



**CITY OF BEXLEY**  
**RULES AND REGULATIONS**  
**City Right of Way and Tree Protection During Construction**

The City Right of Way (ROW) and public trees will be protected against injury or damage to branches, trunks, or roots from construction and excavation. Private trees identified to be protected during construction shall follow these same rules and regulations.

1. Heavy equipment will not be allowed to compact the soil over the root zone of protected trees or within the ROW. Restricted equipment access routes will be established before work is begun. Temporary paving materials such as plywood, lumber or rubber matting spread over the root zone may be required to prevent compaction.
2. Installation of utilities under the dripline of protected trees must be directionally bored or drilled below the root zone. Top of the bore or tunnel should be no higher than three (3) feet deep. Open trenches within the root zone must be avoided.
3. Where grade change is required within the root zone of protected trees, a sufficient residual root zone to provide for the good health of the trees should remain undisturbed and protected by either a dry well or retaining wall if the grade is to be raised or lowered.
4. Construction materials, excavation debris, chemicals, fuel, equipment or vehicles are not to be stockpiled, stored, dumped or parked within the dripline of protected trees or within the ROW.
5. All protected trees designated for preservation will be protected with a fence as specified in the Tree Protection Fencing Detail. The location of the fence shall be at the dripline or a minimum 20-foot diameter circle around the center of the tree. However, the actual location will be determined by site limitations. See Figure 2 for the details of the minimum requirements of the tree protection fence.
6. Fencing will be installed and inspected before commencing site preparation work. The fence must be maintained during the full construction period and will be inspected by the City on a regular basis.
7. Interfering branches of trees may be removed when acceptable to the City Arborist and shall be pruned in accordance with these standards.
8. Any trees damaged or destroyed due to contractor negligence will be treated or removed at the contractor's expense. If damage is significant and/or beyond repair as deemed by the City Arborist, the city will require reimbursement for the value of the tree based on two hundred dollars (\$200.00) for each inch caliper.

9. Construction Access should be the existing driveway. If the construction access is not on the driveway, a site plan illustrating the alternative construction access must be prepared for review and approval by the City Arborist.
10. Protect all existing brick curbs and gutters. If disrupted by construction, repair and/or replace. Permanent removal of brick curbs and gutters subject to approval of City.
11. Fines for noncompliance will be enforced per Part 10, Chapter 1026 – Trees and Shrubs of the Codified Ordinances of the City of Bexley.

**1026.99 PENALTY; EQUITABLE REMEDIES**

Whoever violates or fails to comply with any provision of this chapter shall be deemed guilty of a misdemeanor of the fourth degree and fined not exceeding two hundred fifty dollars (\$250.00) or imprisoned for not more than thirty days, or both for each offence in addition to any required restitution for damages incurred by the City or any special assessments levied as provided for herein. A separate offence shall be deemed committed each day during or on which a violation or noncompliance occurs or continues. The application of a penalty under this section shall not preclude the City from seeking an injunction to enjoin prohibited acts or specific performance to compel actions required under this chapter or making application for an obtaining any other appropriate equitable remedy.

(Ord. 7-13. Passed 3-12-13; Ord. 18-18. Passed 10-23-18.)

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Contractor/Owner Signature and Date

