

**PAMPHLET**

**FRONT OF PAMPHLET**



**ORDINANCE # 2019-05-312**

**AN ORDINANCE AMENDING TITLE 7, CHAPTER 6  
OF THE LAKE ZURICH MUNICIPAL CODE  
CONCERNING THE REGULATION OF TREES**

Published in pamphlet form this May 24th, 2019 by Order of the Corporate  
Authorities of the Village of Lake Zurich, Lake County, Illinois.

STATE OF ILLINOIS     )  
                                      ) SS.  
COUNTY OF LAKE     )

CERTIFICATE

I, KATHLEEN JOHNSON, certify that I am the duly elected Village Clerk of the Village of Lake Zurich, Lake County, Illinois.

I DO HEREBY CERTIFY that as such Village Clerk I am keeper of Ordinances, Resolutions, Minutes, Entries, Orders, Books, Papers, Records and Seal of said Village.

I DO HEREBY CERTIFY that the attached is a true and correct copy of:

AN ORDINANCE AMENDING TITLE 7, CHAPTER 6  
OF THE LAKE ZURICH MUNICIPAL CODE  
CONCERNING THE REGULATION OF TREES  
ORDINANCE No. 2019-05-312

WITNESS my Hand and Corporate Seal of said Village of Lake Zurich, Illinois, this day, May 21st, 2019.

Kathleen Johnson  
Kathleen Johnson  
Village Clerk

(SEAL)



**Village of Lake Zurich**

**ORDINANCE NO. 2019- 05 - 312**

**AN ORDINANCE AMENDING TITLE 7, CHAPTER 6  
OF THE LAKE ZURICH MUNICIPAL CODE  
CONCERNING THE REGULATION OF TREES**

WHEREAS, Title 7, Chapter 6, titled "Trees," of the Lake Zurich Municipal Code governs the regulation of trees on all Village-owned property or in Village rights-of-way; and

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/1-1-1 et seq., authorizes the Village of Lake Zurich to zone and to regulate subdivisions and the authority to complement the State's interests and values as stated through the enactment of the Illinois Environmental Protection Act, 415 ILCS 5/1 et seq., and, generally, the authority to protect and enhance the quality of life and general welfare of the Village; and

WHEREAS, growth in the community, changes in residential and commercial neighborhoods in the Village, and new development and increasing redevelopment in the Village can threaten trees and native vegetation in the Village; and

WHEREAS, the Chapter 6 was last amended through Ordinance No. 2007-10-527 entitled "An Ordinance Amending Title 7, Chapter 6 of the Lake Zurich Municipal Code Concerning the Regulation of Trees."

WHEREAS, after reviewing the Village's current tree preservation regulations, the President and Board of Trustees of the Village of Lake Zurich have determined that it is necessary to further amend the Lake Zurich Municipal Code to keep pace with changes in the Village; and

WHEREAS, the President and Board of Trustees have determined that it is necessary and appropriate to further revise Title 7, Chapter 6 in the manner provided in this Ordinance to safeguard the ecological environment in the Village.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Lake Zurich, Lake County and State of Illinois, as follows:

Section 1 .Recitals. The foregoing recitals are incorporated herein as findings of the President and Board of Trustees.

Section 2 .Amendment to Title 7, Chapter 6. Chapter 6, titled "Trees," of Title 7 of the Lake Zurich Municipal Code is hereby amended in its entirety so that said Chapter 6 hereafter reads as provided in Exhibit A attached to and by this reference incorporated into this Ordinance.

Section 3 .Effective Date. This Ordinance will be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED THIS 20th day of May, 2019.

Ayes: 6 Trustees Beaudoin, Euker, Gannon, Sparone, Sprawka, Weides.

Nays: 0

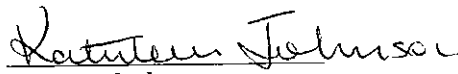
Absent: 0

Abstain: 0

APPROVED this 22 day of MAY, 2019.

  
Mayor Tom Poynton

ATTEST:

  
Village Clerk  
Kathleen Johnson

## **Exhibit A**

### **Chapter 6 TREES**

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**7-6-1: GENERAL PROVISIONS:**  

**7-6-1-1: APPLICABILITY; EMERGENCIES; INTENT:**  

- A. Applicability: The village has the right and authority to impose the regulations of this chapter on all lots of record and public and private rights of way throughout the village. In the event of a conflict between the provisions of this chapter and the provisions of title 10 of this code or any other village code or ordinance, the provision deemed by the public works director to be most protective of promoting the proliferation and maintenance and care of trees will apply and control. (Ord. 2007-10-527, 10-1-2007)

B. Emergencies: In case of emergencies such as tornados, windstorms, floods, freezes, or other natural disasters, the requirements of this chapter may be waived by the village manager, the public works director, or the village president. (Ord. 2007-10-527, 10-1-2007; amd. Ord. 2012-10-861, 10-1-2012)

C. Intent: It is the intent of this chapter to promote increases in the quality of trees and tree care in the village and to promote increases in tree populations in the village whenever practicable.

It also is the intent of this chapter to preserve trees on both public and private property and, in the event that tree removal is necessary, to ensure that appropriate replacement trees are planted.

It also is the intent of this chapter to help provide for and sustain buffers between neighboring properties, to preserve historic streetscapes, to minimize the visual and environmental impacts of paved surfaces and buildings, and to ensure landscaping in conjunction with new development and redevelopment in a manner that preserves indigenous vegetation.

It also is the intent of this chapter to balance the property rights of individual property owners with the overall health, safety, and welfare of the residents of the village and the village itself. (Ord. 2007-10-527, 10-1-2007)

#### **7-6-1-2: DEFINITIONS:**

For the purpose of this chapter, the following terms have the meanings ascribed to them:

**APPLICANT:** An owner or occupant, or a representative of an owner or occupant, of a lot, parcel, or tract of land for which an application has been filed for a subdivision, special use permit, or any activity requiring the issuance of grading, building, utility, or demolition permits.

**CONSTRUCTION ACTIVITY:** Any manmade change, other than maintenance of existing structures, paved areas, or utilities, to improved or unimproved real estate, including, without limitation: a) the construction or installation of new, or the enlargement of, existing structures, streets, or utilities, b) dredging, filling, clearing, drilling, mining, grading, paving, or excavating operations, c) demolition, and d) open storage of materials.

**CONSTRUCTION ACTIVITY AREA:** The area of the subject property that is the smallest area reasonably needed to undertake the proposed construction activity as determined by the public works director. See subsection 7-6-4-3C of this chapter.

**CUTTING:** The felling or removal of a tree, or any procedure that results in the death or substantial destruction of a tree. Cutting does not include normal pruning or trimming of trees consistent with this chapter.

**DAMAGE:** To take any direct or indirect action that causes, or is reasonably likely to cause, the death of a tree or a significant loss of a tree's structural integrity, including, without limitation, destruction; poisoning; carving; mutilating; girdling; severing the main trunk, leader, or large branches or roots; removing any portion of the bark from the main trunk, leader, or large branches; touching with live wires; crushing or exposing the roots; digging or drilling any hole

or trench within the root zone; filling with soil or other materials within the root zone; compacting a substantial portion of the soil in the root zone; or moving a tree to another location. Without limitation of the foregoing, "damage" does not include pruning in accordance with the national pruning standards.

