

MEMORANDUM

DATE: January 6, 2011
TO: Trees and Views Committee
FROM: Jeremy Graves, Community Development Director
SUBJECT: Review of Trees and Views Regulations

In the transition of changing the Trees and Views Committee staffing responsibilities from the Public Works Department to the Community Development Department, staff became aware that the version of the Preservation of Trees and Views regulations (Chapter 11.12 of the Municipal Code) used by Trees and Views Committee may not be current. To address this situation, two documents are attached:

- A codified version of Chapter 11.12, Preservation of Trees and Views which includes all ordinance amendments, except Ordinance No. 1146.
- Ordinance No. 1146 which was adopted in 2000. This ordinance revised the enforcement and penalties provisions (Section 11.12.050) of the Trees and Views regulations.

These two documents supersede any copies of Trees and Views Regulations previously provided to the Committee.

Staff will provide an overview of these regulations and answer questions on September 7, 2010.

Attachments:

Chapter 11.12, Preservation of Trees and Views
Ordinance No. 1146
Chapter 17.28, Trees, Shrubs and Plants

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TREE AND VIEW PRESERVATION ORDINANCE

Chapter 11.12 of the Municipal Code

Sections

11.12.010 - Purpose and Intent

11.12.020 - Definitions

11.12.030 - Protected Trees

11.12.040 - Views

11.12.050 - Enforcement and Penalties

Section 1. Chapter 11.12 of the Sausalito Municipal Code is hereby amended to read as follows:

11.12.010 PURPOSE AND INTENT. The General Plan of the City of Sausalito recognizes the contribution of both trees and views to the character and beauty of the City. The removal of trees without reasonable care would destroy the natural beauty of certain areas, contribute to erosion, increase the cost of drainage systems, reduce protection against wind, and impair residential privacy and quiet. This chapter acknowledges that trees and views, and the benefits derived from each, may come into conflict. This Chapter presents guidelines to resolve such conflicts so as to provide a reasonable balance between trees and views related values. It is the intent of this Chapter to provide an atmosphere in which residents of this community can resolve their differences amongst themselves without City intervention. For these reasons, the City Council enacts these regulations to promote the public health, safety and welfare. All tree work to be performed shall be in accordance to pruning standards of the International Society of Arboriculture Western Chapter. (ISA Copies available at Community Development Department.)

11.12.020 DEFINITIONS. As used in this Chapter, the following terms shall have the meanings set forth in this section unless the context clearly indicates otherwise:

Alterations: Any action which would significantly change or damage the health or appearance of any tree, whether, 1) by cutting of its trunk or branches, or, 2) by filling or surfacing or changing the drainage of the soil around the tree, 3) by the cutting or removal of roots, 4) by removal of the upper portion of the tree's trunk or main leader, or 5) by any other damaging acts.

Arborist: 1) "Certified" Arborist as currently listed by the International Society of Arboriculture, or, 2) "Consulting" Arborist as currently listed as a member of the American Society of Consulting Arborists.

Arborists Report: The report of a Certified or Consulting Arborist on the feasibility and impact of suggested tree work.

C.B.H. (Circumference at Breast Height): The tree trunk's circumference as measured at 4 and 1/2 feet above the ground. For multi-trunked trees, the circumference of the two largest trunks combined. **Claimant:** Any individuals or group of individuals who files a claim as required by the provisions of this Chapter.

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Feasible Tree Work: Tree work in which the first priority is the health and appearance of the tree.

Hedge: Any plant material, trees, stump growth, or shrubbery planted or growing in a dense continuous line, so as to form a thicket, barrier or living fence.

Tree Removal: The destruction of any tree by cutting, girdling, interfering with the water supply, applying chemicals, or regrading around the base of the trunk.

Tree Worker: "Certified" tree worker as currently listed by the International Society of Arboriculture.

Undeveloped Property: Undeveloped property includes:

1. A parcel of private land of which less than ten (10) percent is covered by a structure, including but not limited to residential lots;
2. A parcel of land which can be further divided in accordance with the zoning regulations of the City;
3. A parcel of land on which the structures are about to undergo demolition or relocation.

View: A vista of the San Francisco-Richardson Bay, neighboring communities, surrounding hills, or a nearby or distant wooded area from the primary living areas of the home. "Views" include, but are not limited to skylines, bridges, distant cities, geologic features, hillside terrains and wooded canyons or ridges. The term "view" does not mean an unobstructed panorama of all or any of the above.

