

Ordinance **1026.08 PROHIBITED SPECIES** (Trees & Shrubs)

Recommendations:

1. Recommend including Latin names, for clarification. Several already are listed this way; all should be shown with full botanical and common names, for clarification.
2. We list shrubs as not permitted to be planted in public places. What is the intent of this restriction? There is an exception for Bexley Parks Department.
3. Because it appears we may be planting shrubs in common areas of the city (e.g. outside of City Hall,) a list should be included under this ordinance.
4. Unless it already exists, consider adding:
 - a. Subsection: Prohibitions
 - i. No person shall attach or place any rope, wire, sign, poster, handbill, or other thing on a city tree, shrub, or plant.
 - ii. No person shall alter any city tree.
5. Reference to a Director – is this still accurate?
6. Can we include verbiage that states no English ivy, wintercreeper or any other vine may be allowed to climb a city tree?

Ordinance **1492.01 Vegetation/Weed Control Required.**

1. For simplification, can we cite Ohio Administrative Code Rules instead of attempting to list every single noxious weed we don't permit?
2. Refer to Akron, OH's noxious weed ordinance which includes:
 - a. "Noxious weeds" shall have the same meaning as in Section 901:5-37-01 of the Ohio Administrative Code (as may be amended) and shall also mean poison ivy and poison oak.
3. If we can't make the ordinance all-encompassing, we should add:
 - a. Lythrum salicaria, purple loosestrife

Banned from planting on city streets/public spaces:	Common Name	Currently shown in ordinance:	Notes
Acer negundo	box elder		brittleness, suckering, susceptibility to boxelder bus, and a tendency to seed heavily.
Acer saccharinum	silver maples		tendency to sprout from the base and will sometimes form a multi-stemmed tree when you. Doesn't have ability to resist decay which makes it more prone to serious breakage from weakened branches and stems.
Ailanthus altissima	tree of heaven		forms dense, clonal thickets which displace native species. Preferred food source for spotted lantern fly.
Catalpa speciosa	Northern catalpa	catalpa - all common species, cultivars and	Native tree; messy fruit/plant parts. Weak wood and branch structure.
Ginkgo biloba	Ginkgo; Maidenhair Tree	female only	Females produce seeds with a soft, fruitlike covering that can be messy and have a potent odor.
Morus alba	White mulberry	mulberry - all fruiting species, cultivars and	Aggressive/invasive. Weak wood and branch structure.
Populus nigra	Black poplar;	poplar - all common species, cultivars or	Weak wood and branch structure. Highly susceptible to Cytospora canker, a fungal pathogen
Salix		willow - all common species, cultivars or	
Ulmus pumila	Siberian elm		Invasive traits that enable them to spread aggressively.
Shrubs (is this correct?)			
Horse chestnut Aesculus hippocastanum	Horse chestnut	all fruiting species; cultivars and varieties	Messy fruit/plant parts. Non-native.
Apple Malus	Apple -		May want to add: all fruiting species; cultivars and varieties
Black locust Robinia	Black locust		Invasive traits that enable them to spread aggressively.
American Elm Ulmus americana	American elm	all fruiting species;	Prone to Dutch elm disease.
European white birch Betula pendula	European white birch, silver birch, warty birch, weeping		Highly susceptible to bronze birch borer. Non-native.
European Mountain ash Fraxinus excelsior	European ash		Highly susceptible to emerald ash borer. Non-native.
American Sweet gum Liquidambar styraciflua	sweet-gum, American sweet-	unless fruitless variety	Intolerant of pollution. Marginally hardy, messy fruit/plant parts.

Bradford pear - <i>Pyrus calleryana</i>	Callery pear; Bradford pear		Invasive traits that enable them to spread aggressively.
Add?			
<i>Catalpa bignonioides</i>	Southern catalpa		Native tree; messy fruit/plant parts. Weak wood and branch
<i>Morus rubra</i>	Red Mulberry		Native tree; messy fruit/plant parts. Weak wood and branch
<i>Populus deltoides</i>	Eastern Cottonwood		Highly susceptible to ice damage; roots prone to invading sewer pipes; weak wood and branch structure.



