



# SEATTLE CITY COUNCIL

## Land Use Committee

### Agenda

Wednesday, February 22, 2023

2:00 PM

Council Chamber, City Hall  
600 4th Avenue  
Seattle, WA 98104

Dan Strauss, Chair  
Tammy J. Morales, Vice-Chair  
Teresa Mosqueda, Member  
Sara Nelson, Member  
Alex Pedersen, Member

Chair Info: 206-684-8806; [Dan.Strauss@seattle.gov](mailto:Dan.Strauss@seattle.gov)

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# SEATTLE CITY COUNCIL

## Land Use Committee

### Agenda

### February 22, 2023 - 2:00 PM

**Meeting Location:**

Council Chamber, City Hall, 600 4th Avenue, Seattle, WA 98104

**Committee Website:**

<https://www.seattle.gov/council/committees/land-use>

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This meeting also constitutes a meeting of the City Council, provided that the meeting shall be conducted as a committee meeting under the Council Rules and Procedures, and Council action shall be limited to committee business.

Members of the public may register for remote or in-person Public Comment to address the Council. Details on how to provide Public Comment are listed below:

Remote Public Comment - Register online to speak during the Public Comment period at the meeting at <http://www.seattle.gov/council/committees/public-comment>. Online registration to speak will begin two hours before the meeting start time, and registration will end at the conclusion of the Public Comment period during the meeting. Speakers must be registered in order to be recognized by the Chair.

In-Person Public Comment - Register to speak on the Public Comment sign-up sheet located inside Council Chambers at least 15 minutes prior to the meeting start time. Registration will end at the conclusion of the Public Comment period during the meeting. Speakers must be registered in order to be recognized by the Chair.

Submit written comments to Councilmember Strauss at [Dan.Strauss@seattle.gov](mailto:Dan.Strauss@seattle.gov)

*Please Note: Times listed are estimated*

**A. Call To Order****B. Approval of the Agenda****C. Public Comment****D. Items of Business**

1.     [CB 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.**

*Supporting Documents:*   [Summary and Fiscal Note](#)  
                                  [Amendment 1 - Substitute](#)  
                                  [Amendment 2](#)

**Briefing, Discussion, and Possible Vote** (30 minutes)

**Presenter:** Lish Whitson, Council Central Staff

**E. Adjournment**



Legislation Text

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**File #:** CB 120509, **Version:** 1

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**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

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.

**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

c. Requesting modification of Section 25.09.330 submittal requirements; and

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

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

Section 2. Section 25.11.020 of the Seattle Municipal Code, last amended by Ordinance 126554, is

amended as follows:

### **25.11.020 Definitions**

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

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

\* \* \*

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

"Reportable work" means removal of branches 2 inches in diameter or greater; removal of roots 2 inches in diameter or greater; or removal of branches constituting 15 percent or more of a tree's foliage-bearing area.

\* \* \*

Section 3. Section 25.11.030 of the Seattle Municipal Code, last amended by Ordinance 125292, is amended as follows:

### **25.11.030 Exemptions**

The following activities are exempt from the provisions of this ~~((chapter))~~ Chapter 25.11:

- A. Normal and routine pruning operations and maintenance;
- B. Abatement of hazardous tree or tree part as approved by the Director;
- C. Emergency activities necessary to remedy an immediate threat to public health, safety, or welfare;

D. Tree removal undertaken as part of tree and vegetation management and revegetation of public parkland and open spaces by responsible public agencies or departments;

E. Tree removal approved as part of an Environmentally Critical Area tree and vegetation plan as provided in Section 25.09.070, except that commercial tree work conducted by a tree service provider must comply with the requirements of Section 25.11.095;

F. Tree removal shown as part of an issued building or grading permit as provided in Sections 25.11.060, 25.11.070, and 25.11.080, except that commercial tree work conducted by a tree service provider must comply with the requirements of Section 25.11.095;

