

ORDINANCE _____

1
2 AN ORDINANCE relating to tree and vegetation management in public places; adding a new
3 Chapter 15.43 to Subtitle I of Title 15 of the Seattle Municipal Code to provide for the
4 regulation of planting, maintenance, and removal of trees and shrubs in all public places;
5 amending Sections 15.02.042, 15.02.044, 15.02.046, 15.04.012, 15.90.018 and repealing
6 Chapter 15.42 of the Seattle Municipal Code.

7
8 WHEREAS, Seattle’s urban forests are part of a larger ecological system that spans from
9 mountains to sound, and are integral to our regions quality of life; and

10
11 WHEREAS, the City of Seattle recognizes that the health of our City is reflected in the health of
12 the Urban Forest; and

13
14 WHEREAS, the City of Seattle is committed to maintaining a sustainable urban forest through
15 tree planting, preservation, and conservation within our parks, along our streets, and in
16 our yards and gardens; and

17
18 WHEREAS, the City of Seattle and its citizens value trees in our parks, greenbelts and
19 neighborhoods because of the environmental, economic, and aesthetic values they add to
20 our community, as well as their important contribution to the purity of our air and water;
21 and

22
23 WHEREAS, the Seattle Climate Action Plan, included increasing Seattle’s tree canopy over the
24 next 30 years, and addresses the importance of trees, which is consistent with the City’s
25 vision for the urban tree canopy goals, and;

26
27 WHEREAS, the Mayor issued Executive Order 03-05 directing that each city department whose
28 policies or infrastructure interacts with trees in the public place needs to develop policies
and procedures in support of the City’s Urban Forestry Management Plan, including
replacing every tree removed from City property with two new trees, and;

WHEREAS, appropriate planning, planting and maintenance of trees in the public place provides
City residents and visitors with economic, social, environmental and aesthetic benefits, as
well as contributing to the public health, welfare and safety; and

WHEREAS, Urban Forest benefits increase with tree numbers and size, and therefore mature
trees have a higher value and should be preserved; and

WHEREAS, Trees in the public place are a valuable component of transportation infrastructure;
improving air quality and public health by absorbing gaseous pollutants, intercepting
dust, ash, and smoke; reducing levels of atmospheric carbon that lead to climate change
and releasing oxygen through photosynthesis; NOW, THEREFORE,

1
2 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

3
4 Section 1. **Purpose** The City of Seattle recognizes that trees planted and growing in public
5 places are an important part of the urban forest, the health of which provides a substantial
6 contribution to the quality of life in Seattle. The preservation, retention, protection, and planting of
7 trees and shrubs reduces the impacts of storm water runoff and helps to replenish ground water
8 supply; aids in reducing air and noise pollution and energy consumption; sequesters global warming
9 pollution; maintains and increases property values; provides habitat for wildlife; and enhances the
10 aesthetic environment. The purpose of this ordinance is to promote and protect the public health,
11 safety, and welfare by providing standards for and regulating the planting, pruning, removal, and
12 maintenance of trees, shrubs, and other plants in other public places; promote tree health and
13 aesthetics; foster species diversity; preserve and increase the tree canopy, and protect residents from
14 damage caused by improper planting, maintenance, or removal of trees and shrubs.
15

16
17 Section 2. Section 15.02.042 of the Seattle Municipal Code as last amended by Ordinance
18 123659, is amended to add four new definitions, as follows:

19
20 **15.02.042 Definitions A through C((:))**

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22 * * *

23
24 **H.** “Canopy” means a protective covering located at an entrance to a building.
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27

1 I. “Certified Arborist” means an individual who has completed the necessary
2 requirements established by the International Society of Arboriculture (ISA) to be recognized as an
3 ISA Certified Arborist or an ISA Board Certified Master Arborist.

4
5 J. “Certified Tree Worker” means an individual who has completed the necessary
6 requirements established by the International Society of Arboriculture (ISA) to be recognized as an
7 ISA Certified Tree Worker.

8
9 K. “City Arborist” means the person designated as such by the Director of
10 Transportation.

11
12 L. “Climbing spurs” means sharp, pointed devices affixed to the climber’s leg used
13 to assist in climbing trees.

