

Jefferson Parish Parkways Department Vegetation Removal Permit Application

- A permit is required for the removal of any vegetation located on parish right-of-way whose mature height is greater than six (6) feet. This includes, but is not limited to, certain shrubs, ornamental trees and canopy trees. All vegetation removals must include removal of the stump.
- The Applicant for this permit must be the legal Owner of the property adjacent to the right-of-way on which the permit is being requested.
- The Applicant must furnish proof of ownership of the property immediately adjacent to the right-of-way on which the vegetation removal is being requested. The Applicant can furnish a current tax assessor's document or a current utility bill with the Owners name and address.
- A tenant may not apply for a permit.
- The Applicant may not appoint a representative to sign the permit application.
- There is no fee associated with the permit.
- This application must be signed by Applicant on pages 2 and 3.
- This application must be initialed by Applicant on page 4, sections A & B.
- Section IV on page 4 on the Permit Application lists the documentation required from the Applicant.
- A separate permit is required by the Jefferson Parish Parkways Department in order to plant any vegetation within the parish right-of-way.
- Once work is complete, please contact the Parkways Department at (504) 349-5800 for an inspection.
- As per Section 29-143 of the Parish Code of Ordinances, sidewalk maintenance and/or repair is the responsibility of the property owner.

**Please return Permit Packet to:
Parkways Department
Attn: Jessica Ball
200 Shrewsbury Road
Jefferson, LA 70121
JPParkways@jeffparish.net**

**PARISH OF JEFFERSON
DEPARTMENT OF PARKWAYS
PERMIT TO REMOVE TREES ON PARISH
RIGHTS-OF-WAY, SERVITUDES AND OTHER PARISH PROPERTY**

FILE/JOB NO. _____ APPLICATION SUBMITTED ON: _____
 [To be assigned by Parish] [To be date-stamped by Parish]

“Jefferson Parish” or “the Parish” **always** includes the Parish and all of the districts and subdistricts of the Parish.

“Applicant” refers to the entity which applies for a permit and is later issued a permit based on that application to remove any vegetation on Parish rights-of-way or any property owned by or under the control of the Parish.

Applicant must complete Parts I and III of form and submit it with documents listed in Part IV to the Jefferson Parish Department of Parkway.

I. APPLICANT

NAME: _____

ADDRESS: _____

TEL. NO.: _____ **PROPOSED STARTING DATE OF PROJECT:** ____ / ____ / ____

E-mail Address: _____

ESTIMATED NO. OF WORKING DAYS TO COMPLETE PROJECT _____

ON PAGE 2 DESCRIBE IN DETAIL THE WORK TO BE PERFORMED, THE EXACT LOCATION WHERE ANY WORK RELATED TO PROJECT WILL BE PERFORMED, IDENTIFY BY NAME AND ADDRESS THE PERSON WHO WILL DO THE WORK AND STATE THE VARIETY, CALIBER AND EXACT LOCATION (ADDRESS) OF EACH TREE.

Note: SIGNATURE on line below * indicates the Applicant’s acceptance of all requirements, terms and conditions of this application for the permit, including but not limited to, the insurance and indemnification of the Parish. Only the signature of the Applicant shall be accepted on this application See Part IV. (A).

* _____
 Signature of Applicant

 Date

Parish Representatives: Complete part II. of the form.

II. PARISH REVIEW OF PERMIT AND SPECIAL CONDITIONS, IF APPLICABLE

APPROVED on ____ / ____ / ____ [Date]

IF DENIED, STATE REASON(S) BELOW AND ON A SEPARATE DATED SHEET.

SPECIAL CONDITIONS OF PERMIT:

APPLICATION REVIEWED BY: _____ Date ____ / ____ / ____
 Approved ___ Denied ___ (For the Department of Parkway Arborist)

APPLICATION REVIEWED BY: _____ Date ____ / ____ / ____
 Approved ___ Denied ___ (For the Department of Parkway Director)

◆◆◆ Reasons for denial shall be stated by department on separate dated attached sheet.

FILE/JOB NO. _____

III. ISSUANCE AND EXPIRATION OF PERMIT

This permit shall be issued under the conditions outlined in this application. This permit shall expire twelve (12) months after its date of issue, unless prior to the expiration of the permit, a written request for an extension of the permit which explains the need for the extension is received by the Parish Department of Parkways and the extension is granted.

PERMIT ISSUED: _____ / _____ / 2 _____

Attach a separate dated sheet for additional comments regarding this permit application.

DESCRIBE IN DETAIL THE WORK TO BE PERFORMED:

Permit applicant to initial:

_____ No person shall commence removal of vegetation (other than turf, flowers or shrubs whose mature height is less than six (6) feet), on public property until a permit allowing said actions has been issued by the Parish.

