

Summary of Utility Line Clearing Standards

Complied by Mike Cusimano 1/24/13

City/Town	Power Company	Tree Ordinance	Utility Line Maintenance Requirements	Pruning Standard	Pruning Limits	Appeal Process
Durham	Duke Energy	<p>Tree Ordinance (1982). This ordinance applies to Public Trees except when trees growing on Private Property constitute a nuisance endangering public property, and then the ordinance applies specifically to that tree. Removals, pruning and maintenance of City trees is regulated but not strictly enforced. Required permits are not issued and no follow up inspections are conducted. Policy is based on an informal agreement between the city and the utility company.</p>	<p>Utility Company must obtain a Master Permit issued by the City Manager which is valid for 1 year. No charge for the permit. City no longer issues permit.</p> <p>Utility Company must notify the City Manager prior to beginning any work.</p> <p>Work must be done in a neat and professional manner.</p> <p>Work must meet standards set by the City.</p> <p>City may inspect the work. The City staff generally is called out to review the work whenever any controversy or uncertainty surrounds the situation.</p>	ANSI A300	None	<p>Appeals go to the city manger</p> <p>Appeals from the city manager go to City Council</p> <p>The appeal process applies to all sections of the ordinance however, is not applied to the Utility Company's line clearing maintenance work as the ordinance does not specifically regulate this activity.</p>
Chapel Hill	Duke Energy	<p>Tree Ordinance (2010). The Ordinance applies to all lands, public and private, within the Town's jurisdiction. The Ordinance does not regulate utility line maintenance. Policy is based on an informal agreement between the city and the power company.</p>	<p>Utility line maintenance plan reviewed by Urban Forester.</p> <p>Utility Company is required to notify the Urban Forester and the public (door hangers) prior to work beginning.</p> <p>Tree removal on public property requires that the Urban Forester reviews the work plan. The Urban Forester conducts a field inspection to identify potential issues and responds to any citizen request for review.</p> <p>The Urban Forester does not approve tree removals. The decision to remove trees is the responsibility of the utility company.</p>	ANSI A300	None	<p>Appeals go to the Board of Adjustment.</p> <p>Appeals from the Board of Adjustment go to Superior Court.</p> <p>The appeal process applies to all sections of the ordinance however, is not applied to the Utility Company's line clearing maintenance work as the ordinance does not specifically regulate this activity. The agreement between the town and the power company constitutes the Town's approval. Any discrepancies derived from this activity are resolved by the Urban Forester and Duke Energy's supervisor.</p>

Charlotte	Duke Energy	<p>Tree Ordinance (2003) – applies to all trees on public or private property. City regulations relative to utility line clearing apply only to trees growing on Public property. These regulations are complied with via agreement between the city and the utility company versus strict application of the ordinance is not enforced.</p>	<p>Utility company must notify city Arborist prior to beginning any work.</p> <p>Utility company must submit to the city Arborist a utility maintenance plan which includes tree maintenance standards.</p> <p>The City Arborist issues a blanket permit (actually more like an approval – no written permit is issued) to the utility company upon approval of the plan. Plans are reviewed periodically as the utility submits them. The blanket permit/approval revolves as plans are submitted. There is no fee for the permit/approval.</p> <p>City Arborist does conduct inspections of the proposed work prior to it beginning as part of the review process. The arborist also responds to issues either from citizens, Duke energy personnel or Duke’s contractors. No formal follow inspections are conducted after the work has been completed.</p>	ANSI A300	None	<p>Any person who feels as though the strict application of the ordinance is not practical or possible may request a Modification which is process at staff level. The applicant must submit an alternate plan which demonstrates how they would best be able to comply with the ordinance.</p> <p>Any person dissatisfied with a decision of the Urban Forester involving the interpretation or application of the ordinance or the denial of a modification may make a written request to file an appeal to the Tree Advisory Commission.</p> <p>Appeals from the Tree Advisory Commission go to Superior Court.</p> <p>The appeal process can be applied to all aspects of the ordinance including the utility line clearing. However, virtually all issues relevant to line clearing are resolved between the City Arborist and the Duke Energy supervisor.</p>
Raleigh	Progress Energy (now merged with Duke Energy)	<p>The Franchise Agreement requires that the utility company comply with city code of ordinances.</p> <p>Tree Ordinance (1991) – The Utility line maintenance regulations applies to Public Property.</p> <p>The Ordinance is enforced and inspections for compliance are conducted by city staff.</p>	<p>Utility company must notify Urban Forester prior to beginning any work.</p> <p>Utility company must submit to the Urban Forester a utility maintenance plan which includes tree maintenance standards.</p> <p>The Urban Forester shall issue a permit to the utility company upon approval of the plan. Permits are renewed quarterly. \$60.00 fee per permit application is waived for the utility company.</p> <p>Utility company required to clean up debris and grind stumps to 6” below grade.</p> <p>Utility company shall not block the public right of way overnight.</p> <p>Utility company is responsible for any damage to city or private property that has resulted from their work.</p> <p>Utility company shall post any tree to be removed with a public notice poster provided by the city 24 hours prior to the tree’s removal.</p>	ANSI A300	<p>Horizontal distance from primary lines = 7.5’ Horizontal distance from secondary lines = 4’ Horizontal distance from telephone/cable lines = 2’</p> <p>Vertical distance above the primary lines = 8’ Vertical distance above secondary lines = 6’ Vertical distance above the telephone/cable lines =4’</p> <p>Vertical distance below the primary lines = 6’ Vertical distance below secondary lines = 4’ Vertical distance below telephone/cable lines = 2’</p>	<p>Any person dissatisfied with a decision of the Urban Forester involving the interpretation or application of the ordinance may make a written request to City Council for review. This applies to utility line maintenance as this aspect of tree management is regulated by the ordinance.</p>

