

ORDINANCE NO. 1219

CITY OF LACEY

AN ORDINANCE RELATING TO TREE PROTECTION PROFESSIONALS DESIGNATED BY THE CITY AND AMENDING SECTION 14.32.030 AND 14.32.035 OF THE LACEY MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. Section 14.32.030 of the Lacey Municipal Code is hereby amended to read as follows:

14.32.030 Definitions.

- A. "City" means the city of Lacey, Washington.
- B. "Ground cover" means types of vegetation which are normally terrestrial and shall include trees less than four inches in diameter measured twenty-four inches above the ground level.
- C. "Land clearing" means the direct and indirect removal of trees and/or ground cover from any undeveloped or partially developed lot, public lands or public right-of-way. Land clearing shall include forest practice activities as set forth in RCW 76.09.240.
- D. "Tree" means any living woody plant characterized by one main stem or trunk and many branches, and having a diameter of four inches or more measured at twenty-four inches above the ground level.
- E. A "hazard tree" means any tree with a significant structural defect, disease, extreme size or combinations of these which make it subject to failure.
- F. "Drip line" of a tree means an imaginary line on the ground created by the vertical projection of the foliage at its circumference.
- G. "Brushing" means the practice of removing significant ground cover to create better visibility on a property for purposes such as marketing or surveying of said property.
- H. "Tree protection professional" is a licensed professional with academic and/or field experience that makes him or her a recognized expert in tree preservation and management. ~~The~~ A tree protection professional shall be a member of the Society of American Foresters, the Association of Consulting Foresters and shall have specific experience with tree management in the state of Washington. Additionally the tree protection professional shall be a Certified Arborist ~~have with~~ the necessary training and experience to use and apply the International Society of Arboriculture's guide to evaluation and management of trees and to successfully provide the necessary expertise relating to management of trees specified in this chapter.
- I. "Director" means director of community development or his/her designee.

Section 2. Section 14.32.035 of the Lacey Municipal Code is hereby amended to read as follows:

14.32.035 The city's tree protection professional.

In the interest of achieving professional assistance in the city's tree protection efforts ~~and achieving consistency in tree protection decisions~~, the city shall contract with ~~a professional~~ one or more professionals that ~~qualifies~~ qualify as a tree protection professional under the definition of this chapter. Said professional or professionals shall be responsible for providing the information and services required of a tree protection professional described herein.

~~In the interest of regional consistency of tree protection and management decisions, the city shall encourage the neighboring jurisdictions of Thurston County and Olympia to enter into an interlocal agreement for contracting of services from a tree protection professional.~~

Individual applicants will be responsible for payment of the costs and fees of the designated tree protection professional for projects necessitating work to be performed by the tree protection professional with the exception of work in determining an exempt project; ~~provided however, that the~~ The city shall be responsible for billing and collecting costs and fees charged to the applicant and transferring said payment to the tree protection professional unless the city has opted for some other mechanism of providing for the costs and fees, such as inclusion of such costs and fees in the schedule of application fees. (Ord. 904, 1991; Ord. 650 §2, 1982; Ord. 399 §1 (part), 1975).

Section 3. The Summary attached hereto is hereto is hereby approved for publication.


PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this

22nd day of January, 2004


CITY COUNCIL

By 
Mayor

Approved as to form:


City Attorney

Attest:


City Clerk

Published: January 26, 2004

Monday

SUMMARY FOR PUBLICATION

ORDINANCE 1219

CITY OF LACEY

The City Council of the City of Lacey, Washington, passed on 1-22-04, Ordinance No. 1219, entitled "AN ORDINANCE RELATING TO TREE PROTECTION PROFESSIONALS DESIGNATED BY THE CITY AND AMENDING SECTION 14.32.030 AND 14.32.035 OF THE LACEY MUNICIPAL CODE AND ADOPTING A SUMMARY FOR PUBLICATION."

The main points of the Ordinance are as follows:

1. The Ordinance amends the definition of "Tree Protection Professional" set forth in LMC Section 14.32.030 and the procedures of the City specified in LMC Section 14.32.035 to make it clear that the City may designate more than one licensed professional to serve as the Tree Protection Professional for the City of Lacey.
2. The Ordinance approves this Summary for publication.

A copy of the full text of this Ordinance will be mailed without charge to any person requesting the same from the City of Lacey.

Published: January 26, 2004.
Monday

Charlotte M. Taylor
City Clerk