LEAD for Pollinators, Inc.

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Resolution Recognizing National Pollinator Week, June 21-27, 2021

and the environmental work of Councilman Rich Swirsky

City of Akron, Ohio

WHEREAS, pollinator species such as birds and insects are essential partners of farmers and ranchers in producing much of our food supply; and

WHEREAS, pollination plays a vital role in the health of our forests and grasslands which provide forage, fish and wildlife, timber, water, mineral resources, and recreational opportunities as well as enhanced economic development opportunities for communities; and

WHEREAS, pollinator species provide significant environmental benefits that are necessary for maintaining healthy, biodiverse ecosystems; and

WHEREAS, pollinator species make possible one in three bites of a nutritious diet for humans; and

WHEREAS, pollinators provide pollination services for fruits, nuts, and vegetables supporting urban farms, which helps to reduce food insecurity in our community;

WHEREAS, pollinator habitat protects soil and water quality by mitigating runoff and protecting against soil erosion; and,

WHEREAS, pollinator diversity provides ecosystem services including pest population reduction; and

WHEREAS, the City of Akron lies along the Monarch Butterfly migratory route wherein increased pollinator habitat can provide refuge and food at the beginning and end of the Monarchs annual migration from Mexico to Canada; and

WHEREAS, Councilman Rich Swirsky worked passionately on behalf of our environment;

NOW, THEREFORE, I, Mayor Daniel Horrigan, Mayor of the City of Akron, Ohio, do hereby proclaim the week of **June 21-27, 2021**, Akron, Ohio Pollinator Week throughout the City of Akron, Ohio, and urge all citizens to recognize this observance.

Our mission is to provide leadership, education, action, and development to support the health and sustainability of honey bees, native pollinators, and the keepers of the ecosystem.

LEAD for Pollinators is a 501c3 nonprofit organization.

March 18, 2022

Offered by: COUNCILWOMAN HOLLAND, COUNCILMAN FUSCO

ORDINANCE NO. _____-2022 amending and/or supplementing Title 9, Chapter 94 "Health, Safety and Sanitation," Article 2 "Nuisances," Section 94.29 "Noxious Weeds" of the Akron Codified Ordinances in order to support the habitats of pollinating insects; and declaring an emergency.

WHEREAS, there is a national effort to protect pollinators, such as bees and monarch butterflies, whose survival is critical to food supply and a healthy ecosystem; and

WHEREAS, the loss of milkweed plants, loss of habitat, and climate change, particularly along annual migratory paths, pose the greatest threat to the survival of the monarch butterfly population; and

WHEREAS, Northeast Ohio is in the annual migratory flight path of the monarch butterflies and local efforts to conserve the habitat and nectar sources of monarch butterflies will directly benefit the monarch butterflies that pass through Akron; and

WHEREAS, changes to Section 94.29 of the Akron Codified Ordinances updates the plants considered as "noxious weeds" to exclude certain plants that may be beneficial to pollinating and migratory insects, such as monarch butterflies, and further aligns the City's defined "noxious weeds" with those defined by the State.

NOW, THEREFORE, BE IT ENACTED by the Council of the City of Akron:

Section 1. That Title 9, Chapter 94 "Health, Safety and Sanitation," Article 2 "Nuisances," Section 94.29 "Noxious Weeds" of the Akron Codified Ordinances is hereby amended and/or supplemented to read as follows:

94.29 - Noxious weeds.

A. Definitions. For purposes of this section, the following definitions shall apply:

1. "Noxious weeds" shall have the same meaning as in Section 901:5-37-01 of the Ohio Administrative Code (as may be amended) and shall also mean poison ivy and poison oak.
2. "Unmaintained plants" means all plants or vegetation, but does not include mowed grasses (turf lawns), trees, shrubs, cultivated flowers, gardens, or plants that are planted and maintained as part of landscaping, erosion control, or rain gardens.
3. "Mowed grasses" or "turf lawn" means an area of grass not to exceed eight inches in height that does not contain unmaintained plants.
4. "Master mowing list" means a record maintained by the City that includes properties that have failed to comply with this section.