View Claim: The written basis for arbitration or court action under the provisions of this Chapter, submitted by the claimant.

11.12.030 PROTECTED TREES.

A. Permit Procedures for Removal or Alteration of Protected Trees. It is unlawful for any person to remove or alter any protected tree as defined herein, without a permit issued and posted as provided in this Chapter except for the purpose of routine pruning. No protected tree may be removed or altered on any undeveloped property on Saturday, Sunday or Holidays or at any time except during regular working hours (8:00 a.m.- 5 p.m.), Monday through Friday.

1. Applicant's Responsibility:

a. Application. A Tree Removal/Alteration Permit shall be obtained from the Community Development Department in any situation which involves the removal or alteration or possible damage to a protected tree or trees, including issuance of a permit for building, grading or demolition. The permit application must be accompanied by an arborist report stating the need for tree removal or alteration based on the Criteria set forth in subdivision B of this Section, and recommending protective measures for any endangered tree. If the applicant is not the owner of the property on which the tree or trees are located, the applicant shall attach the written permission of the property owner.

b. Posting of Application and Tree Tags. After submission of an application under this section, the applicant shall be issued tree tags, one of which is to be posted on each tree proposed for removal or alteration. Within two (2) working days after making an application for a tree removal or alteration permit, the applicant shall place the tags on the trees and post the application so that it is clearly visible from the street at the front of the lot. The tags and notice shall not be removed for ten working days thereafter.

c. Posting of Permit. Following issuance of a tree removal permit, an applicant shall post a copy in plain view on the site while tree removal or alteration work is underway. d. Filing Fee The applicant shall pay the filing fee established by the City Council for tree removal or alteration permit.

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d. The value of the tree to the neighborhood is greater than its inconvenience to the owner. The effects on visual, auditory, and wind screening, privacy and neighboring vegetation must be considered.

e. The need for protection of privacy for the property on which the tree is located and/or for adjacent properties.

C. Conditions of Approval for Protecting Trees During Construction.

Adequate protection shall be provided during the construction period for any protected trees which are to remain standing. Measures deemed necessary by the reviewing agency in consideration of the size, species, condition and location of the protected trees to remain, may include any of the following.

1. Before the start of any clearing, excavation, construction or other work on the site, every protected tree deemed to be endangered by the work shall be securely fenced off at the "protected perimeter", which shall be either the outer limits of the branches of such protected tree (the drip line) or such greater limits as may be established by the reviewing agency. Such fences shall remain in place for the duration of all such work. All protected trees to be removed shall be clearly marked. A plan shall be established for the removal and disposal of logs, brush, earth and other debris which will avoid injury to any protected tree.
2. Where proposed development or other site work is to encroach upon the protected perimeter of any protected tree, special measures shall be incorporated to allow the roots to breathe and obtain water and nutrients. Any excavation, cutting, filling, or compaction of the existing ground surface within the protected perimeter shall be minimized. No asphalt or other paving materials shall be added. No change in existing ground levels shall occur within four feet of the base of any protected tree at anytime. No burning or use of equipment with an open flame shall occur near or within the protected perimeter.
3. No storage or dumping of oil, gas, chemicals or other substances that may be harmful to trees shall occur within the protected perimeter of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. No heavy construction equipment or construction materials shall be operated or stored within the protected perimeter. Wires shall not be attached to any protected tree, except as needed for support of the tree. No sign, other than a tag showing the botanical classification, shall be attached to any protected tree.
4. Periodically during construction, the leaves of the protected trees shall be thoroughly sprayed with water to prevent buildup of dust and other pollution that would inhibit transpiration.
5. If any damage to a protected tree should occur during or as a result of work on the site, the contractor, builder or owner shall promptly notify the City of such damage. If such a protected tree can not be preserved in a healthy state, the reviewing agency shall require replacement of any protected tree removed with another tree or trees on the same site deemed adequate to compensate for the loss of the tree that is removed.

D. Issuance of Permit

Consideration of and action on the Permit Application shall be made by the Board or Official to whom the Permit Application is routed in accordance with subsection 11.12.030(A)(2), above and that Board or Official shall either approve, conditionally approve or deny the permit with reason for such action stated. If an application for tree removal/alteration is approved, a permit shall be issued to the applicant by the Community Development Department in conjunction with any other permit related to the work in question. However, no tree

pursuant to the provisions of this section, and will render a decision in writing either approving the application, conditionally approving the application, or denying the application. The decision of the arbiter/arborist will be final.