14
15 M((I)). “Curb-corner-radius area” means the area that includes the intersection of two
16 sidewalks bounded by the adjoining corner or curb bulb and curb ramps (Exhibit B for
17 15.02.042: Corner ((C))curb ((R))radius ((A))area). If the start of the point of curvature for the
18 curb bulb or curb radius occurs beyond the sidewalk intersections, the area shall be extended to
19 the point of curvature for the curb bulb or curb radius.

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21 *****

22
23 Section 3. Section 15.02.044 of the Seattle Municipal Code last amended by Ordinance
24 123659, is amended as follows:

25
26 **15.02.044 Definitions D through M**

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2 E. “Hazardous tree” means any tree or tree part that poses a high risk of damage to
3 persons using, or property located in the public place, as determined by the Director according to
4 the tree hazard evaluation standards established by the International Society of Arboriculture.

5
6 F. “Heritage tree” means a tree, or group of trees, given special designation by the
7 Heritage Tree Program, co-sponsored by the City of Seattle, and Seattle Department of
8 Transportation. Heritage tree classifications shall be maintained in the Street Tree Manual.

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10
11 ~~((D))~~G. “Marquee” means an approximately horizontal, rigid, non((-))retractable, non((-
12))collapsible structure, projecting from and supported by a building.

13
14 ~~((E))~~H. “Marquee sign” means a sign placed on, constructed in, or attached to a marquee.

15
16 ~~((G))~~I. “Mobile food vending” means to sell, offer for sale, solicit orders, display, or
17 otherwise peddle; food that is exempt from acquiring a food establishment permit under Title 5
18 of the King County Board of Health; to the public from a public place; as authorized or
19 prohibited in Sections 15.17.010, or 15.17.130.

20
21 Section 4. Section 15.02.046 of the Seattle Municipal Code as last amended by Ordinance
22 123659, is amended as follows:

23
24 **15.02.046 Definitions N through Z**

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1 G. “Pruning, major” means the pruning or cutting out of branches two inches in
2 diameter or greater; root pruning of roots greater than two inches in diameter; or cutting out of
3 branches constituting more than 15 percent of a tree’s foliage-bearing area. Minor pruning
4 means the pruning or cutting out of water sprouts, suckers, twigs, or branches less than two
5 inches in diameter, which constitutes less than 15 percent of the tree’s foliage-bearing area; or
6 removal of small dead wood, broken branches and stubs.

7
8 ~~((F))~~H. “Public (~~Place~~)place” means and includes streets, avenues, ways, boulevards,
9 drives, places, alleys, sidewalks, (~~and~~) planting strips, squares, triangles, plazas, and right-of-
10 way for public use and the space above or beneath its surface, whether or not opened or
11 improved.

12
13 ~~((G))~~I. “Publisher” means the owner or distributor of a newspaper or other publication
14 distributed through a newsstand.

15
16 ~~((H))~~J. “RCW” is an abbreviation for Revised Code of Washington.

17
18 K. “Severe crown reduction” means the reduction in the overall size of the tree by the
19 cutting back of leaders, limbs or branches to stubs within the tree’s crown to such a degree as to
20 remove more than 25percent of the normal tree canopy and disfigure the tree, or cut back to
21 lateral limbs less than 1/3 of the diameter of the limb that is cut. Severe crown reduction is not
22 an acceptable form of pruning.

23
24 ~~((G))~~L. “Shoreline street ends” means the land portions of street segments that provide or
25 could provide if improved, the public with visual or physical access to a body of water and its
26

1 shoreline that are listed on Exhibit A to Resolution 29370 that adopted policies guiding the
2 development of public access improvements to shoreline street ends.

3 ((H))M. "Sidewalk cafe" means a portion of sidewalk area in which ((are placed)) tables
4 and chairs are placed for the use of patrons ((while)) consuming food ((and/or)) beverages,
5 including alcoholic beverages, ((served by a cafe, restaurant or tavern)) that is operated by a food
6 service business located on ((adjacent)) abutting property.
7

8
9 ((I))N. "Sign" means any medium, including its structure and component parts, ((which))
10 that is used or intended to be used out of doors to attract attention to the subject matter for
11 advertising, identification or informative purposes.
12

13 ((J))O. "SMC" is an abbreviation for Seattle Municipal Code.