- B.** ~~A.~~ No person who is the owner **of and/or** in charge **control** of **or responsible** for land within the City shall permit to grow **on such land** thereon any ~~ragweed, field daisies, goldenrod, burdock, yellowdock, dandelions, thistles, jimson weeds, milkweeds, polygonum, mullein, poison ivy, poison oak, or other weeds or~~ **plants that are noxious weeds. Nor shall a person who is the owner of and/or in control of or responsible for land within the City permit to grow on such land unmaintained plants and/or** grasses of rank growth, exceeding eight inches in height. Inspection shall occur during the growing season, beginning not later than April 1st of each year, and concluding no earlier than the first killing frost as recorded by the ~~Department of Commerce, National Weather Service Office of local jurisdiction.~~
- C.** ~~B.~~ On information that noxious weeds, ~~including ragweed, field daisies, dandelions, goldenrod, burdock, yellow dock, polygonum, thistles, or any other weeds and/or other~~ **unmaintained plants** grasses or growth which gives off offensive or noxious odors, or from which any injurious, offensive, or annoying pollen, dust, down, seed, or particles may be carried, or which may conceal filthy deposits, are growing on land within the City, the ~~Director of Neighborhood Assistance will cause the notice to~~ **shall** be posted in a conspicuous place on the subject property and served by personal service to both an occupant of the property and the owner of the property, or if personal service is not accomplished, then by mailing, by regular mail, to the address of the subject property if there is a dwelling thereon, and to the property owner at the location to which the auditor mails the tax bill for the subject property notifying the owner, lessee, agent, tenant, or other person having charge of the subject property that such **noxious** weeds or ~~other growth~~ **unmaintained plants** must be cut **and/or** destroyed within five days after posting of such notice. This notice shall contain the date of posting and the location of the property. Such **noxious** weeds or ~~other growth~~ **unmaintained plants** must be cut **and/or** destroyed within five days after personal service, mailing or posting of such notice, whichever occurs first. Such written notice and order and any appeal therefrom shall be governed by § 94.31.
- D.** ~~C.~~ If the owner **and/or** other person in charge **control** of **or responsible** for the subject property fails to comply within ~~seven~~ **five** days from the posting of the notice, the ~~Director of Neighborhood Assistance City~~ shall cause the noxious weeds to be cut **and/or** destroyed **such noxious weeds and/or unmaintained plants** and may employ **or cause** the necessary labor to perform such work. ~~or cause it to be done by the appropriate City division.~~
- E.** ~~D.~~ All expenses, administrative charges, and/or fines resulting from the City cutting **and/or** destroying such noxious weeds **and/or unmaintained plants** grasses shall be assessed pursuant to § 94.32.
- F.** ~~E.~~ **One Any** notice to cut or destroy noxious weeds **and/or unmaintained plants** shall be deemed notice for all subsequent violations at the subject property, subject to the following conditions:
1. Upon service of a notice to cut **and/or remove** **destroy** noxious weeds **and/or growth** **unmaintained plants** pursuant to subsection (BC) of this section, the ~~Director of Neighborhood Assistance Director of Public Service, or their designee,~~ shall include the subject property **shall be included** upon a master mowing list of properties unless and until:
 - (a) The owner **and/or** other person **in control of or** responsible for the subject property successfully appeals the notice pursuant to § 94.31 such that the notice is dismissed; or

(b) ~~The Director of Neighborhood Assistance observes that~~ **The owner and/or other person in control of or** responsible for the subject property maintains the subject property in compliance with subsection (AB) of this section for a period of one hundred twenty (120) consecutive days during a growing season.