There is no City Council appeal of the decision of any board, official or arbiter/arborist of any Tree Removal application made pursuant to this section.

11.12.040 VIEWS.

A. Unreasonable Obstruction of View or Sunlight Prohibited

A tree, shrub, hedge or other vegetation shall not be maintained in such manner as to unreasonably obstruct the view from or the sunlight reaching other property.

B. Procedure: Private Tree

1. **Initial Reconciliation:** Any claimant who believes in good faith that the growth, maintenance and/or location of trees, shrubs, hedges or other vegetation situated on the property of another unreasonably diminishes the beneficial use, economic value, sunlight or enjoyment of the view from the claimant's property shall notify the tree owner in writing of these concerns. The claimant should consult an Arborist and obtain a report for a feasible solution to the view problem. The notification to the tree owner should include the arborist's report, and should also be accompanied by personal discussions, if possible, to enable the claimant and the tree owner to attempt to reach a mutually agreeable solution, both long term and short term, to the alleged unreasonable obstruction. If any tree involved is a protected tree, a tree removal/alteration permit must be obtained prior to work being done.
2. **Mediation:** If the initial reconciliation attempt is unsuccessful, and all parcels involved are private property, the complaining party shall propose mediation. Acceptance of mediation shall be voluntary, but the tree owner shall have no more than 30 days from service of a written request for mediation to accept or reject the offer of mediation, unless otherwise extended by complainant. If mediation is accepted, the parties shall mutually agree upon a Mediator within 10 days.

It is recommended that the services of a professionally trained mediator or mediation service be employed. The City shall provide, upon request, for review and consideration for selection by the parties a list of mediators and mediation services accompanied by the qualifications provided by such individuals or entities. The fee for mediation services will be determined by the mediator and the parties. The mediator shall not have the power to issue binding orders for restorative action but shall strive to enable the parties to resolve their dispute at this stage in order to eliminate the need for binding arbitration, fact finding and advisory decision, or litigation. If any tree involved is a protected tree, a tree removal/alteration permit must be obtained prior to work being done.

3. **Arbitration:** In those cases where the parties are unable to reach agreement through the Initial Reconciliation process or with the assistance of a mediator, either the claimant or the tree owner may offer in writing to the other party to submit the dispute to binding arbitration. The initiating party shall serve on the other party by personal service or certified mail, return receipt requested, an agreement executed by the initiating party to submit the dispute to binding arbitration. If the non-initiating party concurs, he/she shall execute the agreement within 30 days from service. Failure to execute the agreement shall be deemed a rejection of binding arbitration.

If the agreement is accepted, the initiating party shall submit a view claim to the City of Sausalito's Community Development Department. The filing fee for such a claim shall be established by the City Council. The Trees and Views Committee serves as a board of arbitration at a noticed public meeting

- a. Shall conduct a site visit as a group to properties involved.
- b. May request additional data.
- c. Shall conduct a public hearing on the view claim. At least ten (10) days prior to the hearing, notice thereof shall be mailed to the affected parties and to the owners of the property within a radius of one hundred (100) feet of the boundaries of the property upon which the trees are located. Notice of the hearing shall also be published and posted at City Hall at least ten (10) days prior to the hearing.
- d. ~~Shall record in the County Recorder's office any final decision of the Tree Committee which provides~~ for limitations on the property of a tree owner.

3. **Standards for Resolution of Claims in Arbitration**

The Tree Committee shall, as a group, inspect the premises of both claimant(s) and tree owner(s) to verify the nature and extent of the alleged view obstruction. For purposes of this section, the Tree Committee and/or any involved Arborist may enter upon the property of either or both parties. The Tree Committee shall evaluate the Standards set forth below based on the site visit, the property file on record at City Hall, the submitted data and the public meeting.

a. The character of the view:

- 1) The vantage point from which the view is sought.
- 2) The extent to which the view might be diminished by factors other than growth involved in the claim.
- 3) The extent of the view that existed at the time claimant(s) purchased the property. (Is the party attempting to create, enhance or restore a view?)

b. The character of the view obstruction:

- 1) The extent of the alleged view obstruction as a percentage of the total view (estimate).
- 2) The impact on the beneficial use, economic value and enjoyment of the claimant's property caused by the growth.

c. The extent of benefits and/or burdens derived from the growth in question:

- 1) The visual quality, including but not limited to species, size, growth, form and vigor.
- 2) Location with respect to overall appearance, design and/or use of the tree owner's property.
- 3) Visual, auditory, wind screening and privacy provided by the growth to the owner and the neighbors.
- 4) Effects on neighboring vegetation provided by the growth.
- 5) The impact of the beneficial use, economic value and enjoyment of the tree owner's property caused by the growth

d. Restorative actions shall be limited to the following:

- 1) No action.
- 2) Thinning to reduce density e.g., open windows.
- 3) Shaping to reduce height or spread, using thinning cuts only (drop crotch).
- 4) Heading or topping.
- 5) Tree removal with necessary replacement planting.

e. Each type of restorative action shall be evaluated based on the above findings and with consideration given the following factors:

- 1) The effectiveness of the restorative action in restoring the view.

Council. If the claimant is not the owner of the property that is proposed to benefit from this claim, the claimant shall attach the written permission of the property owner.

2. Investigation: Upon receipt of a view claim, the City Arborist shall investigate the claim and shall consider the public interest in maintaining the public environment created by the existing trees and landscaping; additionally, the Arborist may take into consideration the Standards set forth in subsection C-3 of this Section and shall issue his or her decision to the claimant within thirty (30) days of receiving the view claim. The decision of the City Arborist shall be in writing but no findings are required. Appeal of the decision of the City Arborist shall be as set forth in Section 11.12.030 H.
3. Public Posting and Input: All City trees affected by a view claim shall be individually tagged by the City within five (5) working days of receipt of a view claim. Such notices shall be posted in clear view of passersby, and shall contain the phone number which citizens can call to obtain information regarding the view claim. All written public input received by the City shall be considered.
4. Restorative Action: All view claims found by the City to be valid shall be subject to restorative action in accordance with subsection C-3, subparagraphs "d" of this Section. Restorative action shall be as recommended by and performed under the daily supervision of an Arborist selected by the City and under City supervision. The restorative action including the costs of the Arborist services shall be paid by the claimant.

~~11.12.050 ENFORCEMENT AND PENALTIES~~

See Ordinance No. 1146

~~A. The first violation of any of the provisions of this Chapter shall be chargeable as an infraction, punishable by a fine not exceeding one hundred dollars (\$100). Subsequent violations by the same person shall be chargeable as a misdemeanor. Every violation determined to be a misdemeanor is punishable by a fine not exceeding one thousand dollars (\$1,000) for each offense.~~

~~B. The City Manager or any employee designated by the City Manager is authorized and directed to issue a stop work order to any person found to be removing or altering a protected tree without the authority required by this Chapter.~~

~~(Ordinance history: Ords. 812, 912, 1050, 1107, 1114, 1122)~~

ORDINANCE NO. 1146

**AN ORDINANCE OF THE CITY OF SAUSALITO AMENDING CHAPTER 11.12 OF
THE SAUSALITO MUNICIPAL CODE PERTAINING TO ENFORCEMENT AND
PENALTIES FOR THE TREES AND VIEWS ORDINANCE**

The City Council of the City of Sausalito does hereby ordain as follows:

Section 1. Findings and Purpose.

a. This Ordinance is enacted pursuant to the authority granted by Government Code Section 53069.4, which provides in pertinent part: "The legislative body of a local agency . . . may by ordinance make any violation of any ordinance enacted by the local agency subject to an administrative fine or penalty. The local agency shall set forth by ordinance the administrative procedures that shall govern the imposition, enforcement, collection, and administrative review by the local agency of those administrative fines or penalties."

b. The City Council finds and determines that effective enforcement of the Sausalito Trees and Views Ordinance is essential to achieving its objectives. In recent years, the City has encountered situations where private property owners illegally remove or alter protected trees, to the detriment of the Sausalito community. The City's current enforcement mechanisms have proven to be an insufficient deterrent to such unauthorized activities, which if allowed to continue would threaten to adversely affect the character and scenic beauty of the City and increase the risk of erosion, earth movement and drainage problems.

Section 2. Section 11.12.050, entitled "Enforcement," of Chapter 11.12, entitled "Preservation of Trees and Views," of the Sausalito Municipal Code is hereby amended, to read in full as follows:

A. Stop Work Order.

The enforcement officer is authorized to issue a stop work order to any person found to be removing or altering a protected tree without proper authorization pursuant to Chapter 11.12..