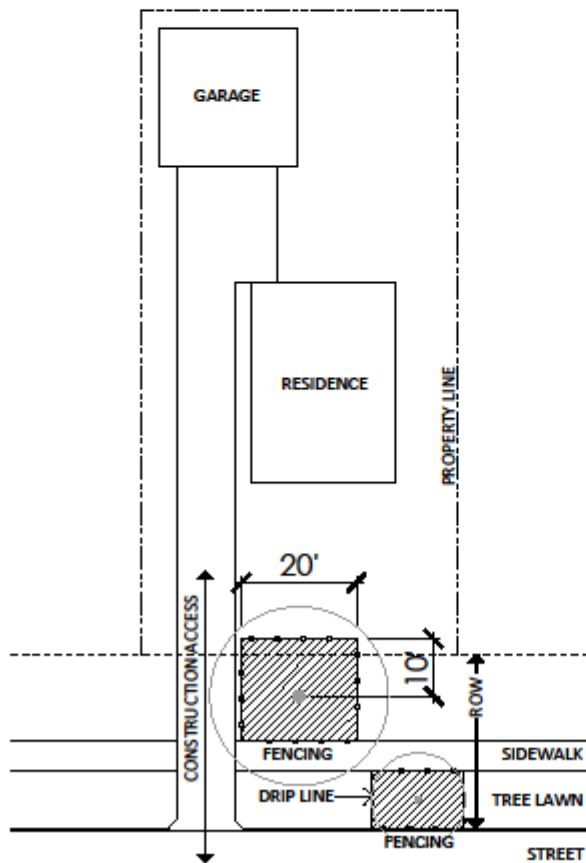
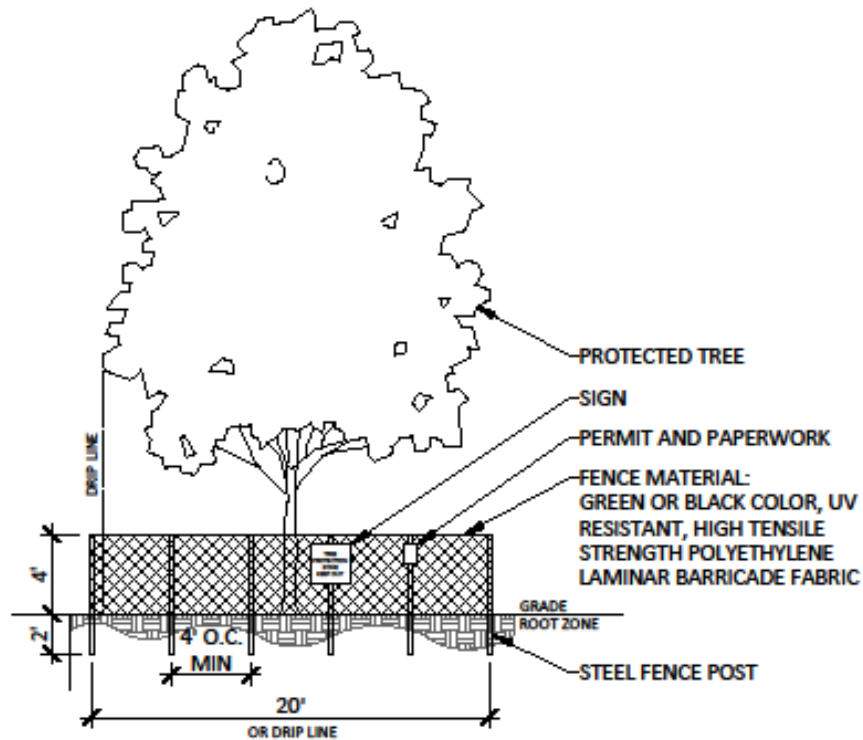


Figure 1 - ROW and Tree Protection Site Plan Diagram

Figure 2 – Tree Protection Fencing Detail



## NOTES

1. ALL PLANTS DESIGNATED TO BE SAVED SHALL BE PROTECTED BY FENCING, AS ILLUSTRATED.
2. INSTALL TREE PROTECTION FENCE AT TREE DRIP LINE OR AT 20' DIAMETER CIRCLE AROUND CENTER OF TREE PRIOR TO COMMENCEMENT OF CONSTRUCTION. FINAL LOCATION TO BE APPROVED BY CITY ARBORIST.
3. SPACE TREE PROTECTION ZONE SIGNS AT A MINIMUM OF ONE EVERY 100 FEET. THE SIZE OF EACH SIGN MUST BE A MINIMUM OF 2'X2' AND BE VISIBLE FROM BOTH SIDES OF THE FENCE. THE SIGN MUST CONTAIN THE FOLLOWING LANGUAGE: "TREE PROTECTION ZONE. KEEP OUT."
4. THERE SHALL BE NO GRADING, TRENCHING, FILLING OR STORAGE OF MATERIAL WITHIN THE BOUNDARIES OF THE TREE PROTECTION FENCING.
5. TREE PROTECTION FENCING SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.
6. POST 'TREE PROTECTION DURING CONSTRUCTION' PAPERWORK AND INSPECTION LOG IN WATERPROOF FILE.