G. ~~F. Upon the Director of Neighborhood Assistance observing that a property listed upon the master mowing list has satisfied~~ **satisfaction of** subsection (Fe) of this section, ~~he shall~~ **the property shall be** removed the subject property from the master mowing list. ~~record that the notice has been complied, and otherwise close the matter with written notice to the owner or other person responsible for the subject property that such has occurred by regular mail.~~

G. ~~The Director of Neighborhood Assistance shall maintain the master mowing list as a public record, updated as necessary and provided upon request, and may provide electronic access by means of a link to the website maintained by the City.~~

H. **The prohibitions described in paragraphs A and B of this section do not apply to public parks, including but not limited to, those parks owned and/or maintained by Summit Metro Parks.**

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety and welfare for the reason that it is immediately necessary to support the habitats of pollinating and migratory insects, and provided this ordinance receives the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

Passed _____, 2022

Clerk of Council

President of Council

Approved _____, 2022

MAYOR

RECEIVED
2022 MAR 21 AM 11:20
SUMMIT CITY CLERK

OHIO INVASIVE PLANTS COUNCIL: Plant Assessment Results as of February 2023

For more information about OIPC & invasive plants, visit our website at www.oipc.info






DETERMINED TO BE INVASIVE (Scores of 85-45)


Scientific name	Common name	OIPC Score	Typical Natural Habitat	On ODA List*
GRASSES				
<i>Bromus inermis</i>	Smooth brome grass	58	Grasslands	
<i>Microstegium vimineum</i>	Japanese stiltgrass	60	Woodlands	X
<i>Miscanthus sinensis</i>	Chinese silvergrass	49	Grasslands	
<i>Phalaris arundinacea</i>	Reed canary grass	74	Wetlands	X (Feb 2023)
<i>Phragmites australis</i>	Common reed grass	70	Wetlands	X
FORBS				
<i>Alliaria petiolata</i>	Garlic mustard	63	Woodlands	X
<i>Butomus umbellatus</i>	Flowering rush	56	Wetlands	X
<i>Centaurea stoebe</i> spp. <i>micranthos</i>	Spotted knapweed	59	Grasslands	X
<i>Cirsium arvense</i>	Canada thistle	63	Grasslands	
<i>Conium maculatum</i>	Poison hemlock	53	Grasslands & edges	
<i>Dipsacus fullonum</i>	Common teasel	47	Grasslands	X
<i>Dipsacus laciniatus</i>	Cutleaf teasel	49	Grasslands	X
<i>Epilobium hirsutum</i>	Hairy willow-herb	45	Wetlands	X
<i>Fallopia (Polygonum) japonica</i>	Japanese knotweed	60	Woodlands, water edges	X (Feb 2023)
<i>Fallopia (Polygonum) sachalinense</i>	Giant knotweed	53	Woodlands, water edges	
<i>Fallopia (Polygonum) x bohemica</i>	Bohemian knotweed	53	Woodlands, water edges	
<i>Ficaria verna (Ranunculus ficaria)</i>	Lesser celandine	47	Woodlands, water edges	X
<i>Hesperis matronalis</i>	Dame's rocket	45	Woodlands & edges	X
★ <i>Lythrum salicaria</i>	Purple loosestrife	77	Wetlands	X
<i>Melilotus alba</i>	White sweet clover	50	Grasslands	
<i>Melilotus officinalis</i>	Yellow sweet clover	51	Grasslands	
<i>Pastinaca sativa</i>	Wild parsnip	49	Grasslands	
<i>Saponaria officinalis</i>	Bouncing bet	47	Grasslands	
<i>Typha angustifolia</i>	Narrow-leaved cattail	73	Wetlands	X
<i>Typha x glauca</i>	Hybrid cattail	73	Wetlands	X
AQUATICS (18 other species were added to the ODA list in Feb 2023, as proposed by the AIS Committee*)				
<i>Myriophyllum spicatum</i>	Eurasian water-milfoil	69	Lakes & ponds	X
<i>Potamogeton crispus</i>	Curly pondweed	49	Lakes & ponds	X
VINES				
<i>Celastrus orbiculatus</i>	Oriental bittersweet	59	Woodland & edges	X
<i>Dioscorea polystachya (batatas)</i>	Air potato	46	Woodlands & edges	
★ <i>Euonymus fortunei</i>	Wintercreeper	45	Woodlands & edges	
<i>Ipomoea purpurea</i>	Morning glory	45	Grasslands	
<i>Lonicera japonica</i>	Japanese honeysuckle	49	Woodlands & edges	X
<i>Pueraria lobata</i>	Kudzu	56	Woodlands, grasslands, edges	X
<i>Vincetoxicum nigrum</i>	Black swallow-wort	47	Grasslands & edges	X
SHRUBS				
★ <i>Berberis thunbergii</i>	Japanese barberry	54	Woodlands	
<i>Elaeagnus angustifolia</i>	Russian olive	48	Grasslands & edges	X
<i>Elaeagnus umbellata</i>	Autumn olive	63	Grasslands & edges	X
★ <i>Euonymus alatus</i>	Winged burning bush	46	Woodlands	
★ <i>Lonicera maackii</i>	Amur honeysuckle	65	Woodlands	X
<i>Lonicera morrowii</i>	Morrow honeysuckle	63	Woodlands & wetlands	X
<i>Lonicera tatarica</i>	Tatarian honeysuckle	51	Woodlands	X
★ <i>Rosa multiflora</i>	Multiflora rose	58	Grasslands, woodlands	X

