

# **City of Mount Dora Free Tree Program**

## **Purpose and Intent**

The purpose of this program is to promote properly placed trees that will grow well and create a cooler and greener environment for the residents of and visitors to the City of Mount Dora. It is the intent of the City to assist eligible individuals with proper placement of trees, in an effort to preserve infrastructure, improve aesthetics and promote safety within the City.

## **Tree Bank and Choice of Tree Type**

The City will maintain a tree bank, using available donations and/or City resources, as deemed appropriate in the sole discretion of the City. In its tree bank, the City may offer various species of trees. The supply of trees in the City's tree bank will be subject to donations and fund availability. A specific tree species is not guaranteed; however, preferences will be considered. If a preferred tree type cannot be planted in the location requested, the City may suggest another option based on the approved location.

## **Program Eligibility**

1. The requesting individual must own property in the City of Mount Dora city limits and the tree placement request must be for property located in the City of Mount Dora city limits.
2. The requesting individual must submit an application to the City in the form approved by the City Manager from time to time.
3. Tree placement pursuant to this program will only be permitted in the front yard (or side yard for corner lots) of the private property of the requesting individual, in an area that is 20 feet or less from the City's right-of-way
4. Trees will be provided on a first come, first served basis; however, priority will be given for replacement of a diseased, dying, damaged, damage causing or dangerous tree.
5. The City Manager, or a designee thereof, will evaluate an application, paying specific attention to the requested location and the potential for interference with public utilities, public infrastructure or private infrastructure, and taking tree maturity and other best arboriculture practices into consideration.
6. Upon approval of the application for placement of a tree on private property, the property owner will execute and submit a right of entry and hold harmless agreement in the form approved by the City Attorney from time to time.
7. The City will thereafter, by means of its choosing, plant the tree in the approved location.
8. The City will have no future maintenance obligation or liability for any tree planted on private property.
9. A requesting individual may only receive one (1) free tree each year.

## **Program Limitations**

1. The City will not under any circumstance be responsible for removal of trees on private property.
2. There is no individual entitlement to a free tree under this program.
3. The City reserves the right to deny any application, with or without reason, in its sole discretion.
4. The decision of the City Manager, or a designee thereof, related to the placement of a tree or denial of an application is final.
5. The City reserves the right to place trees from the tree bank on City property and in City right of way before providing a tree for placement on private property.

# **City Neighborhood Tree Program Procedures**

## **Step 1. Submit your application**

Application shall be submitted to the Public Works Department on the form approved by the City on a first come first serve basis subject to annual funding. Application only valid for the current fiscal year. If an Applicant has any questions they may call the Public Works office at 352-735-7151.

Applications will only be accepted by:

- Email at folanr@cityofmounddora.com or
- Drop-off at the Public Works office at 900 Donnelly Street, Mount Dora, FL.

## **Step 2. Request Confirmation**

After submission of your request, you will be contacted by a City staff member to confirm your interest in our program. Confirmation funding is available will be required before advancing to the next step in the process.

## **Step 3. Site inspection and evaluation**

City staff members will inspect the site to determine the location of the tree as requested. The results will be emailed. Results may include approval as requested, approval with alternate location, alternate tree type or access or denial based on the Arborists on-site evaluation. The Arborists determination is final, there is not appeal for a free tree.

## **Step 4. Submit Indemnity Agreement**

Staff provide approved Applicants a Right of Entry and Indemnification form. The Applicant shall review, complete and submit Right of Entry and Indemnification on form approved by the City. Applicant must be property owner.

## **Step 5. Tree Planting**

City crews will schedule and install the tree in the approved location or such other minor deviated location based on unforeseen field conditions.

## **Step 6. Water and care for your new tree**

The Applicant (property owner) will be responsible to watering, pruning and regular maintenance of the tree. If the tree dies due to lack of proper care, it will not be removed or replaced by the City.



## City of Mount Dora Neighborhood Tree Application

Please fill out the following application to request a free tree to be planted in front of your property. The locations must be within the City of Mount Dora's right of way or within 20ft. of the right of way. Trees planted outside of the right of way become part of the property parcel and the property owner accepts all maintenance responsibility for the tree. Property must be located within the city limits. Final location and species selection are determined/approved by City staff. The City reserves the right to plant a tree within the City right of way or on City property in any location. Species selection is based on suitable location (Right Tree, Right Place) and availability at the nursery. The City primarily plants Live Oaks, Tabebuia, Winged Elms, and Cape Myrtles. Selection of applications is determined by availability of funding, the suitability of the location, and other factors. If the tree is replacing a tree removed by the City it is given higher priority.

**Name:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**E-Mail:** \_\_\_\_\_

\_\_\_\_\_

**Date:** \_\_\_\_\_

**Request for replacement of City tree?:**  Yes  No

**Location:**  Right of Way  Private property within 20 feet of right of way

**Species desired:**

**Canopy (cannot be planted below or near utility lines):**

Live Oak  Nuttall Oak  Winged Elm  Bluff Oak  Tabebuia Ipe

**Understory:**

Cape Myrtle  Yellow Tabebuia  Japanese Blueberry

Public Works Approval (Department use only):

Location approved:  Yes  No

Comments: \_\_\_\_\_

\_\_\_\_\_

Species Approved:  Yes  No

Comments: \_\_\_\_\_

\_\_\_\_\_

Notes: \_\_\_\_\_

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

**RIGHT OF ENTRY AND HOLD HARMLESS AGREEMENT**

I, \_\_\_\_\_, am the owner of the property located at \_\_\_\_\_ (Property). I am voluntarily participating in the City of Mount Dora Free Tree Program and I hereby represent that I have the authority to enter into this agreement and bind all other owners of the Property. In consideration of the City of Mount Dora providing and planting a tree on my private property, the undersigned hereby grants the City of Mount Dora the temporary right to enter on my/our Property to plant a tree in the approved location or such other location which is determined necessary based on field conditions. In addition, the undersigned, on behalf of himself/herself and all other property owners, hereby promises and agrees to indemnify and hold harmless, the City of Mount Dora, its officers, agents, and employees, from and against any and all liability, claims and tree maintenance, including removal, damages to private irrigation, lights, infrastructure or other personal property, as well as any other damages, demands, expenses, fees, fines, penalties, suits, proceedings, actions and costs of actions, including attorney's fees for trial and on appeal, of any kind and nature arising or growing out of or in any way connected with the provision and planting of the tree by the City of Mount Dora, whether by act or omission of the City of Mount Dora, its officers, agents, servants, employees or others, or because of or due to the mere existence of this agreement between the parties.

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Date