

**SIGNIFICANT TREE REMOVAL PERMIT APPLICATION PROCEDURES**  
**FOR PRIVATE PROPERTY**

The Mayor and Council has adopted a new City law effective January 1, 1993, which preserves and protects significant trees on private property.

• **Who needs a removal permit?**

Anyone removing a significant tree of 12" diameter or greater at breast height. Significant trees on a single recorded lot improved with an existing attached, detached, or semi-detached single family dwelling are exempt.

• **Where do you get a permit application?**

Permit applications are available from the staff at the Recreation and Parks Director's office, top floor of City Hall.

• **What is the procedure?**

- (1) Fill out the significant tree removal permit application.
- (2) Pay the City cashier based on the number of significant trees being removed (\$5/tree, maximum of \$25).
- (3) Bring the receipt and the permit application back to the Recreation and Parks Director's office.
- (4) Recreation and Parks Director's office will give you a copy of the receipt.

• **When can the tree be removed?**

Once the permit application is received in the Recreation and Park's office, it will be approved within 15 work days. The permit will be received through the mail from the City Forester.

**Note:** Significant trees causing immediate probable danger to persons or property can be removed immediately at owner's discretion. A permit application shall be filed after the removal.

• **What are the permit conditions?**

- (1) Permits will be issued on condition of replacement of an otherwise healthy, viable tree per the designated replacement schedule.
  - 12"-18" diameter - replace with one 2 1/2" diameter tree
  - 19"-24" diameter - replace with two 2 1/2" diameter trees
  - over 24" diameter - replace with three 2 1/2" diameter trees
- (2) Permits will be issued for dead, dying, diseased, or insect infested trees without conditions for replacement.

CITY OF ROCKVILLE

APPLICATION FOR SIGNIFICANT TREE REMOVAL PERMIT

Notice: This application cannot be used in conjunction with any activity requiring development, subdivision, or grading permit approval. Applicant acknowledges that permits for the removal of healthy significant trees will be conditioned upon the replacement of removed trees according to the following schedule:

- 12-18" diameter tree - replace with one 2 1/2" diameter tree
- 19-24" diameter tree - replace with two 2 1/2" diameter trees
- over 24" diameter tree - replace with three 2 1/2" diameter trees

Applicant's Name: \_\_\_\_\_ Property Owner: Yes \_\_\_ No \_\_\_

Address: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Telephone No: \_\_\_\_\_

\_\_\_\_\_

Number of Tree(s): \_\_\_\_\_ Permit Cost: \$ \_\_\_\_\_  
(\$5/tree, not to exceed \$25 total)

Location of Tree(s): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Reason for Removal(s): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Condition of Tree(s): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(b) A long-term protective agreement shall contain provisions for enforcement of the agreement, including provisions for the collection of attorney's fees incurred in such enforcement action.

(c) An applicant may satisfy the requirement for long-term protective agreement by executing a forest conservation and management agreement, as provided in the Annotated Code of Maryland, Tax-Property Article, Section 8-211.

(d) The long-term agreement shall be accompanied by those legal instruments necessary to effectuate such agreement, such as conservation easements, deed restrictions, covenants and other agreements.

(e) Any final subdivision plat or detailed development plan for the subject tract approved on or after January 1, 1993 shall show the areas held under such protective agreements.

#### **ARTICLE V. INDIVIDUAL TREE REMOVAL**

##### **Sec. 10.5-31. Trees in public right-of-way.**

Trees within the public-right-of-way are subject to the State's Roadside Tree Law, as currently set forth in the Natural Resources Article of the Annotated Code of Maryland §§ 5-401 through 5-406, and as subsequently amended.

##### **Sec. 10.5-32. Trees on private property.**

(a) This section does not apply to the removal of any significant tree located on a single-family residential lot that is not otherwise subject to the provisions of this chapter, except that the portion of a public right-of-way abutting a single family residential lot is subject to Section 10.5-31.