14
15 P. "Street tree" means any tree planted or growing within a public place.

16
17 Q. "Street Tree Inventory" means a database or list of trees growing within the designated
18 public place, that includes attributes such as species, size, tree condition, location, and
19 maintenance responsibility.
20

21 R. "Street Tree Manual" means the Seattle Department of Transportation's Tree
22 Standards Manual for planting, pruning, maintenance and protection of trees.
23

24 ((M))S. "Superintendent" or "Superintendent of Parks and Recreation" means the City
25 Superintendent of Parks and Recreation and his or her authorized representatives.
26
27

1 T. “Topping” means the severe and indiscriminate cutting back of limbs to stubs within
2 the tree’s crown, to such a degree as to remove the tree’s normal canopy and disfigure the tree;
3 or the cutting back of limbs or branches to lateral branches that are not sufficiently large enough
4 to assume the terminal role, or are less than 1/2 of the diameter of the limb or branch that is cut.

5
6 U. “Tree service provider” means any individual or business entity that engages in the
7 business of planting, pruning, removing or otherwise treating trees for monetary or other
8 compensation.

9
10 ~~((N))~~V. “Vend or vending” means to sell, offer for sale, solicit orders, display, rent, lease,
11 or otherwise peddle any good, ticket, thing, or service of any kind; to the public from a public
12 place; as authorized or prohibited in Chapters 15.14 or 15.17.

13
14 ~~((O))~~W. “Vending cart” means a movable cart that is used to serve, vend, or provide
15 food, nonalcoholic beverages, or flowers.

16
17 Section 5. Section 15.05.012 of the Seattle Municipal Code, last amended by Ordinance
18 117569, is amended as follows:

19
20 15.04.012 Nuisances~~((r))~~

21
22 Any structure built, excavation made, ~~((and/))~~ or material placed in or on any public place by anyone
23 without a permit ~~((therefor))~~ first having been obtained, as provided in this title may be deemed a
24 public nuisance. A tree in a public place may be determined to be a nuisance if it impedes the safe
25 operations of the transportation system including but not limited to signs and signals, harbors a
26

1 contagious disease, or has an insect infestation that threatens the health of other trees or vegetation,
2 solely to be determined by the Director. In the discretion of the authorizing official identified in
3 Section 15.04.015, and in Section 15.43.040, such nuisances may be abated with or without the
4 action of law, and/or such other proceedings may be taken as are authorized by law and the
5 ordinances of the City for the prevention, abatement and punishment of nuisances.
6

7 Section 6. Chapter 15.42 and Sections 15.42.010 through 15.42.060 of the Seattle
8 Municipal Code, and as reads as follows, are repealed:
9

10 ~~((15.42 — **Planting Trees and Shrubs**~~

11
12 ~~15.42.010 — General provisions — Trees.~~

13 ~~No one shall plant in any public place any maple, Lombardy poplar, cottonwood or gum, or~~
14 ~~any other tree which breeds disease dangerous to other trees or to the public health. No one shall~~
15 ~~allow to remain in any public place any tree trunk, limb, branch, fruit or foliage which is in such~~
16 ~~condition as to be hazardous to the public, and any such trees now existing in any such planting~~
17 ~~(parking) strip or abutting street area may be removed in the manner provided in this subtitle for the~~
18 ~~revocation of permits and removal of obstructions.~~
19

20 ~~15.42.015 — Tree Root Damage — Liability~~

21 ~~Anyone who owns any tree, the roots of which cause injury to the public sewers, sidewalks,~~
22 ~~or pavements shall be liable for the damage done to the public sewers, sidewalks or pavement by~~
23 ~~said trees. No tree shall be planted within one foot (1') of any City sidewalk or pavement, except by~~
24 ~~special permit.~~
25