Currently found in Beyley

TREES

 <i>Ailanthus altissima</i>	Tree-of-heaven	56	Woodlands	X
 <i>Frangula alnus (Rhamnus frangula)</i>	Glossy buckthorn	61	Wetlands & woodlands	Removed (Feb 2023)
<i>Paulownia tomentosa</i>	Princess tree	36	Woodlands	X (Feb 2023)
<i>Phellodendron amurense</i>	Amur corktree	45	Woodlands	
 <i>Pyrus calleryana</i>	Callery pear	54	Grasslands & edges	X (2023)**
<i>Rhamnus cathartica</i>	Common buckthorn	58	Woodlands, wetlands	X
<i>Ulmus pumila</i>	Siberian elm	45	Woodlands	X (Feb 2023)

POTENTIALLY INVASIVE (Scores of 44-35; not enough information to make a final determination, but likely to be invasive)

<i>Acer platanoides</i>	Norway maple	36	Woodlands & edges	
<i>Achyranthes japonica</i>	Japanese chaff flower	42	Woodlands & edges	
<i>Ampelopsis brevipedunculata</i>	Porcelain-berry	40	Woodlands & edges	X (Feb 2023)
<i>Arcticum minus</i>	Common burdock	41	Grasslands	
<i>Arthraxon hispidus</i>	Small carpet grass	42	Woodlands, grasslands, wetlands	
<i>Barbarea vulgaris</i>	Garden yellow rocket	37	Grasslands & edges	
<i>Convolvulus arvensis</i>	Field bindweed	42	Grasslands	
<i>Hemerocallis fulva</i>	Ditch lily (orange)	37	Woodlands & edges	
<i>Ligustrum vulgare</i>	Common privet	44	Woodlands, wetlands, edges	X (2026)**
 <i>Morus alba</i>	White mulberry	40	Woodlands & grasslands	X (Feb 2023)
<i>Najas minor</i>	Lesser naiad	42	Lakes & ponds	X (Feb 2023)
<i>Paulownia tomentosa</i>	Princess tree	36	Woodlands & edges	X (Feb 2023)
<i>Persicaria perfoliata</i>	Mile-a-minute (vine)	43	Grasslands & edges	X (Feb 2023)
<i>Rosa canina</i>	Dog rose	35	Grasslands	
<i>Rubus phoenicolasius</i>	Wineberry	36	Woodlands & edges	
<i>Triplidium ravennae</i>	Ravenna grass	36	Grasslands	

* As of January 2018, species on the Ohio Department of Agriculture (ODA) invasive plant list cannot be sold or distributed in Ohio.

* In February 2023, ODA approved the addition of 18 aquatic and wetland invasive plants, as proposed by the Aquatic Invasive Species (AIS) Committee, and supported by OIPC. These are not listed here, but were banned in 2023 from sale in Ohio. OIPC does not assess aquatic plants.