B. Administrative Fines and Remedial Orders.

In addition to all other civil and criminal remedies available to the City to address violations of this Chapter, the City may impose an administrative fine and/or a remedial order upon any person who is found to have committed a violation of any provision of Section 11.12.030 pursuant to the administrative procedures set forth in this Section. The determination whether to impose an administrative fine and/or remedial order shall be at the sole discretion of the City and shall not preclude the City from pursuing other available legal remedies.

whom the development application is before. If not, the Trees and Views Committee shall conduct the public hearing. The person cited with the violation shall be given at least twenty-one (21) days prior notice of the public hearing. If the person cited for the violation fails to appear at the hearing, an administrative fine and/or order to perform remedial work may be imposed in the person's absence.

6. Method of Service. All notices required pursuant to this Section shall be served as follows:

a. Notice shall be served by personal service or by certified mail, return receipt requested. Notice shall be effective upon mailing.

b. If personal service or service by certified mail is unsuccessful, notice shall be provided by posting at the property where the violation occurred. Notice shall be effective upon posting.

7. Conduct of Public Hearing. During the hearing, relevant evidence regarding the unauthorized tree alteration or removal and the tree's value may be presented by the person cited with the violation, the enforcement officer, a certified arborist, and any other persons with knowledge or information regarding the violation or the tree's value. The tree's value may be determined with reference to standards established by the International Society of Arborists. The appropriate decision-making body, as determined pursuant to Section 11.12.050(B)(5), shall hear the evidence and determine whether the violation occurred. If it is determined that a violation occurred, the decision-making body may impose an appropriate administrative fine and/or issue an order to perform remedial work.

8. Imposition of Administrative Fine; Remedial Order.

a. The decision-making body may impose an administrative fine for the violation of any provision of Section 11.12.030, in an amount not to exceed a maximum of one thousand dollars (\$1,000) for each illegal removal or alteration.

b. The decision-making body may order the violator to perform appropriate remedial work to mitigate the impact of the violation on the Sausalito community and affected property owners. Such remedial work may include installation of one or more trees or shrubs to replace those illegally altered or removed. The remedial work shall include installation and maintenance of trees of such size and number necessary to substantially restore the loss of privacy, environmental degradation and other damages which resulted from the unauthorized alteration or removal. The decision-making body may fashion an appropriate remedial order setting forth the location, number, size and species of replacement trees or shrubs, a schedule for completion of remedial work, and such other matters determined to be necessary and appropriate to mitigate the impact of the violation. A performance bond issued by a surety admitted in California shall be required at the violator's sole expense and shall serve as security for the benefit of the City in an amount equal to 100 percent of the estimated cost of the remedial work. A maintenance bond issued by a surety admitted in California shall be required at the violator's sole expense upon completion of the remedial work and shall serve as security for the benefit of the City for the violator's obligation to maintain the remedial work for a period of ten (10) years. The bond shall

a. Unless otherwise specified by the decision-making body or by the City Council on appeal, an administrative fine shall be due and payable thirty (30) days following the date of the final administrative decision. Unpaid amounts shall accrue interest at the rate of ten percent (10%) per annum from that date forward. The amount of the administrative fine shall be deemed to be increased by the amount of accrued interest and any recoverable administrative costs, as specified in Section 11.12.050(B)(10). All monies collected shall be deposited in a separate account to be designated for tree purposes by the City Council.

b. The City shall collect administrative fines and enforce remedial orders by utilizing any and all available legal remedies, including but not limited to the following:

- (i) Administrative fines are a debt owed to the City and are enforceable as a personal obligation of the violator.
- (ii) If the violator is a property owner, the City may invoke the lien procedures specified in Section 11.12.050(C)(11) against the property on which the violation occurred.
- (iii) The City may pursue any available legal action to enforce compliance with a remedial order or fine including without limitation seeking declaratory and/or injunctive relief.

10. Administrative Costs. The City may collect its administrative costs from any violator who fails to pay all administrative fines when due or fails to comply with any provision contained in a remedial order. The administrative costs shall include all expenses reasonably incurred in the City's efforts to collect administrative fines and/or enforce a remedial order, including but not limited to staff time, legal fees, and out-of-pocket costs.