G. Removal of street trees as regulated by Title 15 ~~((of the SMC))~~; and

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

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

#### **25.11.095 Tree service provider registration**

\* \* \*

##### **C. Tree service provider activities**

1. A registered tree service provider shall comply with the following public notice requirements prior to conducting commercial tree work that involves ~~((major pruning))~~ reportable work or removal of ~~((trees larger than))~~ any tree 6 inches or greater DBH:

a. ~~((Provide the registered tree service provider's hiring entity with a notice that the hiring entity must post in a safe location at or adjacent to the commercial tree work site in a manner clearly visible from the public right-of-way at least three business days in advance of the commercial tree work.))~~

Unless it is an emergency action pursuant to Section 25.11.030, the registered tree service provider shall provide the Director with the following information:

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

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

2) ~~((Provide a copy of the))~~ The tree service provider's registration number; and

3) ~~((Indicate whether a permit is required for the commercial tree work. If a permit is required, provide a copy of the permit))~~ The permit number, if a permit is required. If no permit is required, the tree service provider shall indicate that no permit is required.

b. The Director shall provide the public notice information required by subsection 25.11.095.C.1.a to the public on a City web page at least three business days in advance of the commercial tree work. By March 31, 2024, the web page shall provide the information through an online mapping tool.

2. A registered tree service provider is responsible for complying with best practices applicable to the particular commercial tree work for which they are retained, including:

a. Determination of the commercial tree work needed to justify removal or pruning outside of the routine pruning operations and maintenance in order to meet the objectives of the hiring entity; and

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

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

a. The registered tree service provider applying for the hazardous tree removal permit must either have an employee or a person on retainer who is currently credentialed with an ISA Tree Risk Assessment Qualification;

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

c. If the tree does not meet the City's definition of exceptional, the registered tree service provider that submits the hazardous tree removal permit application may also perform the removal or major pruning of the tree; and

d. If the tree meets the City's definition of exceptional, the registered tree service provider shall engage another registered tree service provider to independently assess the tree and submit the application for its removal. The registered tree service provider that submits the application must be different from the registered tree service provider that will perform the removal or major pruning of the tree.

4. Commercial vehicles used by the registered tree service provider shall clearly display the tree service provider's City-issued registration number and have the name of the business to which the vehicle is registered and the business's phone number permanently displayed on both the left, right, and rear sides in letters no less than 2 inches in height.

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

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2023, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2023.



\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved /    returned unsigned /    vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Bruce A. Harrell, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Elizabeth M. Adkisson, Interim City Clerk

(Seal)

## **SUMMARY and FISCAL NOTE\***

<b>Department:</b>	<b>Dept. Contact/Phone:</b>	<b>CBO Contact/Phone:</b>
LEG	Yolanda Ho / 206-388-8126	N/A

*\* Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

### **1. BILL SUMMARY**

**Legislation Title:** 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.

**Summary and Background of the Legislation:** In March 2022, the Council passed Ordinance 126554 that created a new requirement for tree service providers to register with the Seattle Department of Construction and Inspections (SDCI) prior to conducting commercial tree work on private property. The registration requirement is similar to a requirement established nearly a decade ago for tree service providers that work on trees located in the public right-of-way. SDCI created the registry system in August 2022 and required tree service providers to register by November 10, 2022.

The proposed legislation would amend certain aspects of the tree service provider registration requirements, primarily in response to feedback from tree service providers. In brief, it would:

- Rename “pruning, major” to “reportable work” but otherwise maintain the associated definition for “pruning, major” established by SMC 15.02.046;
- Require that commercial tree work in Environmentally Critical Areas be conducted per Section 25.11.095;
- Remove the requirement that hiring entities post a printed public notice at least three business days in advance of certain types of commercial tree work at or adjacent to the work site. Instead, tree service providers would submit the information required for the public notice as is current practice, and SDCI will be responsible for posting the notices online at least three business days in advance of the planned work. SDCI would be required to post online notices on a map-based system by March 31, 2024;
- Require that commercial vehicles operated by a tree service provider clearly display its City-issued registration number and have the business name and phone number on both sides and rear of the vehicle; and
- Make other minor changes to ensure technical consistency and clarify intent.

