**1026.01  DEFINITIONS.**

   As used in this chapter:

   (a)    “Arboriculture” means the selection, planting, maintenance and removal of **trees** .

   (b)    "Commission" means the **Tree** and Public Gardens Commission of the City.

   (c)    "Department" means the Service Department of the City

   (d)    "Director" means the Service Director of the City, or any representative the Director so designates.

   (e)    "Evergreen" means any **tree** that retains its green living foliage the entire year.

   (f)   "Other plants" means all other vegetation not **trees** , shrubs or evergreens.

   (g)    "Park" means all public parks having individual names and street islands.

   (h)    "Person" means any individual, firm, partnership, association, corporation, business trust, joint stock company, unincorporated organization, religious or charitable organization, or any owner, person, persons or entities.

   (i)    "Plant materials" means all **trees** , shrubs, evergreens and other plants.

   (j)    "Private property" means all real estate within the City except real estate that is owned, leased, controlled or occupied by the United States government, State of Ohio, Franklin County government, City of Bexley or any department or agency thereof.

   (k)    "Property owner" or "owner" means any one or more of the following:

      (1)    The property owner or owners in fee simple of a parcel of real estate including the life tenant or tenants, if any;

      (2)    The record owner or owners as reflected by the current records of the Office of the Auditor of Franklin County, Ohio, including the executor, administrator or beneficiary of the estate of any deceased owner; and

      (3)    The purchaser or purchasers of such real estate under any contract for the conditional sale thereof.

   (l)   "Pruning" means to cut branches, stems, etc. from a plant to improve growth and shape.

   (m)    "Public Street" means all the entire width of land lying within the dedicated right- of-way or easement and includes alleys.

   (n)    "Public place" means all other ground owned by the City that is not part of a "public street" or park.

   (o)    “Occupant” means the person or persons who are from time to time in possession of any house or other structure located on private property, or who are exercising dominion or control over any house or other structure located on private property.

   (p)    "Shrub" means a low growing woody plant with one or several perennial main steams producing branches, shoots or multiple steams from or near the base of the plant and incapable of being pruned to provide at least six (6) feet of clear branchless trunk.

(q) “Stump” means the trunk of a tree remaining after more than two-thirds of the tree’s limbs have been removed.

   (q)    "**Tree** lawn" means that part of a street lying between the property line and that portion of the street used for vehicular traffic.

   (r)    "**Trees"** when used by itself, means any woody plant that generally includes those having one or more perennial main stems or trunk, which grows to a mature height of over ten (10) feet.

   (s)    "**Trees** , shrubs and evergreens" when used together means all woody vegetation, including but not limited to, all ground covers.

   (t)    "Topping" means the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the **tree** .

      (Ord. 7-13.  Passed 3-12-13.)