

ORDINANCE NO. 302

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, RELATING TO TREES, ESTABLISHING A COMMUNITY FORESTRY PROGRAM, DESIGNATING THE OPERATIONS DIVISION OF THE PUBLIC WORKS DEPARTMENT AS THE CITY'S TREE DEPARTMENT RESPONSIBLE FOR THE CARE AND MANAGEMENT OF THE COMMUNITY'S PUBLICLY OWNED TREES, ESTABLISHING REGULATIONS REGARDING THE CARE OF TREES ON PUBLIC PROPERTY, PROVIDING FOR AN ANNUAL REVIEW OF THE CITY'S PER CAPITA EXPENDITURE ON THE COMMUNITY FORESTRY PROGRAM, AND PROVIDING FOR THE OBSERVANCE OF ARBOR DAY

WHEREAS, the City Council believes trees are a valuable resource for the community that enhance the quality of life of our citizens, benefit the environment and provide habitat for songbirds that enrich our lives; and

WHEREAS, the University Place Comprehensive Plan, Environmental Management Element, encourages planting and preservation of significant trees; and

WHEREAS, the City Council supports tree planting and replacement on City-owned properties and rights-of-way, recognizing the benefits of trees and the promotion of the care and replacement of trees in the community; and

WHEREAS, the City of University Place observes Arbor Day in conjunction with Earth Day activities in which tree plantings are done throughout the year with individuals and groups in the community; and

WHEREAS, the City has the authority to regulate its property and rights-of-way;

WHEREAS, City development regulations require significant tree retention, planting and maintenance on both public and private property (19.35.030) and specify planting requirements for street trees (13.15.520);

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Establishing a community forestry program and designating a Tree Department.

(A) The Operations Division of the Public Works Department is hereby designated as the City's Tree Department. The Tree Department shall prepare a community forestry program plan that specifies how the City can enhance, encourage, and require the planting of new trees within the City as well as improve the care and maintenance of trees on publicly owned land. This plan would supplement existing requirements in the Municipal Code.

(B) The Tree Department shall work in conjunction with the City's Planning & Community Development Department, the Planning Commission, and the Park & Recreation Commission in developing a community forestry program plan.

(C) The Tree Department shall be legally responsible for the care and management of trees on publicly owned land.

Section 2. Establishing Additional Regulations Regarding the Care of Trees on Publicly-Owned Property.

(A) If the Director of the Tree Department determines that a tree on publicly-owned property is likely to pose a threat to public health and safety, the Director shall secure an assessment of the tree's health by a professional in the care of trees.

(1) If the assessment indicates the tree is unhealthy and requires additional measures to insure the safety of the public, the Director is authorized to take reasonable action to preserve the tree.

(2) If the assessment indicates the street tree is unhealthy or dangerous and should be removed, the Director is authorized to remove the tree.

(3) In the event of an emergency requiring immediate action to protect the health safety or welfare of the public, the Director is authorized to take any reasonable action.

(B) The regulations provided herein supplement the provisions of UPMC Title 13, the City's Zoning Code and development regulations, and other city ordinances that require the planting and maintenance of trees within the City.

Section 3. Requiring Reports to the City Council on the Annual Per Capita Public Spending for Trees under the City's Community Forestry Program. The City Manager, or designee, shall provide the City Council with a report each year on the per capita dollar amount expended within the City's budget on the community forestry program.

Section 4. Directing Arbor Day Observance. The City Manager, or designee, shall provide for the celebration of Arbor Day each year within the City.

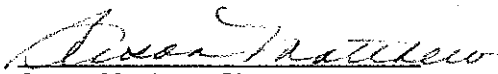
Section 5. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall take effect five (5) days after publication.

PASSED BY THE CITY COUNCIL DECEMBER 11, 2000.


Lorna Smith, Mayor

ATTEST:


Susan Matthew, City Clerk

APPROVED AS TO FORM:


Timothy X. Sullivan, City Attorney

Published: December 14, 2000

Effective: December 19, 2000