

CHAPTER 558
Tree Removal Program

558.01 PURPOSE.

The City of Massillon, through the Office of the Director of Public Service and Safety, is hereby authorized to assist private property owners in the removal of overgrown, dead, diseased or obstructing trees located within the Right of Way or Tree Lawn in accordance with the procedures set forth in this Chapter. The purpose of this Chapter shall be to encourage private property owners located in the City of Massillon to remove the above described trees before they become an immediate hazard. The program shall be limited to tree and stump removal projects which comply with the criteria set forth in this Chapter and subject to the availability of City funds.

558.02 ELIGIBILITY.

Eligibility to participate in the Tree Removal Program (the "Program") is extended to any property located in the City of Massillon that qualifies as an eligible project as defined by this Chapter.

558.03 CRITERIA TO DETERMINE ELIGIBLE TREE REMOVAL PROJECTS.

For purposes of the Program, the following criteria will be considered in determining eligible tree removal projects:

- (1) Trees must be located in the right-of-way or tree lawn of the property in question;
- (2) Trees must be overgrown (minimum 36" in circumference), dead, diseased or obstructive;
- (3) Stumps must be removed as part of the project.

558.04 RESPONSIBILITIES OF CITY.

The City of Massillon will pay fifty percent (50%) of the total approved project cost, up to a maximum of three thousand dollars (\$3,000.00), for the removal of any tree and stump as determined to be an approved eligible project in accordance with the Program.

558.05 RESPONSIBILITIES OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY.

The Director of Public Service and Safety or an assigned designee shall be responsible for implementing the procedures contained in this Chapter and shall have sole and final discretion in determining the City of Massillon's participation in any proposed tree project.

558.06 RESPONSIBILITIES OF PROPERTY OWNERS.

The participating property owners shall be responsible for all remaining costs beyond the City's responsibility as provided in Section 558.04 associated with the removal of applicable trees which shall conform to the City of Massillon's specifications listed in Chapter 558 and in accordance with all other governing ordinances. The property owners shall provide the City digital photos or video evidence of the project area prior to construction of the project, to be used as reference for any claims of negligence arising after the completed project. The property owners shall also be responsible for negotiating with and payment to any utility companies for the relocation of any utilities affected by the participation in the Program.

[APPLICATION \(Click Here\)](#)

558.07 APPLICATION PROCEDURES.

- (a) The Director of Public Service and Safety or an assigned designee shall establish procedures by which written applications requesting the City of Massillon's assistance for tree projects may be initiated. The application shall contain all of the following:
 - (1) A description of the proposed project, which must include digital photos or video evidence of the proposed project;
 - (2) A sketch plan drawing that includes the limits of the project area; and
 - (3) A minimum of two (2) price estimates from tree contractors which includes stump removal.
- (b) Applicants shall submit their completed application to the City of Massillon Director of Public Service and Safety. Applications will be time stamped upon submission.
- (c) The Director of Public Service and Safety or an assigned designee shall reject any application in the event that the applicant or property owner is delinquent by more than thirty (30) days to the City of Massillon on the payment of any tax bill, sewer bill, or other City generated debt at the time of making said application. All applicants must be current on all applicable property taxes.

558.08 APPROVAL REQUIRED.

The Operations Superintendent shall approve all plans, specifications, materials and grades associated with the project; the project shall additionally be subject to all requirements contained in this Chapter, as well as any other applicable Chapters or Sections of the Codified Ordinances of the City of Massillon.

558.09 CONTRACT REQUIREMENTS.

- (a) The Director of Public Service and Safety shall execute an award agreement which shall detail the respective obligations of the parties. The agreement shall provide as a minimum that the property owners and tree contractor shall hold the City of Massillon free and harmless from any expenses in excess of the responsibilities prescribed in Section 558.04, or any other liabilities associated with the project. The agreement shall also provide that upon completion of the project and final inspection and approval by the Operations Superintendent, the tree contractor shall issue an invoice directly to the City of Massillon for payment of the City's portion of the eligible approved project cost, in accordance with Section 558.04.

The agreement shall state that all projects must be completed within ninety (90) days after application approval, unless otherwise extended by the Director of Public Service and Safety or their designee.

[APPLICATION \(Click Here\)](#)