

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 11-0780

Introduced by: Councilmembers Clarke, Cole, D’Adamo, Middleton, Henry, Stokes, Holton,
Conaway, Welch, Curran, Reisinger, President Young, Councilmember Kraft

Introduced and read first time: September 19, 2011

Assigned to: Judiciary and Legislative Investigations Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: October 24, 2011

AN ORDINANCE CONCERNING

Natural Resources – Notice Required Before Removal of Trees on City Streets

FOR the purpose of clarifying that no person or ~~City agency~~ the City may remove a tree from a City street without providing notice; clarifying and conforming related provisions; and generally related to the removal of trees from City streets.

BY repealing and reordaining, with amendment

Article 7 - Natural resources

Section(s) 53-5

Baltimore City Code

(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 7. Natural Resources

Subtitle 53. Trees along City Streets, etc.

§ 53-5. Public notice of tree removal.

(a) *Notice required.*

[The Department of Recreation and Parks and the Department of Public Works shall]

UNLESS NOTICE IS GIVEN AS REQUIRED BY THIS SECTION, ~~NO CITY AGENCY MAY~~ THE CITY MAY NOT:

(1) [not] remove or destroy a tree along one of the streets, lanes, alleys, or other public ways in this City; or

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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1 (2) PERMIT ANY PERSON TO REMOVE OR DESTROY A TREE ALONG ONE OF THE STREETS,
2 LANES, ALLEYS, OR OTHER PUBLIC WAYS IN THIS CITY[, unless notice of the
3 intended removal or destruction is given].

4 (b) *Form and content.*

5 The notice REQUIRED BY § 53-5(A):

6 (1) [shall] MUST consist of a durable and legible statement of the [Department's]
7 ~~AGENCY'S~~ intent, affixed to and easily visible on the tree for not less than 5 days
8 immediately preceding the contemplated removal or destruction; and

9 (2) [shall] MUST state:

10 (i) the reason for the intended removal or destruction of the tree; and

11 (ii) the person or persons to whom inquiries or protests thereon may be
12 directed.

13 (c) *Exception for emergency.*

14 (1) In the event of an emergency situation, such as a fallen tree or some other condition
15 or occurrence requiring an immediate removal or destruction of a tree along one of
16 these public ways, the ~~Department~~ CITY OR ANY PERSON IT PERMITS may remove or
17 destroy the tree without complying with the foregoing provisions of this section.

18 (2) But in this event, the ~~Department~~ CITY OR THE PERSON IT PERMITTED promptly shall
19 notify the City Council of the circumstances, conditions, and justification under
20 which the tree was thus removed or destroyed.

21 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
22 are not law and may not be considered to have been enacted as a part of this or any prior
23 Ordinance.

24 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
25 after the date it is enacted.

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Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City