Office of the City Clerk

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Legislation Text

File #: O2021-4764, **Version:** 1

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 10-32-060 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

10-32-060 Permit required.

a)	No person other than the ~~deputy commissioner~~ Deputy Commissioner shall plant, remove, trim, spray^ or chemically inject or treat, or in any way affect the general health or structure of a parkway tree or shrub without first having obtained a permit to do so in accordance with the provisions of this chapter; provided, however, that no permit shall be necessary for the activities described in Section 10-32-050. All permit requirements of this chapter shall be applicable to governmental agencies and to public utilities governed by an Act concerning Public Utilities, approved June 29, 1921, as amended.

b)	No person ~~or entity~~ shall remove any tree without first having obtained a permit to do so in accordance with this chapter.

SECTION 2. Section 10-32-120 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

10-32-120 Protection of trees ~~during building operations~~.

During planning and execution of any (i) excavation, or (ii) the erection, alteration, repair, demolition or removal of any building or structure, ~~ef~~ including any excavation in connection therewith, the ~~owner of the affected property~~ party responsible for the planning and execution shall:

a)	take into account the presence of trees and take every effort to minimize tree loss and damage following the "Tree Protection Detailed Specifications" as issued by the Deputy Commissioner.

b)	Any public tree proposed for removal shall be subject to the City's "Tree Removal and Replacement Protocol" as detailed in Section 10-32-200.

c)	place or cause to be placed around each nearby public tree one or more protective devices sufficient to prevent injury to the trunk, crown and root system of each such tree. No such device may be installed without a permit issued by the ~~commissioner~~ Deputy Commissioner, who shall first determine that the devices will not injure the tree; such permit shall specify the manner of erecting or installing each protective device.

SECTION 3. Section 10-32-240 ofthe Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

### 10-32-200	Replacement or removal of ~~damaged~~ public tree or shrub.

(a)	If, as the result of the violation of any provision of this ~~ordinance~~ chapter, the injury, mutilation^ or death of a public tree, shrubs or other plant material is caused, the costs of repair, removals or replacement of such tree, shrub_A or other plant material or shall be borne by the party in violation. If construction requires the removal of a tree, shrub, or other plant material the costs of repair, removal, or replacement of such tree,

shrub, or other plant material shall be borne bv the partv responsible for the planned construction following the Department's

Tree Removal and Replacement Protocol. The replacement value of trees and shrubs shall be determined in accordance with the latest revision of "A Guide to the Professional Evaluation of Landscape Trees, Specimen Shrubs, and Evergreens" "Guide for Plant Appraisal", as published by the International Society of Arboriculture.

 (b) Every public tree removed shall be replaced on a tree-per-tree basis.
  1) The Deputy Commissioner shall have the discretion to choose the size and species of replacement trees.
   A) The Deputy Commissioner may charge the partv responsible for the vegetal loss a fee for the difference in value as detailed in the Department's Tree Removal and Replacement Protocol.
   B) The species of each replacement tree shall be suitable for the location and soil conditions ofthe site and the replacement tree shall be designed to result, upon maturity, in a canopy cover that is at least egual to the canopy cover prior to tree removal.
  2) After removal of a parkway tree, a replacement tree must be planted within six twelve months, or during the following planting season, unless otherwise approved bv the Deputy Commissioner.
  3) A replacement tree shall be planted in the parkway on the same block as the removed tree. However, if there is no acceptable spot in the parkway on the block the removed tree was located, whether for botanical or practical reasons, then the Deputy Commissioner may designate an alternative parkway location for the replacement tree in a low-canopy density area.
  4) If no other partv is reguired to bear the cost of the replacement, such as ordered by subsection (a), the Citv shall bear the replacement cost. Such replacement cost shall not take the place of anv other amounts due for the costs of repair, removal, or replacement under subsection (al

 SECTION 4. This ordinance shall take effect upon passage and publication.

Susan Sadlowski Garza Alderwoman, 10th Ward

George A. Cardenas Alderman, 12th Ward

Alderman, 14th Ward

Alderman, 15th Ward

Alderwoman, 16th Ward

Alderwoman, 4th Ward

Alderwoman, 5th Ward

Alderman, 19th Ward

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Alderwoman, 8th Ward

Alderman, 9th Ward

Alderwoman, 23rd Ward

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Alderman, 31st Ward

Alderwoman, 33rd Ward

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Alderwoman, 50th Ward