** For Callery pear, there was a 5-year phase out period, so sales were prohibited in January 2023.

** For common privet, there is a 3-year phase out period, starting in February 2023.



INVASIVE PLANTS

In September of 2014, the Ohio General Assembly granted the Ohio Department of Agriculture (ODA) the exclusive authority to regulate invasive plants species. Under the law invasive plants are defined as plant species that are not native to Ohio whose introduction causes or is likely to cause economic or environmental harm, or harm to human health as determined by scientific studies. After nearly two years of stakeholder outreach, new rules have been established and are effective as of January 7, 2018.

We are reaching out to make you aware of these new regulations and the list of invasive plants in the state of Ohio. These rules prohibit the sale and distribution of invasive plants in the state of Ohio. Further, the rules establish a committee which will advise ODA on matters regarding invasive plants. In some cases businesses may have invested considerable time and resources into growing some of these plants. These rules include a grace period for the prohibition to take effect for some species, which allows businesses time to transition toward alternative plants to market as replacements. For questions regarding Ohio's Invasive Plant Regulations, please contact the Plant Pest Control Program at 614-728-6400.

LIST OF INVASIVE PLANTS

The following plants are considered invasive in the State of Ohio effective

January 7, 2018 except as otherwise noted:

- | | |
|---|--|
| <i>Ailanthus altissima</i> , tree-of-heaven | <i>Lythrum salicaria</i> , purple loosestrife |
| <i>Alliaria petiolata</i> , garlic mustard | <i>Microstegium vimineum</i> , Japanese stiltgrass |
| <i>Berberis vulgaris</i> , common barberry | <i>Myriophyllum aquaticum</i> , parrotfeather |
| <i>Butomus umbellatus</i> , flowering rush | <i>Myriophyllum spicatum</i> , Eurasian water-milfoil |
| <i>Celastrus orbiculatus</i> , Oriental bittersweet | <i>Nymphoides peltata</i> , yellow floating heart |
| <i>Centaurea stoebe</i> ssp. <i>Micranthos</i> , spotted knapweed | <i>Phragmites australis</i> , common reed |
| <i>Dipsacus fullonum</i> , common teasel | <i>Potamogeton crispus</i> , curly-leaved pondweed |
| <i>Dipsacus laciniatus</i> , cutleaf teasel | <i>Pueraria montana</i> var. <i>lobata</i> , kudzu |
| <i>Egeria densa</i> , Brazilian elodea | <i>Ranunculus ficaria</i> , fig buttercup, lesser celandine |
| <i>Elaeagnus angustifolia</i> , Russian olive | <i>Rhamnus cathartica</i> , European buckthorn |
| <i>Elaeagnus umbellata</i> , autumn olive | <i>Rosa multiflora</i> ; multiflora rose |
| <i>Epilobium hirsutum</i> ; hairy willow herb | <i>Trapa natans</i> , water chestnut |
| <i>Frangula alnus</i> , glossy buckthorn | <i>Typha angustifolia</i> , narrow-leaved cattail |
| <i>Heracleum mantegazzianum</i> , giant hogweed | <i>Typha x glauca</i> , hybrid cattail |
| <i>Hesperis matronalis</i> , dame's rocket | <i>Vincetoxicum nigrum</i> , black dog-strangling vine, black swallowwort |
| <i>Hydrilla verticillata</i> , hydrilla | <i>Lythrum virgatum</i> , European wand loosestrife
(effective January 7, 2019) |
| <i>Hydrocharis morsus-ranae</i> , European frog-bit | <i>Pyrus calleryana</i> , callery pear
(effective January 7, 2023) |
| <i>Lonicera japonica</i> , Japanese honeysuckle | |
| <i>Lonicera maackii</i> , amur honeysuckle | |
| <i>Lonicera morrowii</i> , Morrow's honeysuckle | |
| <i>Lonicera tatarica</i> , tatarian honeysuckle | |

Division of Plant Health | Plant Pest Control

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