26 ~~15.42.020 — Overhanging trees and shrubs~~
27

1 ~~No flowers, shrubs or trees shall be allowed to overhang or prevent the free use of the~~
2 ~~sidewalk or roadway, or street maintenance activity, except that trees may extend over the sidewalk~~
3 ~~when kept trimmed to a height of eight feet (8') above the same, and fourteen feet (14') above a~~
4 ~~roadway.~~

5 15.42.030 — Contact with telephone and electric wires

6 ~~No trees shall be allowed to come in contact with telephone, telegraph, electric or power~~
7 ~~wires of public service companies or of the City where such wires are twenty five feet (25') or more~~
8 ~~above the level of the public place over which they pass. When the Director of Transportation finds~~
9 ~~that such trees are coming in contact with such wires of public service companies or of the City,~~
10 ~~said Director may order the trees trimmed, and if not so trimmed within ten (10) days after service~~
11 ~~of written notice upon the owner of such trees, or the posting of written notice thereof upon the~~
12 ~~premises, the Director of Transportation may issue a permit to the owner(s) of the — wires,~~
13 ~~authorizing them to trim such trees at their own expense. If the work is done by the owner(s) of the~~
14 ~~wires, the Director of Transportation or his/her representative may accompany such owner(s) or the~~
15 ~~contractor thereof and have charge of the work, and the cost of supervising such trimming shall be~~
16 ~~borne by the owner(s) of the wires.~~

17 15.42.040 — Obstruction of intersection prohibited

18 ~~No trees, shrubs or flowers over two feet (2') in height shall be planted or maintained in~~
19 ~~that portion of any planting (parking) strip lying within thirty feet (30') of the intersection of the~~
20 ~~planting (parking) strip with the curbline of any intersecting street.~~

21 15.42.050 — Conformance to Street Tree Planting Standards

1 ~~Tree planting shall conform to the Street Planting Standards of the City of Seattle adopted~~
2 ~~by the Director of Transportation, insofar as practical. Changes from those standards may not be~~
3 ~~granted without approval of the Director of Transportation.~~

4 ~~15.42.060 Removal of hazards~~

5 ~~If any such trees or shrubs are or become a hazard, the Director of Transportation may order~~
6 ~~the same removed as provided under this subtitle.))~~

7
8 Section 7. A new Chapter 15.43 of the Seattle Municipal Code, is added as follows:

9
10 **Chapter 15.43 TREE AND VEGETATION MANAGEMENT IN PUBLIC PLACES**

11
12 **15.43.010 Authorizing official**

13
14 The Director of Transportation is responsible for regulating the planting, maintenance,
15 and removal of trees and other vegetation on all public places within the City of Seattle. The
16 Director is authorized to enforce the regulations as provided for in Chapter 15.43 and to
17 promulgate rules, regulations, policies, and standards to govern the planting, pruning,
18 maintenance, removal, protection, fertilization, cabling, and bracing of trees and other vegetation
19 in public places. The Director shall maintain a list of tree species and varieties that may be
20 planted in public places. This Chapter 15.43 does not regulate trees and vegetation located on
21 City property under the jurisdiction of the Seattle Parks and Recreation Department or the
22 Department of Finance and Administrative Services.
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1 **15.43.020 Tree preservation and protection**

2 No person shall destroy, kill, injure, mutilate, or deface a tree or vegetation in a public
3 place by any means, including but not limited to the following:
4

5 A. Causing or encouraging setting fire underneath, or within five feet of the dripline of a
6 tree or within five feet of other vegetation in a public place;
7

8 B. Applying any toxic chemicals to a tree in a public place or to the ground within 20
9 feet of a tree in a public place;
10

11 C. Attaching any rope, wire, nails, advertisements, posters, or other objects to any tree,
12 except for:
13

14 1. Supports for young or broken trees;

15 2. Official City placards affixed in a manner that is not injurious to trees, and
16

17 3. Decorative or seasonal lighting, approved with a Street Use permit, attached in
18 a manner consistent with SDOT specifications that does no permanent damage to the tree in a
19 public place;
20
21

22 D. Using climbing spurs on a tree in a public place;
23

24 E. Causing the topping or severe crown reduction of a tree in a public place, except in
25 the course of tree removal pursuant to a Street Tree permit granted by the Director;; and
26
27

1 F. Depositing, placing, or storing stones, bricks, concrete, asphalt, fill soil, plastic
2 sheeting, construction materials, or other materials within the dripline of a tree in a public place;
3 that may impede the free flow of water, air, or fertilizer to the roots of any tree or other
4 vegetation in the public place.

