

CITY OF BERWYN
ORDINANCE NO. 22-06

ADOPTED BY THE CITY COUNCIL
OF THE
CITY OF BERWYN

ORDINANCE 22-06

STATE OF ILLINOIS }
 }
COUNTY OF COOK } SS

CERTIFICATE

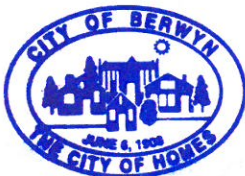
I, Margaret Paul, certify that I am the duly elected City Clerk of the City of Berwyn, Cook County, Illinois.

I further certify that on July 26, 2022 the corporate authorities of said municipality passed and approved **Ordinance No. 22-06** entitled:

An Ordinance Chapter 1028, Section 18 of the Codified Ordinances Regarding the Preservation, Protection, and Enhancement of the Urban Forest Located on Public Property for the City of Berwyn, County of Cook, State of Illinois

I further certify that this is a true and correct copy of Ordinance 22-06. The original Ordinance is filed in the records of the City of Berwyn, County of Cook, and State of Illinois.

(SEAL)



Margaret Paul

Margaret Paul, City Clerk

Date

July 28, 2022

THE CITY OF BERWYN
THE CITY OF BERWYN, ILLINOIS

ORDINANCE

NUMBER # 22-06

**AN ORDINANCE CHAPTER 1028, SECTION 18 OF THE
CODIFIED ORDINANCES REGARDING THE PRESERVATION,
PROTECTION AND ENHANCEMENT OF THE URBAN FOREST
LOCATED ON PUBLIC PROPERTY FOR THE CITY OF BERWYN,
COUNTY OF COOK, STATE OF ILLINOIS**

**ROBERT J. LOVERO, Mayor
MARGARET PAUL, City Clerk**

**JAMES "SCOTT" LENNON
JAMES WOYWOD
RICHARD LEJA
ROBERT W. FEJT
ROBERT PABON
ALICIA M. RUIZ
MARYBETH ARENELLA
JOSEPH CARMICHAEL**

Aldermen

**Published in pamphlet form by authority of the Mayor and City Clerk of the City of
Berwyn, Illinois on July 26, 2022**

ORDINANCE No.: 22-06

AN ORDINANCE CHAPTER 1028, SECTION 18 OF THE CODIFIED ORDINANCES REGARDING THE PRESERVATION, PROTECTION AND ENHANCEMENT OF THE URBAN FOREST LOCATED ON PUBLIC PROPERTY FOR THE CITY OF BERWYN, COUNTY OF COOK, STATE OF ILLINOIS.

WHEREAS, the City of Berwyn, Cook County, Illinois (the “City”) is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the “Home Rule Powers”); and

WHEREAS, the Mayor and the City Council of the City of Berwyn (the “Corporate Authorities”) has determined that it is in the best interests of the City to recognize the services and function that trees provide as a collective asset to the entire community and to state the goals of the City with the respect of protection, preservation care and planting of trees on public lands; and

WHEREAS, the specific goals of this ordinance are to:

- A. Protect, preserve and enhance the quality of life and general welfare of the City of Berwyn, its residents and its property owners; and conserve and enhance the City of Berwyn’s natural, physical and aesthetic environment.
- B. Preserve, protect and enhance the urban forest to ensure that trees are properly planted and maintained within the City of Berwyn so that trees can protect, enhance and preserve the quality of life for people within the City of Berwyn.
- C. Recognize the trees are an integral part of the infrastructure of the City of Berwyn and as such should be preserved, protected and cared for as other critical City of Berwyn infrastructure.
 - a. Trees absorb pollution from the air;
 - b. Trees absorb and sequester carbon dioxide;

- c. Trees absorb and filter pollution from stormwater run-off;
 - d. Trees produce oxygen;
 - e. Trees reduce flooding;
 - f. Trees stabilize soils and reduce erosion;
 - g. Trees cool the surrounding area helping to reduce impacts due to heat islands;
 - h. Trees reduce energy consumption by shielding structures from harsh winds and sun;
 - i. Trees provide a buffer and screen against noise, light and pollution;
 - j. Trees improve property values;
 - k. Trees improve commercial district buyer traffic and purchasing;
 - l. Areas with trees have lower crime rates;
 - m. Areas with trees have higher levels of community interaction;
 - n. Trees provide important habitat for birds and other wildlife; and
 - o. Trees protect and enhance our quality of life.
- D. Trees provide the City of Berwyn Collective benefits that extend beyond property boundaries throughout the entire City of Berwyn.
- E. Recognize that some trees may have a condition that constitutes a threat, danger or nuisance to the public or property within the City of Berwyn or may be dangerous to the health of other trees and vegetation in the City of Berwyn.

WHEREAS, based on the foregoing, the Corporate Authorities determine that it is necessary, advisable and in the best interests of the City to instate Ordinance 1028.18 of the Code as set forth below.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Berwyn, Cook County, Illinois, by and through its Home Rule Powers, as follows:

Section 1. The statements set forth in the preambles to this Ordinance are found to be true and correct and are incorporated into this Ordinance as if set forth in full.

