City in:

- (a) Promoting the planting and preservation of trees throughout the community.
- (b) Advising City officials regarding appropriate tree species and planting practices.

City Council  
Heather Karr, Mayor

Kurt Ramsey

Leif Carlson

David Lester

Tom Counts

Tyler Herrmann

Carlos Crawford

- (c) Encouraging public awareness and community participation in tree planting initiatives.
- (d) Assisting with Arbor Day observances and community forestry programs.
- (e) Supporting compliance with standards established by Tree City USA.

#### **154.05 – PUBLIC TREE PLANTING AND SELECTION**

##### **(a) Tree Selection**

Trees planted within public rights-of-way or on City property shall be selected based on suitability for:

- Site conditions
- Growth characteristics
- Disease resistance
- Compatibility with infrastructure

##### **(b) Approved Species**

The Public Service Director may establish and maintain a list of recommended tree species appropriate for planting within the City.

##### **(c) Spacing and Location**

Trees planted within public rights-of-way shall be placed to avoid conflicts with:

- Utilities
- Street intersections
- Fire hydrants
- Sidewalks and driveways

Planting guidelines may be established by the Public Service Department to ensure safe and sustainable tree placement.

#### **154.06 – MAINTENANCE AND CARE OF PUBLIC TREES**

(a) The City shall maintain responsibility for the care and maintenance of public trees located within public rights-of-way and other City-owned property.

(b) Maintenance activities may include:

- Pruning
- Disease treatment
- Removal of hazardous trees
- Replacement planting

(c) The City may perform tree care directly or contract with qualified arborists or contractors for tree maintenance services.

#### **154.07 – REMOVAL OF TREES**

##### **(a) City Authority**

The Public Service Director may authorize the removal of public trees when necessary due to:

- Disease or infestation
- Structural instability or hazard
- Interference with public infrastructure
- Damage from storms or natural causes

##### **(b) Replacement Trees**

When practical, trees removed from public property may be replaced with new plantings in appropriate locations.

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**154.08 – PROTECTION OF PUBLIC TREES**

No person shall:

- (a) Damage, destroy, carve, or otherwise injure any public tree.
- (b) Attach ropes, wires, signs, nails, or other materials to a public tree without authorization.
- (c) Deposit substances harmful to tree health within the root zone of a public tree.
- (d) Interfere with City personnel performing tree maintenance.

**154.09 – PLANTING AND TREES IN THE PUBLIC RIGHT-OF-WAY**

(a) No person shall plant a tree within a public right-of-way without approval from the Public Service Director or their designee.

(b) Residents may request approval to plant trees within the right-of-way, provided that:

- The species is approved by the City.
- The location meets spacing and safety requirements.
- The planting does not interfere with utilities or public infrastructure.

(c) The City may establish programs encouraging tree planting by residents and neighborhood organizations.

**154.10 – INTERFERENCE WITH PUBLIC TREES**

It shall be unlawful for any person to interfere with the planting, pruning, removal, or maintenance of public trees by authorized City personnel.


**154.11 – ENFORCEMENT**

(a) The Public Service Director or their designee is authorized to enforce the provisions of this chapter.

(b) Any person who violates the provisions of this chapter may be subject to penalties as provided in the City’s general penalty provisions.

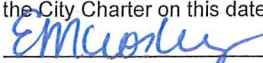
Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

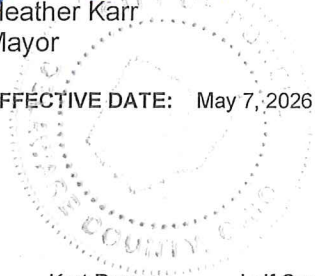
Section 3: That this Ordinance shall take effect on the earliest period allowed by law.

 4/7/26  
 Heather Karr Date  
 Mayor

 4/7/26  
 Elaine McCloskey Date  
 City Clerk

EFFECTIVE DATE: May 7, 2026

This legislation has been posted in accordance with  
 the City Charter on this date 4/7/26  
 City Clerk



City Council  
 Heather Karr, Mayor  
 Kurt Ramsey    Leif Carlson    David Lester    Tom Counts    Tyler Herrmann    Carlos Crawford



**OFFICE OF THE CITY MANAGER**

47 Hall Street | Powell, OH 43065 | 614.885.5380 | [cityofpowell.us](http://cityofpowell.us)

**MEMO**

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**From:** Andrew D. White, City Manager  
**To:** Members of the City Council  
**Initiated By:** Melissa Hindman, Parks and Recreation Manager  
**Re:** Ordinance 2026-08– AN ORDINANCE ENACTING CHAPTER 154 OF THE CODIFIED ORDINANCES OF THE CITY OF POWELL, OHIO, TO ESTABLISH REGULATIONS FOR THE CARE, MAINTENANCE, PLANTING, AND PROTECTION OF PUBLIC TREES AND DECLARING THE AUTHORITY FOR PUBLIC TREE MANAGEMENT.  
**Date:** April 7, 2026

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**Summary:**

This ordinance establishes a new Chapter within the Codified Ordinances to define the City's policies, authority, and responsibilities related to the care, maintenance, planting, and protection of public trees.

The adoption of a public tree care ordinance is a required component of the Tree City USA program administered by the Arbor Day Foundation. In order to qualify for and maintain Tree City USA designation, the City must formally establish who is responsible for public tree care and adopt clear regulations governing the management of trees located on public property.

This ordinance assigns authority for public tree care to the Public Service Director, establishes administrative oversight by the Public Service Department, and defines the advisory role of the Tree Board in supporting urban forestry initiatives.

Additionally, the ordinance establishes standards related to tree planting, maintenance, removal, and protection, while providing clear guidelines for trees located within public rights-of-way. These provisions are intended to promote public safety, protect City infrastructure, and support the long-term health and sustainability of the City's tree canopy.

This ordinance is part of a broader legislative effort to modernize the City's urban forestry program, which also includes the repeal of Chapter 153 (Parks and Recreation Advisory Board and Arbor Advisory Subcommittee) and the establishment of a new Tree Board. Together, these actions ensure the City remains compliant with Tree City USA standards and positions the City for continued success in managing its urban forest.

**Legal Review:**

The Law Director's office has reviewed and approved as to form.

**Financial Review:**

There is no significant direct financial impact associated with this ordinance. Tree-related expenditures, including planting, maintenance, and removal, are already incorporated into existing departmental budgets and operations.

**Recommendation:**

Staff recommends approval of Ordinance 2026-08 following the second reading.