11. Lien Procedures.

a. Whenever the amount of any administrative fine, together with accrued interest and administrative costs, has not been satisfied in full within ninety (90) days after following the date of the final administrative decision and has not been successfully challenged by a timely writ of mandate, the unpaid amount shall constitute a lien against the real property on which the violation occurred. The lien provided herein shall have no force and effect until recorded with the office of the Marin County Recorder.

b. Prior to recording a lien, the Community Development Director shall file with the City Clerk a report stating the amounts due and owing. The City Clerk shall fix a time, date and place for hearing the report and any protests or objections thereto before the City Council. The property owner shall be given at least ten (10) days prior notice of the public hearing. Notice shall be served as provided in Section 11.12.050(B)(6). The notice shall, at a minimum, set forth the record owner or possessor of the property, the last known address of the record owner or possessor, the date upon which the lien was created, a description of the property subject to the lien and the amount of the lien. The property owner may protest the imposition of the lien either in writing or orally. After the hearing, the City Council shall adopt a resolution order confirming, discharging or modifying the amount of the lien.

sign or advertising device including, but not limited to, banner, poster, writing, picture, painting, lighting, symbols or designs. (Ord. 773 §1, 1971).

17.24.020 Consent required to erect or maintain an outdoor advertising display. No outdoor advertising display shall be placed, erected or maintained upon any portion of any public street right-of-way within the city without first obtaining the consent of the city council. The foregoing prohibition shall include, among others, any outdoor advertising display attached to, erected or maintained upon any vehicle when such vehicle is parked upon any public street right-of-way for the primary purpose of exhibiting such outdoor advertising display. (Ord. 773 §2, 1971).

17.24.030 Penalty for violation. Any person violating the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed five hundred dollars or by imprisonment in the county jail for a period not to exceed six months, or by both such fine and imprisonment. (Ord. 773 §3, 1971).

Chapter 17.28

TREES, SHRUBS AND PLANTS

Sections:

- 17.28.010 City engineer to supervise matters relating to trees, bushes and shrubs.
- 17.28.030 Planting in public way or area unlawful without permit.
- 17.28.040 Cutting, pruning, injuring, removing or spraying public trees unlawful without permit.
- 17.28.050 Construction or repairs unlawful without adequate protection for public trees, bushes or shrubs.
- 17.28.060 Electrical attachments, installations and conductors to be separate from street trees.
- 17.28.070 Interference with authorized work unlawful.
- 17.28.080 Obstruction of or interference with root areas unlawful.
- 17.28.090 Work on selected and dedicated trees unlawful without permit.
- 17.28.100 Penalty for violation.

excavated dirt accumulated at the ground level of such trees, bushes or shrubs by reason of such erection, repair on construction work. The city building inspector shall cooperate in the carrying out of the purposes of this chapter, so that any applicant for a building permit, his architect or contractor, and the city engineer may work out any necessary or advisable modifications of the work to be done under such permit as shall prevent or minimize injury of removal of trees, bushes or shrubs. (Ord. 472 §5, 1955).

17.28.060 Electrical attachments, installations and conductors to be separate from street trees. It is unlawful for any person, firm or corporation to attach to any tree growing or planted in any public area any electrical wire, insulator or device intended to hold or fasten any electrical wire; it is unlawful for any person, firm or corporation to install or maintain any electrical conductor, sign, newspaper container, box or other receptacle along or over a public street area without securely placing and fastening the same so that it shall not come in contact with any tree in a public area; and it is unlawful for any person, firm or corporation to fail or neglect to remove, or shut off the electricity from, any such conductor placed or installed by such person, firm or corporation when such removal or shutting off of electricity is necessary to take down or prune any tree located in any public area and after such person, firm or corporation has been given twenty-four hours written notice so to do by the city engineer. (Ord. 472 §6, 1955).

17.28.070 Interference with authorized work unlawful. It is unlawful for any person, firm or corporation to prevent, delay or interfere with the planting, pruning, spraying or removal of any tree, bush or shrub located on a public area, or the removal of stone, cement or other substance around such tree, bush or shrub, when such work is being done by city employees, or by any independent contractor, or his employees, employed by the city to do such work. (Ord. 472 §7, 1955).

17.28.080 Obstruction of or interference with root areas unlawful. It is unlawful for any person, firm or corporation to use or apply any chemical, weed or plant killing substance, or to place paving or building material, over or around the root area of any tree, bush or shrub located in any public area. (Ord. 472 §8, 1955).

17.28.090 Work on selected and dedicated trees unlawful without permit. A. It is unlawful for any person, firm or corporation to cut, prune, break, injure or remove any tree selected and dedicated by the Sausalito Woman's Club or the City of Sausalito, unless and until a permit to do so has been approved by

(Sausalito 1/94)