Section 2. Chapter 1028, Section 1028.18, of the Codified Ordinances is instated as follows:

§ 1028.18 PRESERVATION, PROTECTION AND ENHANCEMENT OF THE URBAN FOREST LOCATED ON PUBLIC PROPERTY.

Statement of Purpose:

This section of the code is structured to preserve, protect and enhance critical infrastructure – the portion of the urban forest that is located on public land. The complete urban forest is comprised of trees across all land uses and ownership on public and private land. This Section will regulate public property trees but recognizes that trees on private property are part of the collective community resource.

Definition of Terms:

Diameter At Breast Height (DBH) – The diameter of the trunk of the tree measured in inches at a point 4.5 feet above ground line. This forestry standard measurement is used for established and mature trees and is referred to as DBH. All reference to diameter size shall be to the DBH.

Forest Management Plan - A detailed plan developed and approved by the Governmental Entity under the direction of a certified arborist or forester which protects this valuable infrastructure and outlines thoughtful strategies for tree planting, selection, care and preservation for the Governmental Entity and complies with recognized national standards.

Tree Permit – A written authorization from the Governmental Entity authorizing the applicant to conduct work which may or may not impact a tree.

Tree Preservation Plan – A document required by a permit which identifies, by common name and/or scientific name, certain species of trees of a specified DBH within a particular area. The plan shall list all existing and proposed trees and shall specifically state how each tree is proposed to be destroyed, relocated, replaced, preserved at its present location, introduced into the site from an off-site source, and whether the tree is to receive remediated actions due to construction impacts.

Scope of Protection:

- A. The City of Berwyn shall have an approved Urban Forest Management Plan. This plan shall be the framework for the protection, management and planting of trees within the City of Berwyn and shall support and clearly define regulations identified in the Tree Preservation Ordinance.

This plan shall include the following:

1. A defined ten-year urban forestry strategy with clearly identified one, five , and ten years goals;
 2. Community canopy mapping identifying existing tree canopy and priority locations for planting
 3. A strategy for completion and maintenance of a tree inventory;
 4. Clear guidelines on tree species and age diversity;
 5. Clear identification of replacement value and requirements for tree removal or damage;
 6. A preferred tree list;
 7. Clearly defined specifications for tree planting, pruning, and impact reduction;
 8. A risk assessment and management program;
 9. A strategy for management, preservation and protection of naturalized areas;
 10. A strategy for administration and implementation of a volunteer program;
 11. Clear identification of staff qualifications, training, support and needs;
 12. Specifications for contracted labor and consulting;
 13. Clear identification of forestry equipment and resource needs; and
 14. A forestry budget with one, five and ten year commitments.
- B. The City of Berwyn shall have on staff at least one certified arborist. Any urban forestry work completed by a contractor within the City of Berwyn shall be under the direction of a certified arborist. This individual is responsible for enforcement and compliance of the Urban Forest Management Plan.
- C. The City of Berwyn shall have an urban forest inventory of publicly owned trees. This inventory shall be maintained in a current state. Reinventory may be required every 5-7 years unless the inventory is updated with the pruning cycle or is updated as part of routine tree maintenance.
- D. All tree planting, selection and management shall be in compliance with the City of Berwyn Urban Forest Management Plan.
- E. It is recognized that diverse species and age structure of urban trees throughout the City of Berwyn are critical to the health of the forest structure and protects the City of Berwyn from catastrophic loss and improved longevity. Specifications for species and age diversity, planting and management are contained in the Urban Forest Plan.

Tree Protection During Construction:

This Section applies to any work or activity which may impact trees on public property.

- A. Unless otherwise authorized by this Section, it shall be unlawful for any person to remove, injure or undertake any procedure which will cause death, substantial damage, or create a hazard, to any tree on public property without first obtaining a Tree Permit from the City of Berwyn. In the case of tree management practices, these practices shall comply with the requirements identified in the Urban Forest Management Plan.

B. Tree protection during construction will be performed in accordance to American National Standards Institute (ANSI) A300 standards. A full description of tree protection during construction can be found in the Urban Forest Management Plan.

List of Prohibited and Preferred Species:

A list of prohibited and preferred species can be found in the Urban Forest Management Plan.

Prohibition of Topping:

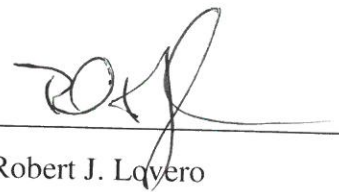
All trees will be pruned in accordance with ANSI A 300 standards as outlined in Urban Forest Management Plan.

[INTENTIONALLY LEFT BLANK]

ADOPTED by the City Council of the City of Berwyn, County of Cook, State of Illinois on this 26th day of July, 2022, pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Lennon	✓			
Woywod	✓			
Leja	✓			
Fejt	✓			
Pabon	✓			
Ruiz	✓			
Arenella	✓			
Carmichael	✓			
(Mayor Lovero)				
TOTAL	8			

APPROVED by the Mayor on this 26th day of July 2022.



Robert J. Lovero
MAYOR

ATTEST:



Margaret Paul
CITY CLERK

