

PROTECTED TREES

Almost every hardwood shade tree in Orange Beach is a protected tree once it grows to the size of 6 inches diameter at breast height (4.5 ft. from the ground). Article 16 of the City Ordinances provides protection for these trees and it applies to trees on both private and public property.

There are a few exceptions to Article 16 where trees can be removed:

1. Trees can be removed due to Public Works or Recreation Department construction activities.
2. Trees can be removed due to utility construction activities located in a public right-of-way.
3. Protected trees irreversibly damaged or destroyed by natural disaster can be removed. These trees are considered to be hazardous and their removal is encouraged.
4. Trees can be removed when they are located on single family and duplex lots, excluding subdivisions with associated capital improvements and planned unit developments, and are within the footprint of the residential structures, including garage, carport, driveway and swimming pool.
5. The following trees are not protected in Orange Beach and can be removed without a permit: Chinese Tallow (Popcorn Tree), Chinaberry, Tree of Heaven (Chinese Sumac), Silk Tree (Mimosa), Paper Mulberry and all pine trees other than Long Leaf pine (and Long Leaf must have a d.b.h. of 18" or greater to be considered protected).

Sapium sebiferum (Chinese Tallow aka. Popcorn Tree)

The Chinese Tallow is a non-native ornamental tree from China. Like other invasive trees, the tallow will completely monopolize an area often to the extent that it creates its own tallow forest. Unfortunately a tallow forest with somewhat showy foliage in the fall provides no benefit to wildlife or other plants. The tallow has incredible resiliency, grows very quickly, thrives in a wide variety of soils and is resistant to pests. Its berries and sap contain toxins that are harmful to humans and animals there is growing scientific evidence that tallow leaves when dropped can change soil chemistry and make it difficult for other plants to grow. After a tree is cut down, the roots should be dug out and removed. Any sprouts that come back, and they will, should be pulled up by the roots. Tallow cannot be sold in nurseries in most states due to its nuisance status and you should never plant this tree.



Melia Azedarach (Chinaberry)

Chinaberry is a very fast growing tree belonging to the mahogany family. It is native to China and was introduced in the U.S. as an ornamental. Chinaberry is considered an invasive pest tree because it out-grows, shades-out and displaces native vegetation. In addition, its bark leaves and seeds are poisonous to farm and domestic animals. Compounding these problems is the fact that chinaberry grows well in most soils, is cold hardy and drought resistant. This all adds up to make this tree one tough tree to get rid of.



Ailanthus altissima (Tree-of-Heaven aka. Chinese Sumac)

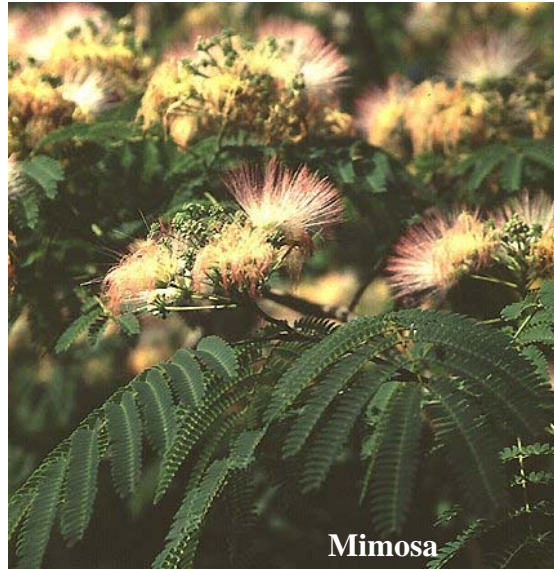
The Ailanthus tree is a very fast growing invasive tree that has a strong and offensive odor. This tree is a prolific seed producer that can take over a site by overwhelming the native vegetation and forming an impenetrable thicket. The Ailanthus tree also produces toxins that prevent the establishment of other plant species. Its root system is aggressive enough to cause damage to sewers and foundations. The Ailanthus is considered a very common tree that can occur wherever soil has been disturbed such as alleys, sidewalks, parking lots, along streets, fencerows, abandoned lots and fields.