**DIAMETER AT BREAST HEIGHT (dbh):** The diameter of the trunk of a tree measured at fifty four inches (54") above the ground at the base of the tree.

**DISEASED TREE:** Any tree determined by the director of public works in consultation with a certified arborist to be diseased, including, without limitation, all of the following: trees infected with Dutch elm disease or oak wilt; trees in a dead or dying condition that may serve as breeding places for the European elm bark beetle, Dutch elm disease, or oak wilt; and trees infected with, or that may serve as breeding places for, the Asian long horned beetle, the Asian cerambycid beetle, the emerald ash borer, or any other type of severely destructive infestation.

**LOT:** Any lot of record in the village.

**NATIONAL PRUNING STANDARDS:** The National Arborist Association pruning standards.

**PROTECTED PRIVATE TREE:** Any tree located in any required yard of any lot in the village, or in any common open space of any subdivision or development, with a dbh equal to or greater than ten inches (10").

**PUBLIC TREES:** Trees, shrubs, bushes, and all other woody vegetation located within any village park or right of way or other public property.

**PUBLIC WORKS DIRECTOR:** The director of public works of the village of Lake Zurich or his or her designee.

**REGULATED TREE ACTIVITY:** Any activity that anticipates or involves the actual or reasonably likely damage to or removal of any protected private tree anywhere on the lot on which the activity does, or is to, take place.

**REMOVE OR REMOVAL:** The physical detachment or elimination of a tree, or the effective detachment or elimination of a tree, through damage or otherwise, whether directly or indirectly.

**REQUIRED YARD:** Any yard required to be established on any lot pursuant to the applicable zoning district regulations of the Lake Zurich zoning code.

**TOPPING:** The severe cutting back of limbs of a tree to stubs larger than three inches (3") in diameter within the tree's crown, including, without limitation, such cutting as would remove the tree's normal canopy and disfigure the tree.

**TREE EMERGENCY:** The existence of any tree within the village that has become an immediate danger or hazard to persons or property as a result of any tornado, windstorm, flood, freeze, or other natural disaster.

**TREE PERMIT:** See sections 7-6-3-1 and 7-6-3-2 of this chapter.

**TREE PROTECTION AREA:** The area of the subject property identified in a construction activity

protection plan or otherwise designated by the village within which trees are to be protected. See subsection ~~7-6-4-3~~D of this chapter. (Ord. 2007-10-527, 10-1-2007)

### **7-6-1-3: LAKE ZURICH TREE COMMISSION:**

There is hereby created and established the Lake Zurich tree commission, constituted as follows:

- A. Appointment; Term: The tree commission consists of five (5) members appointed by the president with the advice and consent of the board of trustees. Two (2) of the five (5) original appointees will serve a term of one year; two (2) of the five (5) original appointees will serve a term of two (2) years; and one of the five (5) original appointees will serve a term of three (3) years. Successors will be appointed by the president with the advice and consent of the board of trustees and will serve terms of three (3) years. The president may adjust the terms of the appointees as necessary to effectuate and maintain the staggered nature of the terms provided in this subsection.
- B. Compensation: Members of the tree commission shall serve without compensation.
- C. Quorum; Officers; Rules of Order: Three (3) members constitute a quorum of the tree commission for the conduct of all business. The tree commission must choose from among its members a chairperson, a vice chairperson, and a secretary. The tree commission may set its own rules of order, subject to the approval of the board of trustees.
- D. Responsibilities: The tree commission has the responsibility to develop and review the village's official tree plan for village owned trees as provided in section ~~7-6-2-1~~ of this chapter. The tree commission also has the responsibility to analyze the village's trees and to make recommendations to the village arborist from time to time on areas where trees should be added, on trees that should be pruned, on trees that may be diseased or dying, and on trees that should be removed. The tree commission has no jurisdiction to consider proposed plats of subdivision, natural resources management, zoning approvals, or any matters other than matters related to trees as set forth in this subsection. (Ord. 2007-10-527, 10-1-2007)

### **7-6-2: PUBLIC TREES:**

#### **7-6-2-1: OFFICIAL TREE PLAN:**

The tree commission has the responsibility to study, investigate, and draft, for review and approval by the board of trustees, an official tree plan relating to all public trees. The official tree plan should include provisions for the planting, replanting, pruning, preservation, and general care of public trees and for the removal or other disposition of dead, dying, or diseased public trees. The tree commission may present a draft official tree plan to the president and board of trustees for its review and approval. After the official tree plan has been approved by the board of trustees, which approval must be in the form of a written resolution, the tree commission may periodically review and analyze the plan in light of current conditions in the village. The tree commission may recommend to the board of trustees changes to the official tree plan, and the tree commission should report annually to the board of trustees its findings as to the operation of the plan and state of public trees. (Ord. 2007-10-527, 10-1-2007)

#### **7-6-2-2: PUBLIC TREE SPECIES:**



The following species of trees, and no others unless approved by the board of trustees, are approved for planting as public trees. Until specifically approved by the board of trustees and regardless of the species shown in the following table, no ash trees except for mountain ash may be planted anywhere in the village:

<b>Large (40 Feet Or More)</b>	<b>Medium (30 Feet To 40 Feet)</b>	<b>Small (29 Feet Or Less)</b>
Silver linden	Hedge maple	Amur maple
Littleleaf linden "Greenspire linden"	American hornbeam	Purple blow maple
American linden "Redmond linden"	Chanticleer pear	Crabapple "David crabapple" "Prairie fire crabapple" "Red jewel crabapple" "Sugar time crabapple"
Norway maple "Crimson king" "Emerald queen"	Aristocrat pear	Witch hazel
Red maple "Autumn blaze" "Red sunset"	Mountain ash	
Sugar maple "Green mountain"	<b>Dogwood</b>	
Ginkgo (male only)	<b>Ironwood</b>	
Honey locust "Skyline" "Shademaster"		
<del>Black alder</del>		
American sweetgum		
Oak "Red oak" "Pin oak" "White oak" "Swamp white oak"		
Hackberry		
Hickory		
Butternut		

<b>Large (40 Feet Or More)</b>	<b>Medium (30 Feet To 40 Feet)</b>	<b>Small (20 Feet Or Less)</b>
Chestnut		
Catalpa		
River birch		
Sycamore		
Buckeye		
Kentucky Coffee Tree		
Bald Cypress		
Tulip Tree		

(Ord. 2007-10-527, 10-1-2007)

#### **7-6-2-3: PUBLIC TREE SPACING AND DIVERSIFICATION:**

- A. Spacing: The spacing of public trees is based on the three (3) species sizes listed in section 7-6-2-2 of this chapter. The recommended spacing for public trees is: 1) not less than thirty feet (30') between small trees, 2) not less than forty feet (40') between medium trees, and 3) not less than fifty feet (50') between large trees. When different size trees are planted next to each other, the spacing standard for the larger of the two (2) trees applies. Public trees should not be planted closer than the recommended spacing, but the public works director, on the recommendation of the village arborist, may reduce spacing on a case by case basis for special planting areas designed or approved by a landscape architect or for extraordinary circumstances when reduced spacing is in the best interests of the village.
- B. Diversification: Public trees must be planted so that the genus and species are diverse, in accordance with this subsection. In every defined area of planting, as designated by the director of public works, no more than ten percent (10%) of the public trees should be from one tree genus and no more than five percent (5%) of the public trees should be from one tree species. For example, for every one hundred (100) public trees that are planted, there should not be more than ten (10) trees of one tree genus and not more than five (5) trees of any one tree species. The "defined area of planting" to be designated by the public works director may include, but is not limited to, a subdivision, or a portion of a subdivision, or a several block area, **or a single property**, or any other area on village owned property or right of way reasonably determined by the public works director as logical to assure tree diversification. (Ord. 2007-10-527, 10-1-2007)

