



Street Tree Removal/Replanting Permit
Dallas Community Development Department
Dallas Municipal Code Section 3.8

Official Use Only:
 File No.: _____
 Date: _____
 Fee: _____ PAID

This application is for the removal of STREET TREES only (trees in the public right-of-way, usually on the front of the property near the street or sidewalk within ten (10) feet of the street). Street trees are defined as trees, shrubs, bushes and all other woody vegetation on land lying within the public right-of-way on all streets, or other public rights-of-way within the city. Street trees may only be removed if they are diseased or constitute a nuisance or hazard to public safety. An arborist report may be required with the submittal of a removal permit application. To request approval to remove a street tree, please complete this application form and return it with attachments to the Dallas Planning Department, City Hall, Second Floor, 187 SE Court Street, Dallas, Oregon 97338.

Section 1 – Applicant Information

Name(s): _____
 Mailing Address: _____ Site Address _____
 Email: _____ Phone Number: _____ Cell Number: _____

Section 2 – Property Owner Information (If not applicant)

Property Owner(s): _____
 Mailing Address: _____
 Email: _____ Phone Number: _____ Cell Number: _____

Section 3 – Project Description

Attach Site Plan showing tree(s) location(s)

Species of tree(s) to be removed: _____ Size(s) of Tree Trunk: _____

Describe the reason for removal (See attached for removal requirements):

(This question is completed by City Staff) Arborist Report Required Y N _____ Initial

Name of contractor: _____
 Address of contractor: _____
 Telephone number of contractor: _____
 Date/Time work is scheduled: _____

REPLACEMENT TREE PLANTING:

Type of tree(s) to be planted: _____

Number of trees to be planted: _____

Date/Time work is scheduled: _____

Section 4 – Street Tree Removal Requirements (DMC Section 3.8)

3.816 REMOVAL OF STREET TREES.

- (1) No person shall remove or cause to be removed a street tree without first obtaining a permit and complying with the requirements set forth in this section.
- (2) A person may remove a street tree only if the street tree is diseased or, by reason of its location or condition, constitutes a nuisance or hazard to public safety.
- (3) A person wishing to remove a street tree shall submit an application for a tree removal permit with the Planning Manager, who may refer the application to the Board. The application shall be accompanied by a fee as the council may establish by resolution, and shall include the following:
 - (a) Facts that establish the reason for the removal of the tree, including the location, size, species and health of the tree;
 - (b) Evidence satisfactory to the Manager that the applicant has the right to remove the tree;
 - (c) The name of the person or entity that will remove the tree and the person's or entity's qualifications.The tree may be removed only by the person or entity identified on the application.
- (4) An application under this section shall be accompanied by a report of an arborist that supports the application, unless this requirement is excused in the case of an emergency or for other good cause by the Manager.
- (5) The person removing the tree shall obtain a good and sufficient bond or policy of general liability insurance insuring the city, its directors, officers, employees and agents, against liability for property damage, personal injury and death arising from or related to the removal of the tree, in such amount as the Manager deems sufficient, and shall agree to defend, indemnify and hold the city, its directors, officers, employees and agents harmless from all claims, liabilities, demands arising from or relating to the removal of the tree.
- (6) All stumps of street trees shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground.
- (7) The Manager may, as a condition of a permit under this section, require the applicant to replant a tree to replace the tree removed, in accordance with Dallas Development Code 3.2.040. If the Manager determines that it would be unsafe, impractical or inappropriate to replant a tree on the same property as the property from which the tree was removed, the Manager may require the applicant to pay the cost of replanting a tree to replace the tree removed on other public property. Such cost shall include the cost of the tree and a reasonable charge for labor, materials and equipment used to plant the tree.
- (8) In addition to the penalty provided in section [3.820](#), a person who removes a street tree without first obtaining a permit under this section shall be subject to prosecution for a criminal offense under this code or under state law.

[Section [3.816](#) added by Ordinance No. 1680, passed April 7, 2008; amended by Ordinance No. 1724, passed June 21, 2010.]

3.818 REVIEW BY CITY COUNCIL.

Any person aggrieved by a decision of the Board may appeal such decision to the City Council by filing a notice of appeal within ten days following the effective date of the decision appealed from. The City Council may by resolution establish a fee for any such appeal.

[Section 3.818 added by Ordinance No. 1680, passed April 7, 2008.]

3.820 PENALTY.

Any person found in violation of any provisions of sections [3.800](#) through [3.818](#) shall, upon conviction, be subject to a fine not to exceed \$1,250. (Section 3.820 added by Ordinance No. 1680, passed April 7, 2008.)

48 hours prior to digging (not counting weekends or holidays) call 1-800-332-2344 or 811 to arrange for all utility companies to mark the locations of their underground utilities.

Section 5 – Signatures Required

Proof of insurance must be provided prior to work in the right-of-way. Insurance type and amounts required are as follows:

Liability and Property Damage Insurance. The Contractor/owner shall obtain and at all times maintain a policy or policies of general liability insurance in an amount not less than \$1,000,000 per occurrence, \$2,000,000 aggregate, and shall name City as an additional insured thereon. Contractor shall provide City with a certificate of insurance as proof of such coverage, which shall provide that coverage may not be terminated until completion of tree removal and cleanup.

Furthermore, the Contractor shall indemnify and hold harmless the City of Dallas, its officers, employees, and agents from and against all losses and claims, demands, suits, actions, recoveries or judgments of every name and description recovered brought for or on account of any damage, injury, loss expense, inconvenience, or delay received or sustained, or claimed to be received or sustained by any person or persons, as a result of the performance of the work to be done under the Contract of from any act, omission, or neglect of the Contractor, his subcontractors, or his employees.

I acknowledge and agree to the above: _____ Date: _____
Contractor

I hereby certify the statements contained herein, along with the information submitted, are in all respects true and correct to the best of my knowledge. In addition, I understand that by signing this application, I agree to all conditions of approval.

PROPERTY OWNER(S)

Property Owner's Signature: _____ Date: _____

Property Owner's Signature: _____ Date: _____

APPLICANT(S)

Applicant's Signature: _____ Date: _____

Applicant's Signature: _____ Date: _____

Section 6 – Review and Approval

For Staff Use Only:

Staff
Authorization: _____ Date _____

DENIED: _____

CONDITIONS:

