

VII. TREES

- A.** The ACC and its agents will review tree removal requests in a manner that takes the entire development into consideration.
- B.** Removal of trees over six inches (6") in diameter, measured at height of five feet (5'), is prohibited prior to actual development on a lot. Tree removal shall be limited to those trees that are within a twenty-foot (20') perimeter of footprint of the house, drainfield and hardscape or are diseased or in danger of falling and damaging property. All trees, which are to be removed, **shall be pre-marked using colored tape or ribbon by the property owner or his/her agent.** The ACC administrative staff will make a pre-removal inspection and only those trees, which have been marked by the ACC, shall be removed. Removal of any trees not marked shall result in remedial actions which could include, but are not limited to, monetary fines.
- C.** Property Owners may remove dead or diseased trees anytime during the year with approval from the ACC. The state of a tree, diseased or dead, must be verified by a professional before any removal requests will be permitted during the dormancy period.
- D.** Any live tree removal or topping requests must be submitted to the ACC with a plan prepared by a certified arborist. The arborist must meet with a member of the administrative staff on the lot in question and discuss the reasons for his tree removal plan. The tree removal plan will be reviewed at the next regular ACC meeting. Plans for live tree removal require a professional landscape plan submitted and approved by the ACC.
- E.** Priority for preservation will be given to flowering trees and rare trees. Removal of diseased trees is encouraged. A diseased tree is defined as one infested with fatal and incurable viruses and blights.
- F.** The property owner will assume all responsibility for the removal of trees from their property. The property owner will pay all fees and fines and will be responsible for proper cleanup of any trees on their lot which are cut or which fall over. All trees approved for removal must be cut as close to the ground as possible.
- G.** All trees, brush, limbs, or other debris consequent to clearing or removal shall be disposed of in an acceptable manner. Acceptable methods are burning (with permit from the appropriate fire protection district and, if applicable, the Village of Four Seasons) chipping and mulching, or carrying off site to a location where permission to dispose has been obtained. Failure to dispose of the cut material will be treated as a violation of a permit and can result in forfeiture of damage deposit and additional fines.
- H.** If trees are removed without a permit, the ACC shall impose a five-hundred-dollar (\$500.00) fine per tree and require the property owner to replace trees removed with acceptable replacements for each tree removal. **The size, species and location of these trees are to be determined by the property owner with the concurrence of the ACC.**