5
6 **15.43.030 Street tree permits required**

7
8 No person shall plant, remove, or perform major pruning on any tree in a public place
9 without first obtaining a Street Tree permit from the Department of Transportation. A Street Tree
10 permit is also required for any work occurring within the dripline or designated tree protection zone
11 of a Heritage Tree. The permit applicant is responsible for all expenses related to the planting,
12 pruning, and removal of trees. No Street Tree permit is required for minor pruning of trees by
13 abutting property owners, if there are no mobility impacts. A Street Tree permit is required for
14 minor pruning of trees designated for City maintenance in the Street Tree Inventory.
15

16
17 A. Permit applications for work on trees in the public place

18
19 1. Applications for Street Tree permits shall be filed with the Director on forms
20 provided by the City, pursuant to Chapter 15.04. No work may start until the permit has been
21 issued. Permit applications will be reviewed for the following uses:

22
23 a. Planting. An application to plant trees or shrubs shall be accompanied by
24 a planting plan illustrating the number of trees or shrubs to be planted, their species and variety, and
25 their location in the planting strip or other part of the public place, and any other information the
26 Director may require. The planting plan shall show the following:
27

1 1. The public place including pavement, gutter, curb planting strip
2 and sidewalk areas;

3 2. The location, species and variety of each tree and shrub proposed
4 to be planted and those already existing within the boundaries of the public place; and
5

6 3. The distance between the proposed or existing trees or shrubs in
7 any direction.
8

9 b. Major Pruning An application for major pruning, including root pruning,
10 of trees shall state the number, species, size, age, and condition of the tree or trees to be pruned; the
11 scope of pruning; and any other information the Director may require.
12

13 c. Removal An application for tree removal shall clearly state the reasons
14 that tree removal is necessary and shall be accompanied by a removal plan illustrating the
15 number of trees to be removed; their species, trunk diameter and variety; their location in the
16 planting strip or other part of the public place; the method of removal; and any other information
17 the Director may require.
18

19
20 B. Street Tree Permit approval considerations
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22 1. The Director may approve, approve with conditions, or deny the Street Tree
23 permit application.
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1 2. All proposed plans shall comply with the Street Tree Manual. Other factors
2 considered in evaluating an application for a Street Tree permit include but are not limited to the
3 following:

4 a. Planting. Only tree species identified in the Department of
5 Transportation’s approved tree list or approved by the Director may be planted in any public place.
6 The Director may consider the location of existing infrastructure and public safety concerns
7 including the location of utilities, visibility, and the health of other trees in the vicinity, when
8 reviewing a planting application for approval.

9
10
11 b. Major Pruning All major pruning shall comply with American National
12 Standards Institute (ANSI) A-300 Standards and best management practices as outlined in the Street
13 Tree Manual.

14
15 c. Removal The City’s policy is to retain and preserve trees whenever
16 possible. Accordingly, tree removal will generally not be permitted unless the tree has been
17 designated a hazardous tree by the Director. The removal of trees may be permitted based on
18 safety, development or environmental conditions as approved by the Director. Removed trees
19 shall be replanted or replaced if the site conditions allow. The stump and roots of trees shall be
20 removed to a point at least one foot below the top of the adjacent curb or proposed curb grade, or
21 lower if a replacement tree is proposed for the same location as the removal. Removal of a tree
22 requires posting and an opportunity for public comment.
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1 3. The Director may deny issuance of a Street Tree permit if the tree service
2 provider named in the application does not have a current City of Seattle Street Tree Service
3 Registration.

4
5 C. Posting and Public Comment. Any person applying for a Street Tree permit to remove a
6 tree shall post a notice of application at the site notifying the public of the proposed tree removal and
7 providing an opportunity for public comment. The notice of application shall be on a form provided
8 by the City and be posted in a location clearly visible from the adjacent public place for a period of at
9 least 14 business days. The Director may exempt an applicant from posting requirements if a tree
10 poses an imminent danger to the public's health or safety.

