

## **ORDINANCE 695**

### **AN ORDINANCE AMENDING SCAPPOOSE MUNICIPAL CODE TITLE 17 AND ESTABLISHING A HERITAGE TREE PROGRAM FOR THE CITY OF SCAPPOOSE.**

#### **THE CITY OF SCAPPOOSE HEREBY ORDAINS AS FOLLOWS:**

**Section 1.** Scappoose Municipal Code Title 17 is amended by the addition of Chapter 17.141, Heritage Trees, to read as follows:

17.141.010 Purpose. The City is now benefitted by trees which because of their age, size, type, historical association or horticultural value are of special importance to the city. The purpose of this chapter is to provide an opportunity for public and private entities to identify and protect these trees.

17.141.020 Heritage Tree Designation. The Urban Forestry Advisory Board shall prepare or cause to be prepared as soon as possible after passage of this ordinance and annually thereafter, a list of trees within the City, which because of their age, size, type, historical association or horticultural value are of special importance to the City. No tree standing on private property shall be designated a "Heritage Tree" without the consent of the property owner. The consent of the property owner shall bind all successors, heirs and assigns. Upon recommendation of the Urban Forestry Advisory Board and consent of the property owner, the City Manager may designate such a tree a "Heritage Tree", provided that the tree's health, aerial space and open ground area for the root system have been certified as sufficient by a qualified arboriculturist.

17.141.030 Removal of Heritage Tree Designation. Upon recommendation of the Urban Forestry Advisory Board, the City Manager may remove the designation of any tree as a Heritage Tree if the Urban Forestry Advisory Board finds that such designation is no longer appropriate.

17.141.040 Maintenance of Heritage Trees. When a tree is designated as a Heritage Tree, a plaque so signifying may be placed near the tree. The Public Works Department shall maintain all Heritage Trees located on City property or on public rights of way within the City. It shall be the duty of every owner of property upon which a Heritage Tree is standing to maintain that tree. The Urban Forestry Advisory Board may give advice and assistance to the property owners regarding proper maintenance of Heritage Trees.

17.141.050 Removal of Hazardous Heritage Trees. For purposes of tree removal, all Heritage Trees, whether located on public or private land, shall be subject to the limitations and requirements of the Scappoose Municipal Code 17.140, Public Land Tree Removal.

**Section 2.** In support of the above, the City Council hereby adopts the findings, conclusions and recommendations included in the staff report dated December 2, 1999, a copy of which is attached hereto or on file with the City Recorder.

**PASSED AND ADOPTED** by the City Council this 3<sup>rd</sup> day of January, 2000 and signed by the Mayor, and City Recorder in authentication of its passage.

**CITY OF SCAPPOOSE, OREGON**

  
Glenn E. Dorschler, Mayor

First Reading: December 20, 1999

Second Reading: January 3, 2000

Attest:   
Debi Schmit, City Recorder