



TREE REMOVAL PERMIT REQUIREMENTS

Town of Fairview Ordinance Section 3.15.041. no person, directly or indirectly, shall cut down, destroy, remove, move or effectively destroy through damaging any protected tree situated on a property regulated by this article without first obtaining a tree permit, unless otherwise specified in this article) 1998 Code, sec.96.04)

TOWN REQUIREMENTS

- Application for tree removal
- Site plan indicating where the tree removal will occur
- Exact location, size (trunk diameter and height) and a common name of all trees to be removed.
- Fees for this application are as follows:
 - \$75.00 Plan Review
 - \$100.00 Application Fee
- Please submit to the following:
Permits@fairviewtexas.org

HOME BUILDERS

Prior to grading and tree removal, all new home builds require a tree removal permit and grading approval.

Tree, protected.

A quality tree that has a diameter of four inches or greater;

An understory tree that has a diameter of two inches or greater; and

A marginal tree that has a diameter of six inches or greater that the landscape administrator has determined should be saved due to individual characteristics and/or location of the tree.

Tree flagging or marking. Trees that are approved by the landscape administrator for removal shall be flagged with bright fluorescent orange vinyl tape wrapped around the main trunk or marked with bright fluorescent orange paint at a height of four feet or more such that it is very visible to workers operating construction equipment.

ARTICLE 3.15 NATURAL RESOURCES MANAGEMENT AND TREE PROTECTION

Division 2. Tree Removal Permit

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Sec. 3.15.041 Required

No person, directly or indirectly, shall cut down, destroy, remove, move or effectively destroy through damaging any protected tree situated on property regulated by this article without first obtaining a tree removal permit, unless otherwise specified in this article. (1998 Code, sec. 96.04)

Division 2. Tree Removal Permit

Sec. 3.15.042 Responsibility for review; appeals

(a) The landscape administrator shall be responsible for the review and approval of all requests for tree removal permits submitted in accordance with the requirements specified herein.

(1) Deferrals. The landscape administrator may defer the approval of a tree removal permit to the tree board at his or her discretion.

(2) Appeals. Any decision made by the landscape administrator may be appealed to the tree board.

(b) Any decision made by the tree board may be appealed to the town council. The decision of the town council shall be final.

(1998 Code, sec. 96.05)

Division 2. Tree Removal Permit

Sec. 3.15.043 Administrative procedures; submittal requirements; fee; expiration

(a) Administrative procedures. The landscape administrator shall establish administrative procedures necessary to facilitate the implementation and enforcement of this article.

(b) Request for permit. A request for a tree removal permit must be submitted and approved prior to the removal of any protected tree in the town unless the tree is exempt under a provision of this article. The request must state the reason the applicant is requesting tree removal.

(c) Fee. All tree removal permits shall be accompanied by a payment made to the town in the amount specified by the town council in a fee schedule.

(d) Required documents. A tree survey, submitted in accordance with the requirements of [appendix D](#) at the end of this article, is required for all permit requests. Additionally, a construction plan, in accordance with [appendix E](#) at the end of this article, shall be required for new residential and commercial construction and must include the items referenced in this article and its appendices.

(e) Expiration. Permits for tree removal issued in connection with a building permit or site plan shall be valid for the period of that building permit's or site plan's validity. Permit(s) for tree removal not issued in connection with a building permit or a site plan shall become void 180 days after the issue date on the permit.

(1998 Code, sec. 96.06)

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Sec. 3.15.044 Action on application

The issuance of a tree removal permit shall be based on the following criteria:

- (1) Whether or not a reasonable accommodation or alternative solution can be made to accomplish the desired activity without the removal of the tree.
- (2) The cost of preserving the tree.
- (3) Whether the tree is worthy of preservation. Trees listed as marginal trees in [appendix C](#) at the end of this article are usually not considered worthy of preservation, but this shall depend upon the individual characteristics of the tree.
- (4) The effect of the removal on erosion, soil moisture, retention, flow of surface waters and drainage systems.
- (5) The need for buffering of residential areas from the noise, glare, and visual effects of nonresidential uses.
- (6) The extent, if any, that the tree interferes with provision of a utility service.
- (7) Whether the proposed tree replacement pursuant to the tree replacement requirements hereof adequately mitigates the removal of the tree.
- (8) Whether the removal affects the public health, safety or welfare.
- (9) Whether the requirement places an unreasonable burden on the development.
- (10) Whether extraordinary hardship or practical difficulty will result from strict compliance with these regulations and/or the purpose of these regulations may be served to a greater extent by an alternative proposal.

(1998 Code, sec. 96.07)

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Secs. 3.15.045–3.15.070 Reserved