Albizia julibrissin (Silk Tree aka. Mimosa)

First introduced in the U.S. in 1745 for ornamental use because of its attractive and fragrant flowers and interesting fern-like foliage. Mimosa loves growing in disturbed areas such as roadsides (quite noticeable along I-65), forest edges and other open areas. It thrives in a variety of soil and moisture conditions and can be found growing from California to New York. It grows vigorously and displaces native trees and shrubs. Avoid

planting this tree. It spreads by seed and vegetative means and can only be killed by sawing at the ground and several rounds of follow-up herbicidal treatments.



Broussonetia Papyrifera (Paper Mulberry)

Paper mulberry is listed as an invasive weed in over a dozen countries around the world, including the United States. It thrives in open habitats such as forest clearings, yards, field edges and disturbed areas. Paper mulberry spreads by both seed and through vegetative expansion. It is a very aggressive plant and will displace native vegetation and shade out ornamental shrubbery. Paper mulberry has a shallow root system that makes it highly vulnerable to wind damage.



Pinus plustris, Pinus taeda, Pinus elliottii, Pinus clausa (Longleaf Pine, Loblolly Pine, Slash Pine, Sand Pine)

Most pine trees in Orange Beach do not fall under the protection of Article 16 of the Zoning Ordinance. Therefore, it is not necessary to obtain a permit to remove a pine tree or trees from your property. It is recommended that you call the City Forester before you or your tree surgeon remove a tree because there is one pine tree that does need a permit. The only pine tree in Orange Beach that requires a permit for removal is when a longleaf pine that reaches the size of 18 inches diameter at breast height (4.5 ft.). Longleaf pine and slash pine

are very hard to distinguish between so if the pine is the right size and if the species of pine is questionable, it's advisable to have the City Forester identify it for you. Generally, longleaf pine is found in well-drained, sandy soil. It is estimated that only 10% of the pine in Orange Beach are longleaf.

One final thought about pine trees: Pine trees are not invasive and are native to North America. They serve a valuable function in the ecosystem, filter our air, provide shade, clean the water, and stabilize our shorelines. Consider the positive attributes of any tree, especially pine, before you remove one.



FEES AND PERMITS

Whenever a protected tree is to be cut down, a tree removal permit must be applied for at the Community Development Office. There is a fee for removing permitted trees; a \$25 application fee and an additional \$5 per tree. For example, a homeowner may wish to remove two oak trees that are in the way of a new driveway construction. The cost for the permit will be $\$25 + \$5/\text{tree} \times 2 \text{ trees} (\$10) = \$35$.

There is no fee associated with tree removal of any of the five exceptions listed above. However, the City Forester should be notified so that verification can be made concerning any trees that are to be removed. The Public Works Department will haul off a few limbs when placed at the street but will not remove complete trees or stumps. The landowner or person doing the removal should make arrangements to have the tree taken to a landfill.

HERITAGE TREES

A heritage tree is a protected tree that has a diameter at breast height equal to or greater than 30" or 7'-10" circumference, whichever dimension is less. With single family construction, a heritage tree may be removed only if it is within the footprint of a principle structure. With commercial development, a heritage tree may be removed only when: 1. the developer has demonstrated that all reasonable efforts have been made to retain the tree on the site and 2. The City of Orange Beach Board of Adjustments grants a variance.

REMEMBER...

The provisions of Article 16 apply to all new construction, expansion, development, redevelopment, clearing and grubbing, and maintenance of all property located within the City of Orange Beach jurisdictional limits, unless expressly exempted by law. It is not the intent of this Article to preclude reasonable use of a parcel when the terms of these regulations are inconsistent with the City's zoning requirements or to inordinately burden the reasonable use of a property. Green areas and trees create and preserve an ecological balance, control erosion, sedimentation and storm water runoff, provide shade and reduce heat and glare, abate noise pollution, and buffer incompatible land uses. The overall intent of the tree ordinance is to provide for the health and safety of our citizens and visitors through maintaining vital vegetative species that will reproduce for future generations.