_____ A property owner may not employ any person other than a Parish-licensed Arborist to remove vegetation from public property.

IDENTIFY BY NAME AND ADDRESS THE COMPANY WHO WILL DO THE WORK:

Name: _____

Address: _____

Tel. No. _____ Parish License Number _____

THE EXACT LOCATION WHERE ANY WORK RELATED TO PROJECT WILL BE PREFORMED:

LIST TREE(S) TO BE TRIMMED, REMOVED, OR PRUNED PROPERTY REMOVED/PLANTED/ROOT PRUNING STATING VARIETY, CALIBER, AND EXACT LOCATION (ADDRESS) OF EACH TREE:

NOTE: SIGNATURE on line below * indicates that the Applicant received the Jefferson Parish Desirable Tree List and agrees to seek the permission of the Jefferson Parish Department of Parkway before trimming, removing, or pruning the root(s) of the above-listed trees from public property in Jefferson Parish.

* _____
Signature of Applicant

_____ Date

IV. REQUIRED DOCUMENTATION

- (A) _____ Proof of ownership of immovable property immediately adjacent to the public property on which the vegetation that is the subject of this permit is located.
- (B) _____ The attached exhibit identified as "Affidavit of Acknowledgment" signed by the Applicant and notarized.

V. CONDITIONS REGARDING PERMITS

A. GENERAL

- (1) A property owner may not employ any person other than a Parish-licensed Arborist to remove any vegetation with a mature height over six (6) feet on parish property.
- (2) Approval of vegetation removal may be conditioned on replacement with a new tree or shrub of approved variety.
- (3) Residents living within a tree protection district (Metairie Ridge Tree Protection District or Old Metairie Neighborhood Conservation District) shall provide remediation for any removed trees in accordance with the Parish Code of Ordinances. Remediation may be accomplished by planting replacement trees within right-of-way locations approved by the Parkways Department, planting trees on private property and/or providing monetary compensation.
- (4) A permit is always required for the removal of any vegetation from public property by any person.
- (5) Work under this project which may interfere with the proper operation and maintenance of streets or other Parish rights-of-way is expressly prohibited.
- (6) All costs of the work to be accomplished under the permit shall be accepted by Applicant.
- (7) The rights and privileges granted to Applicant shall be non-exclusive and shall not be construed to be any broader than those expressly set forth in Louisiana law.
- (8) Any permit granted by the Parish is subject to revocation for just cause at any time.
- (9) All requests for permits required by this article, and denied by the Department of Parkways, will be accompanied by a list of reasons for denial.
- (10) If the Department of Parkway refuses to grant a permit, the Applicant may ask for the request to be reconsidered by the director of the Department of Public Works within thirty (30) days from the date on which the written refusal was issued.

(11) METHODS

The Applicant shall have the sole responsibility of determining the best and proper method or means of executing the work under this permit and the Parish, or its agent(s), shall not be held responsible for determining or suggesting a method or means of executing such work, except as expressly indicated in this Parish Code of Ordinances and this permit.

(12) RESTORATION

- (1) The Applicant shall restore at his/their own expense any and all property damaged as a result of the project itself or as a result of any negligent act of omission or commission by the Applicant, including, but not limited to the following: sidewalks, curbing, vegetation, turf, pipes, conduits, sewers, buildings, fences, bridges, retaining walls, tanks, power lines, levees or any other building on public or private property.
- (2) In case of failure on the part of the Applicant to restore such property, or make good such damage, the Parish may upon forty-eight (48) hours' notice to Applicant, proceed to repair, rebuild, or otherwise restore such property and take steps deemed necessary to collect restoration cost.
- (3) All public and private property affected in any way by the Applicant's proposed actions under this permit shall be protected and restored by the Applicant to the condition of said property prior to the work performed under this permit. All Parish property, including but not limited to the right-of-way, shall be restored to the satisfaction of the Parish.

(13) ACCESS, SAFETY AND TRAFFIC CONTROL

- (1) Access for all work performed in connection with this permit, must be affected from some point other than through traffic lanes except where specifically waived by the issued permit. No interference with traffic on through lanes shall be tolerated.
- (2) All safety precautions for the protection of the traveling public must be observed by the Applicant or his Contractor(s); undue delay to traffic shall not be tolerated.
- (3) Applicant or his Contractor(s) shall maintain a minimum of fifty percent (50%) of roadway accessible to vehicular traffic at all times, or as directed by the Traffic Engineering Division of the Jefferson Parish Department of Engineering.
- (4) Signing for warning and protection of traffic in instances where workmen, equipment or materials are in close proximity to the roadway surface, shall be in accordance with requirements in the most recent Department of Transportation Guide made available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C.
- (5) The closure of any lane of any street for any work under this permit shall require approval of the Applicant's plan by the Traffic Engineering Division of the Jefferson Parish Department of Engineering prior to the issuance of the permit and also prior to the closure of a street at a later time. Such plans shall show the signs, barricades and other

traffic controls that will be used regarding such closure. Further, Applicant shall notify Director of the Jefferson Parish Department of Streets, by facsimile @ 504-349-5828 at least forty-eight (48) hours prior to the closure of any street.

