

CITY OF SEATTLE
ORDINANCE 126777
COUNCIL BILL 120509

AN ORDINANCE relating to land use and urban forestry; amending requirements for registered tree service providers; amending Sections 25.09.040, 25.11.020, 25.11.030, and 25.11.095 of the Seattle Municipal Code.

WHEREAS, registered tree service providers will be required to post a public notice while they are conducting certain types of commercial tree work; and

WHEREAS, the public notice should remain posted for five days, but registered tree service providers will not be required to ensure that the notice stays posted during this time;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 25.09.040 of the Seattle Municipal Code, last amended by Ordinance 126685, is amended as follows:

25.09.040 Permits and approvals required

A. Prior to undertaking development or platting on a parcel containing an environmentally critical area or buffer, the applicant shall:

1. Submit an application:

- a. For a permit that complies with the provisions of Section 25.09.330; or
- b. Requesting approval for an exemption according to Section 25.09.045, relief from the prohibition of development according to Section 25.09.090, or a small project waiver demonstrating compliance with applicable provisions according to this Chapter 25.09; and/or

1 c. Requesting modification of Section 25.09.330 submittal requirements;
2 and

3 2. Obtain a permit or the Director's approval of the application.

4 B. Prior to altering vegetation, trees, or other habitat protected by this Chapter 25.09 the
5 person responsible shall comply with the provisions of Section 25.09.070 and Section 25.11.095.

6 Section 2. Section 25.11.020 of the Seattle Municipal Code, last amended by Ordinance
7 126554, is amended as follows:

8 **25.11.020 Definitions**

9 "Commercial tree work" means any of the following actions conducted within the City of
10 Seattle in exchange for financial compensation: ~~((major pruning as defined in Section~~
11 ~~15.02.046)) reportable work; removal of ~~((trees larger than))~~ any tree 6 inches or greater DBH;
12 and the assessment of the health or hazard risk of trees larger than 6 inches DBH. Normal ~~((and~~
13 ~~routine))~~ pruning ((operations)) and maintenance that ~~((do))~~ does not meet the definition of
14 ~~((major pruning))~~ reportable work ~~((are))~~ is not commercial tree work.~~

15 "Commercial vehicle" means (1) a "motor truck" or "truck" except a passenger car or (2)
16 a station wagon or van that has been permanently modified to carry no more than three seated
17 passengers. Such vehicles shall be properly licensed as a truck.

18 * * *

19 "Inner root zone" means an area encircling the base of a tree equal to one-half ~~((+1/2))~~
20 the diameter of the drip line.

21 "Normal pruning and maintenance" means for trees, shrubs, and other woody plants
22 compliance with American National Standards Institute A300 pruning standards.

1 H. Additions to existing structures, shown as part of an issued building or grading permit
2 as provided in Sections 25.11.060, 25.11.070, and 25.11.080.

3 Section 4. Section 25.11.095 of the Seattle Municipal Code, added by Ordinance 126554,
4 is amended as follows:

5 **25.11.095 Tree service provider registration**

6 * * *

7 C. Tree service provider activities

8 1. ~~((A))~~ Unless it is an emergency action pursuant to Section 25.11.030, a
9 registered tree service provider shall comply with the following public notice requirements prior
10 to conducting commercial tree work that involves ~~((major pruning))~~ reportable work or removal
11 of ~~((trees larger than))~~ any tree 6 inches or greater DBH:

12 a. ~~((Provide the registered tree service provider's hiring entity with a~~
13 ~~notice that the hiring entity must post in a safe location at or adjacent to the commercial tree~~
14 ~~work site in a manner clearly visible from the public right-of-way at least three business days in~~
15 ~~advance of the commercial tree work.))~~ The registered tree service provider shall provide the
16 Director with the following information:

17 ~~((b. The notice shall:))~~

18 1) ~~((Include a))~~ A brief description of the commercial tree work the
19 registered tree service provider will be conducting ~~((that exceeds normal and routine pruning~~
20 ~~operations and maintenance or that involves removal of any trees 6 inches or greater diameter at~~
21 ~~breast height and))~~ that identifies whether ~~((said))~~ the tree meets the City's definition of
22 exceptional;

1 b. Maintaining adequate supervisory control over workers conducting
2 commercial tree work under their direct supervision.

3 3. If a registered tree service provider is proposing to remove ~~((or conduct major~~
4 ~~pruning on))~~ a tree based on it being a hazardous tree, the following requirements apply:

5 a. The registered tree service provider applying or preparing the report
6 required by subsection 25.11.095.C.3.b for the hazardous tree removal permit must either have
7 an employee or a person on retainer who is currently credentialed with an ISA Tree Risk
8 Assessment Qualification;

9 b. The registered tree service provider must submit documents as required
10 by the Director, including a brief report that summarizes the factors contributing to the tree's risk
11 rating. This report should include information on the overall health of the tree, the dimensions
12 and structure of the tree, and analysis of potential targets should it or major parts of it fall. When
13 deemed necessary by the Director, the report should also include analyses of tissue samples to
14 confirm disease or other issues concerning whether the tree poses a hazard to property or human
15 safety;

16 c. If the tree does not meet the City's definition of exceptional, the
17 registered tree service provider that ~~((submits))~~ prepares the report required by subsection
18 25.11.095.C.3.b for the hazardous tree removal permit application may also perform the removal
19 ~~((or major pruning))~~ of the tree; and

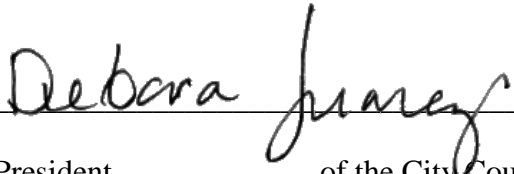
20 d. If the tree meets the City's definition of exceptional, the Director may
21 require that the registered tree service provider or hiring entity shall engage another registered
22 tree service provider to independently assess the tree and ~~((submit the application for its~~
23 ~~removal))~~ prepare the report required by subsection 25.11.095.C.3.b. The registered tree service

1 provider that (~~submits the application~~) independently assesses the tree and prepares the report
2 must be different from the registered tree service provider that will perform the removal (~~or~~
3 major pruning) of the tree.


4 4. Commercial vehicles used by the registered tree service provider shall (1)
5 clearly display the tree service provider's City-issued registration number and (2) have the name
6 of the business to which the vehicle is registered and the business's phone number or email
7 address permanently displayed on the left, right, and rear (where applicable) sides in letters no
8 less than 2 inches in height.

1 Section 5. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.


4 Passed by the City Council the 28th day of February, 2023,
5 and signed by me in open session in authentication of its passage this 28th day of
6 February, 2023.

7 
8 President _____ of the City Council

9 Approved / returned unsigned / vetoed this 2nd day of March, 2023.

10 
11 Bruce A. Harrell, Mayor

12 Filed by me this 2nd day of March, 2023.

13 
14 Elizabeth M. Adkisson, Interim City Clerk

15 (Seal)