#### **7-6-2-4: DISTANCES FROM CURBS AND SIDEWALKS:**

- A. Trees planted within the public right of way must be planted at distances from curbs and sidewalks consistent with the following criteria:

1. The midpoint of the area between the back of the curb and the edge of the sidewalk; or
2. If there is a consistent existing tree line, then in a location consistent with that existing tree line to the extent practicable; and
3. Not less than four feet (4') from the back of the curb, to the extent practicable. (Ord. 2007-10-527, 10-1-2007)

**7-6-2-5: DISTANCES FROM CORNERS AND FIRE HYDRANTS:**

No tree planted in the public right of way may be planted closer than thirty five feet (35') to any street corner, measured from the point of nearest intersecting curbs or curb lines. No tree may be planted closer than ten feet (10') to any fire hydrant. (Ord. 2007-10-527, 10-1-2007)

**7-6-2-6: DISTANCES FROM UTILITIES:**

No tree may be planted in any public right of way under, or within ten (10) lateral feet of, any overhead utility wire, except small trees as listed in section 7-6-2-2 of this chapter. No tree may be planted on top of or within a two foot (2') offset from any underground public utility unless circumstances make it unavoidable to do so. (Ord. 2007-10-527, 10-1-2007)

**7-6-2-7: MINIMUM PUBLIC TREE ROOT ZONE PROTECTION:**

The minimum root zone of all public trees within a public right of way is established in the following table. That minimum root zone must be protected by auguring in the manner shown in the following table. No work affecting public tree root zone may be undertaken without prior notice to the department of public works, and the department will monitor and enforce the standards set forth in this section.

<u>Diameter At Breast Height</u>	<u>Auguring Method</u>
2.5 inches to 4 inches	2 feet from face of tree in all directions if trench located within this radius
More than 4 inches to 9 inches	5 feet from face of tree in all directions if trench located within this radius
More than 9 inches to 14 inches	10 feet from face of tree in all directions if trench located within this radius
More than 14 inches to 19 inches	12 feet from face of tree in all directions if trench located within this radius
More than 19 inches	15 feet from face of tree in all directions if trench located within this radius

The minimum depth of auger within a root zone must be thirty inches (30"). No trenching is permitted within the minimum root zone. (Ord. 2007-10-527, 10-1-2007)

**7-6-2-8: VILLAGE AUTHORITY TO CARE FOR, REMOVE TREES:**

The village and its authorized agents have the right to plant, prune, maintain, and remove public trees as may be necessary to ensure public safety, preserve, and enhance the quality of vegetation and as appropriate to beautify the village. The village, for the same purposes, also may prune or remove all portions of any tree or shrub that overhangs any village right of way or other village owned property.

The village will cause to be removed as soon as practicable any tree within a village right of way or on other village property that is diseased or dying, or that poses an irreconcilable threat to a utility, or that otherwise threatens the public health, safety, or general welfare. (Ord. 2007-10-527, 10-1-2007)

#### **7-6-2-9: TOPPING PROHIBITED:**

Except as provided in this section, no person may cause or allow the topping of any public tree or protected private tree. The village may permit the topping of a tree under circumstances determined by the director of public works to be exceptional, including, but not limited to, when the tree has been severely damaged by a storm or other cause, when topping is otherwise the only practicable action, or when required to accommodate an overhead utility. (Ord. 2007-10-527, 10-1-2007)

#### **7-6-2-10: SITE CLEARANCE PRUNING:**

The owner of a tree that overhangs a public right of way within the village must prune the branches of that tree, if necessary, so that the tree does not obstruct the light from any streetlamp or the view of any street intersection. The owner also must prune that tree so that the lowest hanging branch on that tree is a minimum of twelve feet (12') above the ground. The failure to prune such a tree in accordance with the requirements of this section is hereby declared to be a public nuisance. The village has the right to prune any tree that does not meet the requirements of this section, with village forces or with forces hired by the village for such purposes, if the owner fails or refuses to accomplish such pruning within five (5) days after written notice to do so from the village. (Ord. 2007-10-527, 10-1-2007)

#### **7-6-2-11: INTERFERENCE WITH VILLAGE TREE WORK:**

No person may prevent, delay, or in any other way interfere with work undertaken by the village and its authorized representatives to plant, cultivate, mulch, prune, spray, or remove any public tree or other tree as authorized by this chapter. (Ord. 2007-10-527, 10-1-2007)

#### **7-6-3: PROTECTED PRIVATE TREES:**

##### **7-6-3-1: PROTECTED PRIVATE TREE PERMIT REQUIRED:**

A. Protected Private Tree Permit Required For Regulated Tree Activity: Except as expressly provided in subsection C of this section, no person or entity may commence any "regulated tree activity", as defined in this chapter, without first obtaining a protected private tree permit from the public works director.

B. Group Permits For Utility Companies: Utility companies having overhead facilities within public rights of way, utility easements, or within required yards of private property may apply for group tree permits to conduct scheduled, nonemergency pruning of groups of



trees. Prior to issuance of a permit to a utility company, a degreed forester or arborist certified by the International Society of Arboriculture on behalf of the utility company must meet with the public works director and agree on the manner of pruning of the affected trees. The village will not issue a group permit for pruning of any species of elm between April 1 and October 31 or any species of oak between April 1 and July 31, unless approved by the public works director to alleviate an imminent hazard.

#### C. Exceptions to Permit Requirement:

1. Pruning: A protected private tree permit is not required for the pruning of any tree on private property by the property owner or his representative in compliance with the ~~national pruning standards~~ ANSI A300 Standards. A copy of the ANSI A300 Standards is available for review at the Public Works Building.
2. Tree Emergency: In the case of a "tree emergency", as defined in this chapter, the public works director is authorized to: a) issue a tree permit without a protected private tree permit application, b) waive the requirement for a protected private tree permit set forth in this section, or c) waive any of the other regulations of this section or this chapter.

Notwithstanding any other regulations of this code, in the event of a tree emergency, the person endangered by the tree emergency may take any reasonable action necessary to avoid or eliminate the immediate danger or hazard. The action taken must be an action that is least likely under the circumstances to cause damage or removal of any trees, and the village assumes no responsibility or liability for any such action taken. The person taking such action must document the reasons for the tree emergency by photograph or videotape of the tree emergency condition and the damage or hazard created by such condition, and must report the action taken to the public works director within forty eight (48) hours after the action is taken. (Ord. 2007-10-527, 10-1-2007)

#### **7-6-3-2: PROTECTED PRIVATE TREE PERMIT APPLICATIONS AND APPROVALS:**

A. Application: Each application for a protected private tree permit must be submitted to the public works director on a form provided by the village at the village hall setting forth or otherwise providing the following information:

1. The owner's name and address and the owner's signed consent to the application;
2. The applicant's name and address, if different from the owner, and her or his interest in the property;
3. The size, genus and species, and location of the affected trees and the location of the property on which the regulated tree activity will occur, including street address or legal description;
4. A brief explanation of reasons for the proposed regulated tree activity;
5. A tree replacement plan, if applicable, in accordance with section 7-6-4-2 of this chapter;
6. A construction activity protection plan, if applicable, in accordance with section 7-6-4-3 of this chapter; and

7. Such other data and information as the public works director deems necessary to allow full and fair consideration of the tree permit application.