- (6) Barricades and warning devices shall be installed and maintained by Applicant and/or his Contractor(s).
- (7) The Applicant shall, as far as practicable and consistent with safety considerations, permit access to private and public property and leave fire hydrants, catch basins, streets, etc., free from encumbrances.
- (8) The Applicant shall take all reasonable and proper precautions to protect persons, animals and all vehicles from injury, and shall erect and maintain suitable barriers and shall employ one or more watchmen as an additional security whenever appropriate.

E. PENALTY FOR VOLATIONS {Jefferson Parish Code of Ordinances Sec. 37-26.}

- (1) Any person violating any of the provisions of this Article II of Chapter 37 Jefferson Parish Code of Ordinances, shall, upon conviction, be fined no more than FIVE HUNDRED DOLLARS AND NO/100 [\$500.00], or be imprisoned no more than thirty (30) days, or both.
- (2) A separate offense shall be deemed committed for each tree affected and also on each day during or on which a violation of any of the provisions of this part occurs.

*******Any violation of the foregoing General Conditions or the foregoing specifications may at the discretion of the Parish result in revocation of the permit and/or penalties.**

*******The Parish reserves the right to inspect or to re-inspect the permitted project at time, even after the project has been completed and to cite the Applicant for any violation(s) of any Parish Ordinance or Parish Codes regarding the project.**

AFFIDAVIT OF ACKNOWLEDGEMENT

STATE OF _____
PARISH/ COUNTY OF _____

BEFORE ME, a duly qualified Notary Public, in and for the Parish/County of _____ State of _____, and the undersigned competent witnesses personally came and appeared _____ [“Applicant”], who resides at _____, and post office address is _____,

Said Applicant, who after being deposed did state that he/she accepts the conditions of the permit for which Applicant is now applying regarding trees or other vegetation on public property.

The Applicant further declared:

- 1) He/she owns the immovable property that is located immediately adjacent to the public property on which this permit shall apply; and
- 2) He/she agrees, to the fullest extent permitted by law, to defend, indemnify, and hold harmless the Parish, its districts and sub-districts as well as and their duly appointed agents, employees and volunteers from and against any and all claims, suits, liabilities, losses, damages, costs or expenses, and attorneys’ fees (including attorneys’ fees and costs incurred in establishing the right to said indemnity), alleged to have been sustained, or that have been sustained by reason of the granting or exercise of the permit(s) and activity related thereto, whether or not the alleged damage may have been caused by the negligence of the Parish, its districts and sub-districts, their agents or employees or is based on alleged strict liability or absolute liability, provided, however, the provisions of this last clause shall not apply to any personal injury or property damage caused by the sole negligence of the Parish, its districts and sub-districts, their agents or employees, unless such sole negligence consists or shall have consisted entirely and only of negligence in the granting of the permit(s). Said indemnification by the Applicant of the Parish and others named above shall remain in effect as long as the facilities or equipment of the Applicant or its Agent(s) remain on the site(s) related to this permit or the result of the activities related to this permit and other such permits exists on Parish property; and
- 3) He/she assumes full liability for all damages to public property, to themselves, to their property, to third parties and to the property of the third parties that may result from the actions of the property owners or their agents that is related in any way to the trimming of trees and other vegetation on the public property and to fully indemnify the parish including related court costs and attorney fees for any such damages or claims;
- 4) He/she agrees that the Parish, its districts and sub-districts have the right to require such relocations and removal of the equipment of the Applicant as may at any time be considered necessary to provide proper and safe protection of life and property on or adjacent to the right-of-way, or to insure the safety of traffic on Parish rights-of-way, servitudes or other Parish property; and
- 5) He/she agrees to seek the permission of the Jefferson Parish Department of Parkways before removing from any trees from public property in Jefferson Parish.

Sworn to and subscribed in the Parish/County of _____, State of _____ before me and the undersigned competent witnesses on this _____ day of _____, 2____.

WITNESSES:

Signature of Representative of Applicant

NOTARY SEAL:

NOTARY PUBLIC