11
12 D. All planting, pruning, treatment, and removal of trees shall be performed as authorized
13 by the conditions of the Street Tree permit.

14
15 E. Pruning by utilities and communications providers. The Director may issue Street Tree
16 permits to utility and communication providers to prune and maintain trees in order to protect their
17 wires, cables, and other facilities owned by the utilities and telecommunication providers.
18 Except in cases of imminent danger to the public health or safety, all pruning shall be done in
19 accordance with Chapter 15.43 and the Street Tree Manual. The Director may require an SDOT
20 representative be present to monitor the pruning. Abutting property owners shall be informed by
21 posted doorknob notices or other means as approved by the Director at least three weeks before
22 starting tree work. The applicant is responsible for all expenses related to the pruning and the cost
23 of SDOT monitoring or inspection.
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1 F. Fees The fees for Street Tree permits will be as prescribed in the Department of
2 Transportation’s Street Use Fee Schedule.

3 **15.43.040 Maintenance of trees in the public place**

4
5 A. Abutting property owners are responsible for the following:

6
7 1. Maintaining all trees and other vegetation not designated for City maintenance in
8 the Street Tree Inventory, in accordance with the standards in the Street Tree Manual.

9
10 2. Pruning trees in a manner that will not obstruct or shade street lights; hinder or
11 obstruct public places; violate the minimum height clearance requirements of eight feet above
12 the surface of the sidewalk and 14 feet above the surface of the street; obstruct vision of traffic
13 signs and signals; or obstruct views of streets or intersections.

14
15 3. Removing or relocating improperly or inappropriately planted trees in the public
16 place when requested by the Director. If the adjacent property owner fails to perform the requested
17 tree work, the Director may perform the work at the adjacent property owner’s expense.

18
19 4. Ensuring that trees on their private property do not encroach upon any public
20 places in a manner that obstructs or shades street lights; hinders or obstructs any public places;
21 violates the minimum height clearance requirements; obstructs vision of traffic signs or signals; or
22 obstructs the view of any street or intersection.

23
24 5. Abating nuisance trees in the public place. Any tree identified by the Director as
25 being hazardous, or having a contagious disease or insect infestation that threatens the health of
26 other trees or vegetation is declared a nuisance. Abutting property owners are responsible for
27

1 abating nuisance trees by removing or applying an appropriate treatment to the affected tree or by
2 pruning any hazardous or nuisance tree in a manner that abates the threat to the public

3
4 B. The Director may order an abutting property owner to properly maintain and prune trees
5 and vegetation in a public place; relocate or remove improperly or inappropriately planted trees;
6 prune trees on private property that are encroaching on a public place; and abate nuisance trees. If
7 the abutting owner fails to perform the requested tree work, the Director may perform the tree work
8 at the abutting property owner’s expense. The abutting property owner is liable to the City for the
9 costs of the maintenance or removal of the tree(s). The City shall bill the property owner for the
10 costs to maintain or remove the trees together with an administrative charge equal to 15 percent of
11 the amounts expended.
12

13
14 C. The City is responsible for maintaining trees in the public place designated for City
15 maintenance in the Street Tree Inventory.
16

17 D. Damage. Any person who owns or is responsible for the maintenance of any tree is
18 liable for any damage done by the tree roots to the public sewers, storm drains sidewalks or
19 pavement.
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21 **15.43.050 Tree service provider requirements**

22
23 A. All tree service providers engaged in the business of planting, pruning, removing
24 or otherwise treating trees shall be registered with the Department of Transportation with a City
25 of Seattle Tree Service Provider registration. Applications for Tree Service Provider Annual
26
27

1 Equipment permit shall be filed with the Director on forms provided by the City, pursuant to
2 Chapter 15.04.

3 B. Registration Requirements.

4 1. Tree service providers shall submit a complete application that includes:

- 5 a. Business name and address;
- 6 b. City of Seattle business license number;
- 7 c. Name and phone number for contact person;
- 8 d. Name and certification number of ISA Certified Arborists and