B. Property Inspection And On Site Consultation: Within fourteen (14) days after receipt of a protected private tree permit application, the public works director ~~and/or his/her designee~~ will:

1. Visit and inspect the property and contiguous and adjoining lots to determine the existence of protected private trees and to evaluate the tree permit application; and
2. Provide an on-site consultation with the applicant to: a) review the proposed regulated tree activity, b) suggest alternatives to the proposed regulated tree activity when the proposed activity may result in the possible damage or destruction of a protected private tree, and c) provide instruction on the long term continuing care of any protected private tree that is subject to the tree permit application and any other protected private trees on the property.

C. Approval Of Application: The Public Works Director will approve a protected private tree permit application if, based on the protected private tree permit application, inspection of the property, and the on-site consultation with the property owner or applicant, as well as all other reliable and relevant information, the Public Works Director determines that all of the following conditions have been met:

1. The proposed regulated tree activity has been planned and will be performed in such a manner, to such a degree, and with such equipment and personnel, so as to: a) reasonably involve the least amount of damage or removal of trees and b) not defeat, or be inconsistent with, the purposes and intent of this chapter as expressed in section ~~7-6-1-1~~ of this chapter. Further, any tree proposed for removal that, because of its location, poses a threat of damage to an adjacent property will be removed by a crew under the direct supervision of a certified arborist or degreed forester.
2. The protected private tree permit application, including, without limitation, the construction activity protection plan if required, satisfies the requirements of this chapter.
3. The applicant has submitted a replacement guarantee in a form satisfactory to the Public Works Director and consistent with subsection 7-6-4-2B of this chapter. (Ord. 2007-10-527, 10-1-2007)

D. Issuance Of Permit; ~~Payment of Permit Fee~~: If a protected private tree permit application is approved, then the Public Works Director will promptly issue a protected private tree permit. ~~upon payment by the applicant of a permit fee pursuant to title 13, chapter 1, "Fee Schedule", of this Code. No fee will be required if the Public Works Director determines that no permit is required.~~ (Ord. 2007-10-527, 10-1-2007; amd. Ord. 2018-12-279, 12-3-2018)

E. Conditions on Protected Private Tree Permit: As a condition of the issuance of a protected private tree permit, the Public Works Director may require one or more of the following:



1. That any or all protected private trees that may be affected by such regulated tree activity, wherever located on a lot, be preserved and protected; and
2. That any or all protected private trees that may be affected by such regulated tree activity, wherever located on a lot, be replaced in accordance with the tree replacement standards in section 7-6-4-2 of this chapter.

F. Denial: If the protected private tree permit application, inspection of the property, on site consultation, and consideration of all other reliable and relevant information reveal that the applicant has not satisfied the conditions of subsection C of this section, or has not otherwise justified the damage or removal of trees to the satisfaction of the Public Works Director, then the Public Works Director will promptly notify the applicant that the protected private tree permit application is denied and that no protected tree permit will be issued. No fee will be required if the application is not approved.

G. Exemptions: The Public Works Director has the authority to exempt a regulated tree activity from the protected private tree permit application requirements of this chapter if the Public Works Director determines that any of the following circumstances exist:

1. When a protected private tree, due to natural causes, is dead, dangerous, or interferes with any existing or proposed public improvements, is in dangerous proximity to any public utility lines or related facilities, or is a diseased tree or otherwise unsafe, unhealthy, or insect infected and constitutes a hazard to persons, property, or other trees.
2. When a protected private tree, due to natural causes, obstructs any street, sidewalk, or pedestrian path to such an extent that such protected private tree interferes with free passage and clear view along that street, sidewalk, or path or at any street or driveway intersection.
3. When removal of a protected private tree is necessary to comply with the current standards generally observed by professionals in the arboricultural, forestry, landscaping, or landscape architecture professions.
4. When removal of a protected private tree is necessary to properly enhance the health and appearance of existing trees, shrubs, and other vegetation or to implement a landscaping scheme that the public works director determines complies with the current standards generally observed by professionals in the arboriculture, forestry, landscaping, or landscape architecture professions.
5. When removal of a protected private tree is necessary to avoid denying an applicant a reasonable economic use of the applicant's property, or when the applicant otherwise demonstrates a hardship or special and unique circumstances.

H. Appeals: See section 7-6-5-1 of this chapter for appeals related to the provisions of this section.

I. Term Of Protected Private Tree Permit; Expiration And Renewal: A tree permit will expire automatically if the activity authorized by the permit is not commenced within one hundred eighty (180) days after the permit's issuance or if the activity is not completed within one year after the permit's issuance, except that the public works director, upon application of the permit holder, may grant reasonable extensions of time for commencement or completion of such activity, but for not more than fifty percent (50%) of the original time period.

J. Revocation and Remedies: Protected private tree permits are subject to revocation and other remedies as provided in section 7-6-5-3 of this chapter. (Ord. 2007-10-527, 10-1-2007)

**7-6-4: GENERAL TREE STANDARDS:**

**7-6-4-1: TREE PROTECTION REQUIRED:**

A. General: All regulated tree activities must be planned and performed in such a manner, to such a degree, and with such equipment and personnel, so as to: 1) reasonably involve the least amount of damage to or removal of trees and 2) not defeat, or be inconsistent, with, the purposes and intent of this chapter as expressed in section 7-6-1-1 of this chapter.

B. Construction Activity: To ensure the protection of protected private trees during construction activity, a construction activity protection plan is required in accordance with section 7-6-4-3 of this chapter. (Ord. 2007-10-527, 10-1-2007)

**7-6-4-2: REPLACEMENT OF PROTECTED PRIVATE TREES REQUIRED:**

A. Replacement Required: Installation of a replacement tree is mandatory when a protected private tree is damaged or removed in the course of a regulated tree activity, except for damage or removal of a protected private tree that, due to natural causes, is dead, is dangerous, interferes with any existing or proposed public improvements, is in dangerous proximity to any public utility lines or related facilities, is a diseased tree, or is otherwise unsafe, unhealthy, or insect infected and constitutes a hazard to persons, property, or other trees. Tree replacement is required regardless of whether the protected private tree that is damaged or removed is located on the same lot on which the regulated tree activity takes place.

**B. Protected Tree Replacement Guarantee:**

1. Except as provided in subsection B4 of this section, the public works director may not issue a protected private tree permit for the removal of any protected private tree without first receiving from the permit applicant a replacement guarantee in the form of cash or a letter of credit. If the replacement guarantee is a letter of credit, then the letter of credit must be in a form provided by the village.

2. The required amount of the replacement guarantee will be calculated as follows:

a. If cash: Three hundred fifty dollars (\$350.00) times the number of replacement trees calculated in accordance with subsection C of this section.



