

**CITY OF BALTIMORE
COUNCIL BILL 11-0780
(First Reader)**

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

Introduced and read first time: September 19, 2011

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Recreation and Parks,
Department of Public Works, Commission on Sustainability

A BILL ENTITLED

1 AN ORDINANCE concerning

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

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

6 BY repealing and reordaining, with amendment

7 Article 7 - Natural resources

8 Section(s) 53-5

9 Baltimore City Code

10 (Edition 2000)

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

13 **Baltimore City Code**

14 **Article 7. Natural Resources**

15 **Subtitle 53. Trees along City Streets, etc.**

16 **§ 53-5. Public notice of tree removal.**

17 (a) *Notice required.*

18 [The Department of Recreation and Parks and the Department of Public Works shall]
19 UNLESS NOTICE IS GIVEN AS REQUIRED BY THIS SECTION, NO CITY AGENCY MAY:

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

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

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 (b) *Form and content.*

2 The notice REQUIRED BY § 53-5(A):

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

6 (2) [shall] MUST state:

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

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

10 (c) *Exception for emergency.*

11 (1) In the event of an emergency situation, such as a fallen tree or some other condition
12 or occurrence requiring an immediate removal or destruction of a tree along one of
13 these public ways, the Department may remove or destroy the tree without complying
14 with the foregoing provisions of this section.

15 (2) But in this event, the Department promptly shall notify the City Council of the
16 circumstances, conditions, and justification under which the tree was thus removed or
17 destroyed.

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

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