

-DRAFT-

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF CALIFORNIA CITY
AMENDING THE CALIFORNIA CITY MUNICIPAL CODE
AS IT RELATES TO THE PLANTING, MAINTENANCE,
AND REMOVAL OF TREES**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
CALIFORNIA CITY as follows:**

1. Purpose.

The purpose of this ordinance is to establish policies to ensure the City will realize the benefits provided by urban forests.

2. Amendment.

Article 7 is added to Title 2, Chapter 2, of the California City Municipal Code to read as follows:

"ARTICLE 7. CIVIC BEAUTIFICATION COMMISSION

Sec. 2-2.701. Scope.

This Article establishes the Civic Beautification Commission.

Sec. 2-2.702. Civic Beautification Committee.

(a) There is hereby established the Civic Beautification Commission consisting of seven (7) members who are citizens, residents and business representatives appointed by the mayor with the advice and consent of the city council.

(b) The rules governing the meetings and procedures of the Commission shall be established by the Commission, except the Commission shall meet not less than quarterly and shall comply with the Brown Act.

Sec. 2-2.703. Duties of the Commission.

(a) The Civic Beautification Commission shall:

(1) Advise the city council and make recommendations with regard to the removal, planting, replanting or disposition of public trees along city streets.

(2) Review and make recommendations regarding requests for public tree removal by individual property owners, neighborhood associations, or developers.

(3) Assist in the dissemination of news and information regarding the protection, maintenance, removal and planting of public trees on public property to the city council and citizens of the City.

(4) When requested by the city council, shall consider, investigate, make finding, report and recommend upon any special matter of question coming within the scope of the urban forest.

(5) Monitor the City's "Adopt-A-Street" program, and conduct an annual recognition ceremony for participants.

(b) Each autumn and spring the Commission will:

(1) Organize a public and private property cleanup/green up project.

(a) The public effort will be to organize community groups and citizens to participate in cleaning up specifically identified public property (street rights-of-way, park sections, etc.).

(b) The private effort will be to organize a recognition program for properties with significant contribution to the Clean Community Project Objectives. This would include waiver of utility billings for a single reading cycle (currently 2 months). The waiver would be awarded for two or three categories such as most improved property, most beautiful, etc. Additionally, plaques and certificates will be presented at City Council meetings."

(c) The Commission shall conduct other activities as directly related to the purpose of the Commission."

3. Amendment.

Chapter 8 is added to Title 7 of the California City Municipal Code to read as follows:

"CHAPTER 8. PUBLIC TREES

Sec. 7-8.101. Scope.

This chapter describes how the City may plant and maintain trees in public places.

Sec. 7-8.102. Tree Planting Standards.

The spacing of street trees will be in accordance with recommendations of the Beautification Commission.

Sec. 7-8.103. Tree Care.

The City shall plant, prune, maintain and remove trees, plants, and shrubs within the lines of streets, alleys, avenues, squares, parkways and public grounds, as necessary to ensure public safety or preserve or enhance the symmetry and aesthetics of public grounds. The City may remove or cause to be removed trees or parts thereof which are in an unsafe condition or which by reason of its nature are injurious to sewers, electric, power lines, gas lines, water lines, or other public improvements or is affected with any injurious fungus, insect, or pest.

Sec. 7-8.104. Tree Pruning.

The City shall maintain the City's urban forest on an average 4 1/2-year trimming cycle based on species, the recommendations of a certified arborist, and the International Society of Arboricultural Tree Pruning Standards. The City shall maintain and prune any public tree with limbs or branches so that branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection so there shall be a clear space of fourteen (14) feet above the surface of the street or sidewalk.

Sec. 7-8.105. Tree topping.

It shall be unlawful as a normal practice for any person, firm or city department to top a public tree on public property in such a way as to cut limbs to stubs larger than three (3) inches in diameter within a tree's crown so as to remove the normal canopy and disfigure the tree.

Sec. 7-8.106. Damaging Trees.

No person shall post or affix to any tree or shrub, tree stake or guard, in any street in the City, any bill, poster, placard, picture, announcement, notice, advertisement or sign, or cut, paint, print or mark any of the same upon such tree or shrub, tree stake or guard, or affix or attach in any manner any other thing whatsoever, including any guy wire or rope, to any such tree or shrub, tree stake, or guard, except for the purpose of protecting it or other purpose authorized by this Code. Tree stakes or guards may be placed around trees, shrubs or plants by property owners, provided the same are merely placed near a tree, shrub, or plant, for the purpose of protecting or training such trees, shrubs or plants.

Sec. 7-8.107. Dumping Harmful Substances on Trees.

No person shall dump, pour or spill any oil, salt, salt water or other deleterious matter upon any tree or tree space in any street, or maintain upon any sidewalk within ten (10) feet of any such tree or tree space on any street,

any receptacle from which oil or salt water leaks or drips, or pour oil or salt water onto any parking or concrete gutter, so as to injure any tree or any street.

Sec. 7-8.108. Building Materials Near Trees and Shrubs.

No person shall pile building material, or other material, about any tree, plant or shrub in a street in any manner that will in any way injure such tree, plant or shrub.”

4. Other.

Except as provided herein, the California City Municipal Code is reaffirmed and readopted.

PASSED, APPROVED AND ADOPTED on _____, 2007, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor

ATTEST:

City Clerk

(SEAL)