- b. If a letter of credit: Five hundred dollars (\$500.00) times the number of replacement trees calculated in accordance with subsection C of this section.
3. The public works director may draw on and use the replacement guarantee only when the applicant fails to replace the total number of all protected private trees actually removed, and only after providing the applicant with thirty (30) days' notice of such failure to replace, delivered in person or by certified mail, return receipt requested. The village will return to the applicant any amount of the replacement guarantee remaining after the replacement work has been completed by the applicant or the village. When the replacement guarantee is secured by a letter of credit, the letter of credit may be drawn on by the village only up to the amount required to ensure reimbursement of all costs incurred by the village for replacement of all protected private trees actually removed, and thereafter the letter of credit will be returned or canceled pursuant to the terms of the letter of credit.
4. No replacement guarantee is required when no replacement trees are required pursuant to subsection A of this section or any other provision of this chapter. Also, no replacement guarantee is required when the regulated tree activity is being undertaken in conjunction with other work pursuant to a building permit issued by the village for which a performance security has been posted with the village by the applicant.

C. Protected Private Tree Replacement Formula: Replacement of a protected private tree must be on a one to one basis.

D. Tree Replacement Specifications: All tree replacements must be:

1. Of a dbh of not less than two and one-half inches ( $2\frac{1}{2}$ ");
2. Of a species listed in section 7-6-2-2 of this chapter;
3. In good health and structurally sound;
4. Made pursuant to a written time schedule approved by the public works director; and
5. Planted at approximately the same location as the trees they replace, when possible in accordance with good construction practices and current standards generally observed by professionals in the forestry, landscaping, and landscape architecture professions, unless otherwise approved in advance by the public works director.

E. Replacement Tree Care: The applicant is solely responsible for the care, watering, and feeding of newly planted trees for a period of two (2) years, and, with regard to such care, watering, and feeding, the applicant must adhere to all tree care standards.

F. Alternative Tree Replacement Location: If the public works director determines that full tree replacement pursuant to the specifications provided herein will result in the unreasonable crowding of trees on a public right of way immediately adjacent to the subject property or would otherwise be inconsistent with current standards generally observed by professionals

in the forestry, landscaping, or landscape architecture professions, then the public works director may reduce the number of replacement trees to be planted on the subject property and designate nearby public rights of way or other public property suitable for the location of new trees.

G. **Fee In Lieu Of Tree Replacement:** An applicant may request that the village acquire and plant the required replacement trees in locations determined by the village on payment by the applicant of a tree replacement fee to the village. The public works director has complete discretion whether to approve such a request based on the best interests of the village at the time of the request, and the public works director has no obligation to approve any such request. If the public works director determines to approve such a request, then the following standards apply:

1. The fee for replacement trees required pursuant to the provisions of this chapter will be the amount set by ordinance of the board of trustees from time to time.
2. The fee must be received by the public works director within thirty (30) days after the date of the damage or removal for which replacement is required. (Ord. 2007-10-527, 10-1-2007)

#### **7-6-4-3: CONSTRUCTION ACTIVITY PROTECTION PLAN:**

A. **Plan Required:** A construction activity protection plan must be filed with all protected private tree permit applications when the proposed regulated tree activity is part of construction activity.

B. **Contents of Construction Activity Protection Plan:** A construction activity protection plan must include a site plan of the property drawn to a scale not less than one inch equals ten feet (1" = 10'). The plan must be drawn on a topographic map if deemed necessary by the public works director. The drawing must be graphically and accurately marked with all of the following information:

1. Location of the property, including street address or legal description.
2. Existing and proposed contours of the lot on which the construction activity is to take place.
3. Building elevations, if applicable.
4. The name of the general contractor or project representative, if any, responsible for the proposed construction activity.
5. A demonstration of the ways in which the applicant will ensure that the level of tree protection required by section 7-6-4-1 of this chapter will be achieved.
6. The location of all existing protected private trees that are located on or near the subject property, and the location of all trees four inches (4") or larger dbh other than protected private trees that are reasonably likely to be damaged or removed during the proposed construction activity.

7. A legend referencing the **Lake Zurich Tree Classification** dbh, genus and species, general condition, and proposed disposition of existing protected private trees that are located on or near the subject property and trees other than protected private trees that are reasonably likely to be damaged or removed during the construction activity, including, without limitation, each tree located on a lot adjacent to the construction activity whose drip line overhangs the area of the proposed construction activity.

(a) **Lake Zurich Tree Classification is determined by the Village of Lake Zurich Tree Commission, Lake Zurich Tree Classification List (Classification List) as updated from time to time, found on the Lake Zurich Forestry page. Applicants shall utilize the Classification List on the Lake Zurich Forestry page.**

(b) **The Classification List separates all trees found in the Morton Arboretum Northern Illinois tree list into one of five groups: Heritage, Landmark, Desirable, Undesirable and Noxious. Tree ratings take into account the fitness, life expectancy, mature DBH, and weediness characteristics, and other identified species traits into account.**

**The Commission assigned replacement rate for each tree rating group:**

**Heritage – 75% replacement**

**Landmark – 50% replacement**

**Desirable – 33% replacement**

**Undesirable – 0% replacement**

**Noxious – 0% replacement – mandatory removal as a part of new construction.**

8. Detailed specifications for protection of protected private trees and for the protection of trees other than protected private trees that are reasonably likely to be damaged or removed during implementation of the proposed construction activity, including, without limitation, proposed measures such as construction pruning, root pruning, installation of a retaining wall or high visibility plastic mesh fencing, and auguring of utility lines when such auguring is determined by the public works director to be necessary to improve the chances of tree survival. Such specifications also must include the identification and clear delineation on the site plan of the construction activity area, the tree protection area, and their respective perimeters.

(a) **When an applicant proposes removing trees from a site within in the Village, the DBH of existing tree species to be removed will be classified by tree rating group. Each rating group DBH total will be multiplied by the associated replacement rate. The resulting solutions will be added together to identify the total DBH of replacement trees required for the current design plan. Replacement tree can be planted onsite, and/or the total DBH of trees to be planted per plan can be subtracted from the total DBH of replacement trees required and the rest can be paid in-lieu-of fee to the Village for tree replacement offsite.**

(b) **The applicable in-lieu-of fee is calculated by taking the remaining DBH to be replaced, divide the remainder by 2.5 (the minimum DBH for replacement trees allowed in the Village) and multiply the solution by the average market value as determined by the Village Arborist for a >2.5" tree for that year/season (as listed on the Lake Zurich Forestry page by the Village Arborist). Developers shall utilize the Village of Lake Zurich Tree Replacement Worksheet found on the Lake Zurich Forestry page to work through this process.**

C. Construction Activity Area: The construction activity area is the area of the subject property that is the smallest area reasonably needed to undertake the proposed construction activity, as determined by the public works director. The construction activity area must include the

entire area affected by the proposed construction activity and any access route across the public right of way. Construction activity may not be conducted or staged in any area of the property located outside the construction activity area. No excess soil, additional fill, liquids, or any construction debris may be placed or located outside the construction activity area. All buildings, structures, and driveways must be located so as to reasonably involve the least amount of damage or removal of trees while complying with minimum required yard and setback requirements of the Lake Zurich zoning code.