9 Certified Tree Workers employed by or associated with the tree service provider business; and

10
11 e. Proof of commercial general liability (CGL) insurance that names
12 the City of Seattle as an additional insured for primary limits of liability. An applicant shall, before
13 issuance of a Tree Service Provider Annual Equipment permit or Street Tree Service Registration,
14 obtain and maintain in full force and effect, at its own expense, CGL insurance for the purpose of
15 protecting the City from all claims and risks of loss as a result of the permittee's activity,
16 occupation, operation, maintenance, or use of a public place in conjunction with the permitted
17 activity. The CGL insurance shall be in an amount specified by the Director of Transportation and
18 shall include: broad form property damage liability; personal injury; and premises operations.
19 Failure to maintain the required CGL insurance coverage is grounds for Street Use permit and
20 Street Tree Service Registration revocation.

21
22 2. The Director may deny registration to any applicant who fails to submit a
23 complete application or misrepresents information in the application. The applicant shall be
24 provided written notification of registration denial.
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1 3. Each registrant shall be issued a registration number and a tree service
2 provider registration card that may be renewed annually by filing a renewal application.

3 C. Any, major pruning, removal, or treatment of trees by a tree service provider shall be
4 supervised at the site by an ISA certified arborist or an ISA certified tree worker and shall comply
5 with the standards provided for in Chapter 15.43, the Street Tree Manual, and rules governing trees
6 in public places.

7 D. Tree service providers shall have their current tree service registration card and any
8 applicable Street Tree permits at the work site whenever planting, pruning, removing or treating any
9 tree in the public place shall provide those documents to SDOT representatives when requested. A
10 stop work order and applicable penalties shall be issued to any tree service provider who is
11 performing tree work in a public place without a current registration card or without applicable
12 Street Tree permits.

13 E. The Director may suspend or revoke the tree service provider registration for failure
14 to comply with any of the provisions of this Section 15.43.050 by sending written notification of the
15 suspension or revocation decision by first class mail to the registrant.

16 F. This Section 15.43.050 does not prevent property owners from pruning trees on
17 public places abutting their property in a manner consistent with this Chapter 15.43 and the Street
18 Tree Manual standards, or successor rules.

19 **15.43.060 Director’s review**

20 A person aggrieved by the approval or denial of or conditions imposed on a Street Tree permit,
21 or the approval or denial of a Tree Service Provider registration may timely request the Director
22

1 review the decision by filing a written request for review within ten business days of the date of
2 the decision, pursuant to SMC 15.04.112.

3 Section 7. Subsection A of Section 15.90.018, as last amended by Ordinance 121925, is
4 amended as follows:
5

6 **15.90.018 Civil penalty.**
7

8 A. In addition to any other sanction or remedial procedure (~~which~~) that may be
9 available, any person or entity violating or failing to comply with any of the provisions of Title
10 15 shall be subject to a cumulative penalty of up to (~~Five Hundred Dollars (€))\$500((.00))~~)per
11 day for each violation from the date the violation occurs or begins until compliance is achieved.
12

13 In addition to the cumulative penalty, for violations of Section 15.43.020, any person or entity
14 that destroys, kills, injures or mutilates a tree in the public place requiring that the tree be
15 removed, shall be subject to a civil penalty in an amount equal to the appraised value of each
16 affected tree(s) in accordance with the most current edition of the Council of Tree and
17 Landscape Appraisers ‘Guide for Plant Appraisal’. The City shall also be entitled to recovery of
18 its enforcement costs, including, but not limited to, staff time, administrative expenses and fees,
19 and costs and attorneys' fees.
20
21

22 * * * *

23
24 Section 8 . This ordinance shall take effect and be in force 30 days after its approval by
25 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
26 shall take effect as provided by Seattle Municipal Code Section 1.04.020.
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Passed by the City Council the ____ day of _____, 2011, and
signed by me in open session in authentication of its passage this
____ day of _____, 2011.

President _____ of the City Council

Approved by me this ____ day of _____, 2011.

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2011.

Monica Martinez Simmons, City Clerk

(Seal)