Cary	Progress Energy (now merged with Duke Energy)	Tree Ordinance (2002) does not regulate utility line maintenance. Policy is based on an informal agreement between the city and the power company. No permit is issued.	Requires the utility company to notify the city prior to beginning any work.	ANSI A300	None	<p>Any person dissatisfied with a decision of the Urban Forester involving the interpretation or application of the ordinance may make a written request to file an appeal to the Board of Adjustment.</p> <p>Appeals from the Board of Adjustment go to Superior Court.</p> <p>The appeal process is not applied to the Utility Company's line clearing maintenance work.</p>
Greensboro (current)	Duke energy	Tree Ordinance, Chapter 30-12.1 (2000) does not regulate utility line maintenance. The tree ordinance applies to all commercial, multi-family and industrial zoned properties. Policy for utility line maintenance is based on an informal agreement between the city and the power company. No permit is issued.	Utility company required to notify City (City Manager's Office, Community Relations, Planning and Community Development, Engineering and Inspections, and Field Operations.) City will assist on debris removal for trees on city property.	ANSI A300	None	<p>Any person who feels as though the strict application of the ordinance is not practical or possible may request a Modification which is process at staff level. The applicant must submit an alternate plan which demonstrates how they would best be able to comply with the ordinance.</p> <p>Any person dissatisfied with a decision of the Urban Forester involving the interpretation or application of the ordinance or the denial of a modification may make a written request to file an appeal to the Board of Adjustment</p> <p>Appeals from the Board of Adjustment go to Superior Court.</p>
Greensboro (current)	Duke Energy	Chapter 19, Regulation of Trees on Public Lands (1990). The ordinance applies only to public property. This Ordinance has been inactive for several years possibly as far back as the mid 90's.	<p>Parks and Recreation Director must notify property owners within 100' of a tree to be removed 30 days prior to the removal. The notice shall include the description and extent of the tree removal, the location of the tree(s) to be removed including a map and the appeal process.</p> <p>No trees except those on listed on a street plan, are to be planted within 20' of an overhead utility line.</p> <p>Parks and Recreation Director to prepare an annual written plan for the management of vegetation growing on public property.</p> <p>The plan sited above is to be submitted to the Parks and Recreation Commission for approval.</p> <p>Parks and Recreation director shall issue a permit for the planting, pruning or removal of any tree on public property.</p> <p>All stumps shall be ground down or removed flush with existing grade (doesn't say who has to do this)</p>	The "Shigo Method" AKA ANSI A300	None	<p>All appeals shall be made to a subcommittee appointed by the Parks and Recreation Commission.</p> <p>All appeals must be in writing and filed within 10 days of receiving notice of the tree removal.</p> <p>All appeals must be submitted to the Parks and Recreation director as well as the Director of any City Department from which the notice was received.</p> <p>The subcommittee shall hear the case at their regular monthly meeting and respond to the applicant within 5 days following a decision.</p> <p>Appeals from the subcommittee may be delivered to the Parks and Recreation Commission per the provisions of Section 19-45.3.</p> <p>Appeals from the Parks and Recreation Commission shall be heard by City Council provided the applicant submits a notice of appeal to the City Clerk within 10 days of the Commission's decision.</p>