- D. **Tree Protection Area:** The tree protection area is the area of the property, within the construction activity protection plan, in which no construction activity may be conducted. All reasonable measures and protective materials must be employed to protect trees within the tree protection area. Protective materials may include, without limitation, the temporary installation of high visibility plastic mesh fencing or other, similar materials specifically approved by the public works director. All such fencing must be at least four feet (4') in height and be secured to metal posts driven into the ground and spaced not more than six feet (6') apart. All protective measures and materials must be in place and approved by the public works director before commencement of any construction activity. Protective materials may not be removed until the public works director approves such removal after the completion of all construction activity. No attachments, fences, or wires, other than those approved for bracing, guying, or wrapping may be attached to any protected private tree during the construction activity. (Ord. 2007-10-527, 10-1-2007)

#### **7-6-4-4: GENERAL MAINTENANCE; REMOVAL OF DISEASED, DEAD, AND DANGEROUS TREES:**

- A. **General Maintenance Standards:** Every property owner must maintain the trees and shrubs on her or his property and on the parkways abutting her or his property in a safe and healthy manner; must keep trees and shrubs properly watered, trimmed, pruned, sprayed, treated, and preserved so as to avoid disease, insect infestation, or other conditions detrimental to such trees and to avoid hazards to persons, property, and other vegetation; and must remove trees and shrubs on her or his property that are so unsafe, unhealthy, diseased, or insect infested as to constitute a hazard to persons, property, or other vegetation.
- B. **Removal of Diseased, Dead, and Dangerous Trees:**
1. **Obstructions and Other Dangerous Conditions:** Every owner or occupant of any house, building, lot, or premises in the village must keep trees, shrubs, vines, and other vegetation located on her or his property trimmed and maintained so as to prevent or remove the following:
    - a. Any tree that is diseased, dead, dangerous, or likely to fall or that is otherwise so unsafe, unhealthy, or insect infected as to constitute a hazard to persons, property, or other vegetation;
    - b. The obstruction of any street, pedestrian path, or designated village path to any extent that interferes with free passage and clear view along such streets and paths and at any street or driveway intersection;
    - c. The obstruction of any sewer, drainage way, or septic field; or

- d. The dangerous proximity of any tree or other vegetation to public utility lines.

Any tree or other vegetation located on private property that is maintained in violation of any of the foregoing standards is a public nuisance.

2. **Notice of Violation:** If a tree or other vegetation has not been trimmed or cut as required by this section, then the public works director must cause a written notice of violation to be issued as follows:
- a. The notice must be served personally or sent by registered mail to the person to whom was sent the last preceding general tax bill for the property on which the subject tree or trees are located, and a copy of the notice must be mailed to the occupant of such property.
  - b. The notice must identify, in general, the affected tree or trees and the violation or violations. The notice also must state that the violation or violations must be cured within thirty (30) days after the date of delivery or mailing shown on the notice and that, thereafter, the village may issue a citation and may itself undertake all action necessary to cure the violation or violations.
3. **Village Action If Violation Not Cured; Costs And Expenses:** If the owner of the property has not cured all violations stated in the notice within thirty (30) days after the date shown on the notice, then the village, with its own forces or forces hired by the village, may take all necessary actions to cause the violation or violations to be cured. The village will assess all direct and indirect costs and expenses incurred in connection therewith, including the costs of collection, against the property owner. If those costs and expenses are not paid by the property owner within thirty (30) days after receipt of a written invoice, then the village may place a lien on the subject property and perfect that lien in the manner provided by law. (Ord. 2007-10-527, 10-1-2007)
4. **Inspections:** The public works director may cause inspections and surveys to be conducted as necessary to determine the existence, nature, and extent of violations of this section, and the public works director will report the results of such inspections and surveys to the village manager. (Ord. 2007-10-527, 10-1-2007; amd. Ord. 2012-10-861, 10-1-2012)
5. **Appeals:** See section 7-6-5-1 of this chapter for appeals related to the provisions of this section. (Ord. 2007-10-527, 10-1-2007)

#### **7-6-4-5: WAIVERS OR MODIFICATIONS THROUGH ZONING OR SUBDIVISION APPROVAL:**

When a zoning approval or a subdivision approval is so conditioned as to fully accomplish the goals and purposes of this chapter, then the board of trustees may waive or modify the requirements of this chapter as part of that zoning or subdivision approval. Such waiver or modification may be revoked by the board of trustees at any time if any condition imposed pursuant to such approval is violated and such violation persists for more than ten (10) days after notice to the owner of the property of such violation. (Ord. 2007-10-527, 10-1-2007)

#### **7-6-5: APPEALS; PENALTIES; PERMIT REVOCATION:**

##### **7-6-5-1: APPEALS:**

- A. **Appeals Related To Protected Tree Permits; Stay Of Activities:** An applicant may appeal any decision of the public works director: 1) denying a protected private tree permit application,



2) revoking a protected private tree permit, or 3) denying an exemption pursuant to subsection 7-6-3-2G of this chapter. Any such appeal is taken initially to the village manager by filing a written notice of appeal with the village manager within five (5) business days after receipt of notice of the public works director's decision from which the appeal is taken. Within fourteen (14) days after receipt of the written notice of appeal, the village manager, based on his or her review of the protected private tree permit application and any other reliable and relevant evidence, documents, or information, may either uphold, reverse, or amend the Public Works Director's decision. The Village Manager must notify the person who filed the appeal within two (2) business days after such decision has been made. The decision of the Village Manager is final. The filing of a written notice of appeal to the Village Manager pursuant to this section will stay all regulated tree activity and other activity for which a tree permit subject to the appeal has been granted or sought.

- B. Appeals Related To Maintenance And Removal Standards; Stay Of Activities: An appeal from a decision of, or notice issued by, the Public Works Director pursuant to section 7-6-4-4 of this chapter may be taken to the Village Manager by an adversely affected person by filing a written notice of appeal with the Village Manager within five (5) business days after receipt of the decision of the Public Works Director or the date of the delivery or mailing of the notice. The Village Manager must review the evidence, documents, or information and may hear and receive new evidence, and must render a decision on such appeal. The decision of the Village Manager is final. The filing of an appeal pursuant to this section will stay enforcement of the decision or notice unless the Public Works Director makes a written finding that such stay would present an undue threat to the public health or safety or to property in the Village. (Ord. 2007-10-527, 10-1-2007; amd. Ord. 2012-10-861, 10-1-2012)

#### **7-6-5-2: PENALTIES:**

Any person who violates any provision of this chapter will be subject to fine pursuant to title 13, chapter 1, "Fee Schedule", of this Code for each violation. For purposes of this section, each day on which a violation of this chapter occurs or continues will be deemed a separate violation of this chapter. (Ord. 2007-10-527, 10-1-2007; amd. Ord. 2018-12-279, 12-3-2018)

#### **7-6-5-3: PERMIT REVOCATION:**

Any permit issued under this chapter may be revoked or suspended if the permit holder violates the terms of the permit or any other provision of this chapter. (Ord. 2007-10-527, 10-1-2007)