(b) It is unlawful for any person to remove any significant tree on private property, including trees located within utility easements, not otherwise covered by a Forest Conservation Plan, without first receiving a permit from the City Forester.

(c) The City Forester shall issue a permit if one of the following conditions exist:

(1) The tree is dead or dying, or in danger of falling;

(2) The tree is diseased, insect infested, or injured and cannot reasonably be restored;

(3) The tree constitutes a hazard to the safety of persons or threatens injury to property, including other trees.

(4) Removal of a tree is required for the maintenance of a utility. Unless otherwise prohibited by law, the City Forester may require that significant trees removed be replaced in accordance with the tree replacement rates set forth in section 10.5-23(a)(1), or that payment be made to the City's Forest Conservation Fund in lieu of significant tree replacement.

(d) If none of the conditions contained in subsection (c) exist, a permit may be issued only upon the condition that the tree removed be replaced in accordance with the tree replacement rates set forth in section 10.5-22(a)(1), or that payment be made to the City's Forest Conservation fund in lieu of significant tree replacement.

## ARTICLE VI. ENFORCEMENT

### Sec. 10.5-33. Inspections.

(a) The City Forester and other representatives of the City designated by the City Manager may enter property subject to this chapter for the purpose of inspection and enforcement. The timing and frequency of the inspections shall be at the discretion of the inspector, except that the following inspections must take place:

- (1) Before any land disturbing activities occur on the tract;
- (2) Following completion of all land disturbing activities and afforestation or reforestation covered by the Forest Conservation Plan; and
- (3) At the end of the two-year time period covered by the maintenance agreement.

(b) No land disturbing activity shall commence and no bond or security shall be released until an inspection has been conducted.

### Sec. 10.5-34. Penalties and other remedies.

(a) Pursuant to Section 6-1612 of the Natural Resources Article of the Annotated Code of Maryland, a fine in the amount of one thousand dollars (\$1,000.00) may be imposed for each violation of this chapter, including any violation of an approved Forest Conservation Plan which fine may be recovered in a civil action brought by the City. Each day a violation continues is a separate violation.

(b) In addition, the City shall have available to it all those remedies set forth in sections 1-9 and 1-11 of this Code.

(c) In addition to any of the foregoing remedies, the City, through its appropriate commissions, departments, agencies, or other representatives, may in response to any violation:

- (1) Issue a stop-work order until the violation has been abated;

# MASTER STREET TREE PLAN - no effect on common areas

## What trees will be planted on your street?

Check your street and address on the left.

The goal of the Master Street Tree Plan is to select replacement trees for specific locations -- taking into account planting space, overhead lines, etc. Another objective is to diversify tree species within neighborhoods and provide uniformity on streets.

Rockville is committed to maintaining healthy and safe trees on municipal lands and public streets, and it is the mission of the Recreation and Parks Department to provide a sustained, long term, and stable urban forest. The role of municipal forestry requires constant review and analysis, planning, protection, management, safety, and care, with emphasis on improving the quantity and quality of our trees. The Master Street Tree Plan is a key effort in this mission and the overall responsibility to care for City trees. It also is a necessary, proactive way to reduce tree-related problems and beautify Rockville.

For more information, contact Rob Orndorff, City Horticulturist.

Please note: The Street Tree Master Plan covers only those streets maintained by the City of Rockville. Residents along State Roads may contact the State Highway Administration, Landscape Division at 410-545-8586. Residents in private communities should contact their Home Owners Association.



TREE CITY USA.

This information was last updated October, 2001.

Forest Preserve Areas - <sup>not</sup> Flintledge Estates  
started 5 years ago  
parkland all forested w/ stream or bushes

CLIFF M. BLONDES  
2447 McCormick Road  
Rockville, MD 20850

HOA properties  
IF > 12" OD requires permit  
+ replacement requirement  
if dead or hazardous - no requirement to replace  
if replaced

Forest Conservation Easements  
started 1993

reqs. Forestry Preserve Ordinance Chapt 10

# MASTER STREET TREE PLAN

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