

Some trees get protection

Trees:

New ordinance passed by council prohibits cutting down street trees

Save Normans Trees was formed out of frustration over losing trees to OG& E contractors in 2017.

On Tuesday, the group secured a small victory as the city council passed new ordinances regulating street trees and vegetation management.

The tree ordinance is primarily focused on protecting trees in the public rights of way and generally

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requires permission from the city forester to remove or alter trees growing in the city rights of way.

“It just affects street trees, which are defined as those growing in the portion of the right of way between the sidewalk and the street,” interim City Attorney Kathryn Walker said. “If there is no sidewalk, then [the ordinance applies

to] those within six feet of the edge of the street.”

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Since the city is without a forester on staff — a position that has been called for but won’t likely materialize until next year — Walker said enforcement is up to the parks and recreation department.

There are a number of exceptions noted in the ordinance, such as the removal of diseased trees, and the ordinance does not apply to rural areas west of West 48th Avenue and east of East 36th Avenue.

The possible penalty for removing a subject tree without permission from the city is an administrative fine, which can be offset by planting replacement trees, or a municipal court citation. Permission denials can be appealed to the city manager.

Ward 4 council member Bill Hickman said the goal of the ordinance, which came out of the Community

with certified arborist standards — the ANSI A300 standards.”

Ward 5 council member Sereta Wilson was absent Tuesday.

Charter review postponed: A dozen charter amendments were on the agenda to be sent to a charter review commission Tuesday, but the council opted to delay the vote. The proposals are slated to be the subject of a study session April 4.

“It seems like it’s really important for us to go back and have a substantial discussion about this before we take this vote,” Mayor Lynne Miller said.

The proposed amendments include: Establishing an elected utilities board to replace voter authorization for utility rate increases.

Increasing the length of council and mayoral terms to three and four years, respectively.

Planning and Transportation Committee and with recommendations from the Norman Tree Board, is to protect Norman's tree canopy and eliminate the unnecessary removal of healthy trees. It also allows for residents to seek historic designation for trees that fit certain criteria.

"I'm really pleased to see that we're getting this done," Hickman said, praising the efforts of fellow council member Joe Carter.

Though the ordinance passed unanimously, not everyone was pleased with the decision. Resident Mary Hogan protested.

"When you come onto our private properties, it really does concern me," she said. "We have to deal with the diseases, the maintenance, the trimming that [has] cost us ... It's kind of putting the burden on those of us who have trees instead of Bermuda grass."

The city's new vegetation management ordinance requires utility companies to work with the city and identify planned maintenance in advance.

The ordinance codifies the Oklahoma Corporation Commission requirement of reasonable attempts for prior notification to property owners. It also clarifies that utility companies are required to make reasonable efforts to meet with owners and residents to explain maintenance objectives, methods and expected impacts to trees.

Like the tree ordinance, the new vegetation management ordinance does not attempt to restrict right of way activities of utility companies. Walker said there are state and federal laws that restrict what the city can legally enforce.

"There are a lot of regulations that already apply to utilities and their activities in the right of way," she said. "This really just makes sure that the utilities and the city are communicating so we can make sure that citizens get information and as much notice as possible about when work will be happening in their area and that they'll be doing it in accordance

Increasing the monthly stipend for council members.

Reimbursement for council cell phone expenses.

Increasing the number of hospital board members from nine to 11.

Making a city attorney position appointable by the council.

Language related to the creation of a council-appointed city auditor position.

Any changes to the city charter require approval from voters and the governor.

Miscellaneous comments: Some controversy emerged from the miscellaneous comments portion of Tuesday's meeting when a resident used his time to protest the practice of abortion.

Though the issue of abortion rights is outside the purview of the Norman City Council, interim City Attorney Kathryn Walker said it is within the bounds of what is allowed during miscellaneous comments.

"We don't have any rules regarding miscellaneous discussion having to pertain to the agenda or anything like that," Walker said. "When you have a public forum like what we've created, we cannot exclude people based on their viewpoints.

"We've let people play the flute, the guitar, talk about mosquitoes and talk about abortion. We can't really limit that speech based on their viewpoint."

In this 2017 file photo, a utility contractor trims tree limbs away from power lines.

Mack Burke / The Transcript