Common Name	Botanical Name	Quality Rating
Beech, American	<i>Fagus grandifolia</i>	Heritage
Beech, European	<i>Fagus sylvatica</i>	Heritage
Birch, river	<i>Betula nigra</i>	Heritage
Buckeye, Ohio	<i>Aesculus glabra</i>	Heritage
Coffeetree, Kentucky	<i>Gymnocladus dioica</i>	Heritage
Crabapple, prairie	<i>Malus ioensis</i>	Heritage
Cypress, bald	<i>Taxodium distichum</i>	Heritage
Ginkgo	<i>Ginkgo biloba</i>	Heritage
Hackberry	<i>Celtis occidentalis</i>	Heritage
Hickory, bitternut	<i>Carya cordiformis</i>	Heritage
Hickory, mockernut	<i>Carya tomentosa</i>	Heritage
Hickory, pignut	<i>Carya glabra</i>	Heritage
Hickory, red	<i>Carya avalis</i>	Heritage
Hickory, shagbark	<i>Carya ovata</i>	Heritage
Hickory, shellbark	<i>Carya laciniosa</i>	Heritage
Honey-locust, thornless	<i>Gleditsia triacanthos f. inermis</i>	Heritage
Hornbeam, American	<i>Carpinus caroliniana</i>	Heritage
Horse-chestnut	<i>Aesculus hippocastanum</i>	Heritage
Horse-chestnut, red	<i>Aesculus x carnea</i>	Heritage
Ironwood	<i>Ostrya virginiana</i>	Heritage
Magnolia, cucumber	<i>Magnolia acuminata</i>	Heritage
Oak, black	<i>Quercus velutina</i>	Heritage
Oak, bur	<i>Quercus macrocarpa</i>	Heritage
Oak, chestnut	<i>Quercus montana</i>	Heritage
Oak, chinkapin	<i>Quercus muehlenbergii</i>	Heritage
Oak, northern pin (Hill's)	<i>Quercus ellipsoidalis</i>	Heritage
Oak, northern red	<i>Quercus rubra</i>	Heritage
Oak, pin	<i>Quercus palustris</i>	Heritage
Oak, scarlet	<i>Quercus coccinea</i>	Heritage
Oak, shingle	<i>Quercus imbricaria</i>	Heritage
Oak, Shumard's	<i>Quercus shumardii</i>	Heritage
Oak, swamp chestnut	<i>Quercus michauxii</i>	Heritage
Oak, swamp white	<i>Quercus bicolor</i>	Heritage
Oak, Ware's	<i>Quercus x warei</i>	Heritage
Oak, white	<i>Quercus alba</i>	Heritage
Pawpaw	<i>Asimina triloba</i>	Heritage
Pine, jack	<i>Pinus banksiana</i>	Heritage
Plum, wild	<i>Prunus americana</i>	Heritage
Redbud	<i>Cercis canadensis</i>	Heritage
Sassafras	<i>Sassafras</i>	Heritage
Serviceberry, Alleghany	<i>Amelanchier laevis</i>	Heritage
Serviceberry, downy	<i>Amelanchier arborea</i>	Heritage
Shadbush, inland	<i>Amelanchier interior</i>	Heritage
Tamarack	<i>Larix laricina</i>	Heritage
Tupelo (black gum)	<i>Nyssa sylvatica</i>	Heritage
Basswood, American (linden)	<i>Tilia americana</i>	Landmark
Basswood AMERICAN SENTRY (linden)	<i>Tilia americana 'McKSentry'</i>	Landmark

Basswood, white	<i>Tilia americana</i> var. <i>heterophylla</i>	Landmark
Birch-WHITE SATIN	<i>Betula</i> 'Madison'	Landmark
Birch, river- FOX VALLEY	<i>Betula nigra</i> 'Little King'	Landmark
Birch, gray	<i>Betula populifolia</i>	Landmark
Birch, gray 'Whitespire Senior'	<i>Betula populifolia</i> 'Whitespire Senior'	Landmark
Birch, RENAISSANCE REFLECTION	<i>Betula papyrifera</i> 'Renci'	Landmark
Birch, sweet	<i>Betula lenta</i>	Landmark
Birch, yellow	<i>Betula alleghaniensis</i>	Landmark
Buckeye, red	<i>Aesculus pavia</i>	Landmark
Buckeye, yellow	<i>Aesculus flava</i>	Landmark
Catalpa, northern	<i>Catalpa speciosa</i>	Landmark
Dogwood,owering	<i>Cornus florida</i>	Landmark
Dogwood, pagoda	<i>Cornus alternifolia</i>	Landmark
Elm, Frontier	<i>Ulmus</i> 'Frontier'	Landmark
Elm, lacebark	<i>Ulmus parvifolia</i>	Landmark
Elm, COMMENDATION	<i>Ulmus</i> 'Morton Stalwart'	Landmark
Elm, ACCOLADE	<i>Ulmus davidiana</i> var. <i>japonica</i> 'Morton'	Landmark
Elm, New Horizon	<i>Ulmus</i> 'New Horizon'	Landmark
Elm, Patriot	<i>Ulmus</i> 'Patriot'	Landmark
Elm, Princeton	<i>Ulmus americana</i> 'Princeton'	Landmark
Elm, Prospector	<i>Ulmus davidiana</i> var. <i>japonica</i> 'Prospector'	Landmark
Elm, Regal	<i>Ulmus</i> 'Regal'	Landmark
Elm-DANADA CHARM	<i>Ulmus</i> 'Morton Red Tip'	Landmark
Elm-TRIUMPH	<i>Ulmus</i> 'Morton Glossy'	Landmark
Fir, Douglas	<i>Pseudotsuga menziesii</i>	Landmark
Fir, white	<i>Abies concolor</i>	Landmark
Hemlock, eastern	<i>Tsuga canadensis</i>	Landmark
Hornbeam, European	<i>Carpinus betulus</i>	Landmark
Larch, European	<i>Larix decidua</i>	Landmark
Lilac, Peking	<i>Syringa pekinensis</i>	Landmark
Lilac, Peking- BEIJING GOLD	<i>Syringa pekinensis</i> 'Zhang Zhiming'	Landmark
Lilac, Peking- CHINA SNOW	<i>Syringa pekinensis</i> 'Morton'	Landmark
Lilac, Japanese tree	<i>Syringa reticulata</i>	Landmark
Linden, big-leaved	<i>Tilia platyphyllos</i>	Landmark
Linden, little-leaved	<i>Tilia cordata</i>	Landmark
Linden, silver	<i>Tilia tomentosa</i>	Landmark
Maple-STATE STREET	<i>Acer miyabei</i> 'Morton'	Landmark
Maple, black	<i>Acer nigrum</i>	Landmark
Maple, paperbark	<i>Acer griseum</i>	Landmark
Maple, red	<i>Acer rubrum</i>	Landmark
Maple, sugar	<i>Acer saccharum</i>	Landmark
Maple, sugar- CRESCENDO	<i>Acer saccharum</i> 'Morton'	Landmark
Oak, English	<i>Quercus robur</i>	Landmark
Oak-CRIMSON SPIRE	<i>Quercus</i> 'Crimschmidt'	Landmark
Pecan	<i>Carya illinoensis</i>	Landmark
Pine, eastern white	<i>Pinus strobus</i>	Landmark
Planetree, London	<i>Platanus x acerifolia</i>	Landmark
Planetree, London-EXCLAMATION!	<i>Platanus x acerifolia</i> 'Morton Circle'	Landmark



Redwood, dawn	<i>Metasequoia glyptostroboides</i>	Landmark
Serviceberry, apple	<i>Amelanchier x grandiflora</i>	Landmark
Spruce, Black Hills	<i>Picea glauca</i> var. <i>densata</i>	Landmark
Spruce, blue	<i>Picea pungens</i> var. <i>glauca</i>	Landmark
Spruce, Norway	<i>Picea abies</i>	Landmark
Spruce, white	<i>Picea glauca</i>	Landmark
Sweet-gum	<i>Liquidambar styraciflua</i>	Landmark
Sycamore (buttonwood)	<i>Platanus occidentalis</i>	Landmark
Tulip-tree	<i>Liriodendron tulipifera</i>	Landmark
Walnut, black	<i>Juglans nigra</i>	Landmark
Yellowwood	<i>Cladrastis kentukea</i>	Landmark
Arborvitae, eastern	<i>Thuja occidentalis</i>	Desirable
Arborvitae, giant	<i>Thuja plicata</i>	Desirable
Arborvitae, oriental	<i>Platycladus orientalis</i> (syn. <i>Thuja orientalis</i> )	Desirable
Aspen, quaking	<i>Populus tremuloides</i>	Desirable
Birch, paper	<i>Betula papyrifera</i>	Desirable
Catalpa, Chinese	<i>Catalpa ovata</i>	Desirable
Catalpa, hybrid	<i>Catalpa x erubescens</i>	Desirable
Catalpa, southern	<i>Catalpa bignonioides</i>	Desirable
Cherry, Amur	<i>Prunus maackii</i>	Desirable
Cherry, Higan (weeping)	<i>Prunus subhirtella</i>	Desirable
Cherry, Japanese overhanging	<i>Prunus serrulata</i>	Desirable
Cherry, Sargent	<i>Prunus sargentii</i>	Desirable
Chestnut, Chinese	<i>Castanea mollissima</i>	Desirable
Corktree, Amur	<i>Phellodendron amurense</i>	Desirable
Cornel, Japanese	<i>Cornus officinalis</i>	Desirable
Cottonwood, eastern	<i>Populus deltoides</i>	Desirable
Crabapple	<i>Malus cultivars and species</i>	Desirable
Dogwood, Cornelian-cherry	<i>Cornus mas</i>	Desirable
Dogwood, hybrid overhanging	<i>Cornus x rutgersensis</i>	Desirable
Dogwood, kousa	<i>Cornus kousa</i>	Desirable
Hawthorn, cockspur	<i>Crataegus crus-galli</i>	Desirable
Hawthorn, cockspur (thornless)	<i>Crataegus crus-galli</i> var. <i>inermis</i>	Desirable
Hawthorn, dotted	<i>Crataegus punctata</i>	Desirable
Hawthorn, downy	<i>Crataegus mollis</i>	Desirable
Hawthorn, English (whitethorn)	<i>Crataegus laevigata</i>	Desirable
Hawthorn, green	<i>Crataegus viridis</i>	Desirable
Hawthorn, scarlet	<i>Crataegus coccinea</i>	Desirable
Hawthorn, singleseeded	<i>Crataegus monogyna</i>	Desirable
Hawthorn, Washington	<i>Crataegus phaenopyrum</i>	Desirable
Hazelnut, Turkish	<i>Corylus colurna</i>	Desirable
Holly, American	<i>Ilex opaca</i>	Desirable
Honey-locust	<i>Gleditsia triacanthos</i>	Desirable
Juniper, Chinese	<i>Juniperus chinensis</i>	Desirable
Katsura tree	<i>Cercidiphyllum japonicum</i>	Desirable
Larch, Japanese	<i>Larix kaempferi</i>	Desirable
Linden, Mongolian	<i>Tilia mongolica</i>	Desirable
Maackia, Amur	<i>Maackia amurensis</i>	Desirable

Magnolia, Japanese (Northern)	<i>Magnolia kobus</i> var. <i>borealis</i>	Desirable
Magnolia, Loebner's	<i>Magnolia x loebneri</i>	Desirable
Magnolia, saucer	<i>Magnolia x soulangiana</i>	Desirable
Magnolia, star	<i>Magnolia stellata</i>	Desirable
Magnolia, sweetbay	<i>Magnolia virginiana</i>	Desirable
Magnolia, umbrella	<i>Magnolia tripetala</i>	Desirable
Maple, Freeman's	<i>Acer x freemanii</i>	Desirable
Maple, fullmoon	<i>Acer japonicum</i>	Desirable
Maple, Japanese	<i>Acer palmatum</i>	Desirable
Maple, Marmo Freeman's	<i>Acer x freemanii</i> 'Marmo'	Desirable
Maple, nikko	<i>Acer maximowiczianum</i>	Desirable
Maple, Norway	<i>Acer platanoides</i>	Desirable
Maple, Shantung	<i>Acer truncatum</i>	Desirable
Maple, silver	<i>Acer saccharinum</i>	Desirable
Maple, sycamore	<i>Acer pseudoplatanus</i>	Desirable
Maple, threeowered	<i>Acer triflorum</i>	Desirable
Maple, trident	<i>Acer buergerianum</i>	Desirable
Parrotia (Persian ironwood)	<i>Parrotia persica</i>	Desirable
Persimmon	<i>Diospyros virginiana</i>	Desirable
Pine, Balkan	<i>Pinus peuce</i>	Desirable
Pine, Japanese black	<i>Pinus thunbergii</i>	Desirable
Pine, Japanese umbrella	<i>Sciadopitys verticillata</i>	Desirable
Pine, Japanese white	<i>Pinus parviflora</i>	Desirable
Pine, lacebark	<i>Pinus bungeana</i>	Desirable
Pine, limber	<i>Pinus flexilis</i>	Desirable
Pine, Swiss stone	<i>Pinus cembra</i>	Desirable
Red-cedar, eastern	<i>Juniperus virginiana</i>	Desirable
Rubber-tree, hardy	<i>Eucommia ulmoides</i>	Desirable
Scholar tree, Japanese	<i>Styphnolobium japonicum</i>	Desirable
Silverbell	<i>Halesia tetraptera</i> ( <i>H. carolina</i> )	Desirable
Spruce, oriental	<i>Picea orientalis</i>	Desirable
Spruce, Serbian	<i>Picea omorika</i>	Desirable
Sugarberry	<i>Celtis laevigata</i>	Desirable
Willow, black	<i>Salix nigra</i>	Desirable
Zelkova, Japanese	<i>Zelkova serrata</i>	Desirable
Alder, European Black	<i>Alnus glutinosa</i>	Undesirable
Alder, European White	<i>Alnus incana</i>	Undesirable
Alder, seaside	<i>Alnus maritima</i>	Undesirable
Alder, speckled	<i>Alnus incana</i> ssp. <i>Rugosa</i>	Undesirable
Boxelder	<i>Acer negundo</i>	Undesirable
Cherry, black	<i>Prunus serotina</i>	Undesirable
Elm, Siberian	<i>Ulmus pumila</i>	Undesirable
Fringe tree	<i>Chionanthus virginicus</i>	Undesirable
Fringe tree, Chinese	<i>Chionanthus retusus</i>	Undesirable
Locust, black	<i>Robinia pseudoacacia</i>	Undesirable
Maple, Amur	<i>Acer ginnala</i>	Undesirable
Maple, hedge	<i>Acer campestre</i>	Undesirable
Mulberry, red	<i>Morus rubra</i>	Undesirable

Mulberry, white  
Osage-orange  
Pear, Callery  
Poplar, white  
Larix laricina  
Willow, weeping  
Willow, white

*Morus alba* (cultivars or males)  
*Maclura pomifera*  
*Pyrus calleryana*  
*Populus alba*  
*Ailanthus altissima*  
*Salix alba* 'Tristis'  
*Salix alba*

Undesirable  
Undesirable  
Undesirable  
Undesirable  
Undesirable  
Undesirable  
Undesirable

**PAMPHLET**  
**BACK OF PAMPHLET**



**ORDINANCE # 2019-05-312**  
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**OF THE LAKE ZURICH MUNICIPAL CODE**  
**CONCERNING THE REGULATION OF TREES**

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