### **2. CAPITAL IMPROVEMENT PROGRAM**

**Does this legislation create, fund, or amend a CIP Project?**      ☐ Yes ☒ No

### 3. SUMMARY OF FINANCIAL IMPLICATIONS

**Does this legislation amend the Adopted Budget?**

☐ Yes ☒ No

**Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?**

SDCI may incur additional costs to set up the map-based online notice system. The department is anticipated to submit a request for additional resources (if needed) with the 2024 Proposed Budget.

**Are there financial costs or other impacts of *not* implementing the legislation?**

Tree service providers would continue to experience higher costs for their businesses to ensure that public notices are posted at or adjacent to work sites as required.

### 4. OTHER IMPLICATIONS

**a. Does this legislation affect any departments besides the originating department?**

SDCI is responsible for administering the tree service provider registry and associated requirements.

**b. Is a public hearing required for this legislation?**

No.

**c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

No.

**d. Does this legislation affect a piece of property?**

No.

**e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**

Shifting public notices to online only may disadvantage residents who do not have access to a smartphone or computer. While smartphone ownership is fairly consistent across races and ethnicities, access to a desktop/laptop computer and broadband internet at home continues to lag for Black and Hispanic adults. An online notice system is more likely to be less accessible to low-income residents, who have lower rates of technology adoption generally. In lieu of a physical notice, the requirement that registered tree service providers clearly display their City-issued registration number and have their business name and phone number on both sides and rear of their commercial vehicle can help residents verify whether the company working on-site is registered as required or performing commercial tree work illegally.

Workers in the landscaping industry, which includes tree service providers, disproportionately skew Hispanic or Latino (44 percent in landscaping services versus 18

percent in the U.S. workforce, Bureau of Labor Statistics 2021). This legislation would remove the requirement for posting a printed public notice at or near a work site, thereby lessening the burden on tree service providers.

**f. Climate Change Implications**

**1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**

No.

**2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

No.

**g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?**

Not applicable.

**Summary Attachments:**

None.

## Amendment 1 Version 1 to CB 120509 – Tree Service Provider Modifications

**Sponsor:** Councilmember Strauss

Substitute Version

**Effect:** This proposed substitute version of Council Bill (CB) 120509 would make the following changes:

- Technical and clarifying amendments – e.g., adds the definition for normal pruning and maintenance from SMC 25.09.520; clarifies that hazardous tree removal and pruning are subject to the tree service provider requirements; removes references to pruning hazardous trees, which does not require a permit; and clarifies that tree service providers are responsible for preparing the hazardous tree risk assessment report and are not required to submit the permit application itself;
- Reportable work – adds “live” to references to branches and roots to exempt the removal of dead branches and roots from the definition;
- Notice timeframe – requires that tree service providers submit public notice information at least three business days in advance of reportable work and six business days in advance of tree removal. CB 120509 would require that the online notice for both reportable work and tree removal be at least three business days in advance;
- Notice posting – adds a requirement for tree service providers to post public notices at or near the work site while the work is underway and recommends (but does not require) that notices be left in place for five days after the work is completed, and adds accompanying recitals to explain this intent. CB 120509 would only require that public notices be posted online in advance of the work; and
- Business information – adds the option of displaying the business’ email address in lieu of a phone number on the tree service provider’s commercial vehicle and requires that business information be displayed on the rear of the vehicle only when the vehicle has a rear side.

Amend Council Bill 120509 as shown in the attached substitute version.

**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

..title

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.

..body

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

c. Requesting modification of Section 25.09.330 submittal requirements;  
and

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

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

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

#### **25.11.020 Definitions**

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

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

\* \* \*

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

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

“Reportable work” means removal of **live** branches 2 inches in diameter or greater; **pruning or** removal of **live** roots 2 inches in diameter or greater; or removal of **live** branches constituting 15 percent or more of a tree's foliage-bearing area.

\* \* \*

Section 3. Section 25.11.030 of the Seattle Municipal Code, last amended by Ordinance 125292, is amended as follows:

### 25.11.030 Exemptions

The following activities are exempt from the provisions of this ((chapter)) Chapter 25.11:

A. Normal ~~and routine~~ pruning ~~operations~~ and maintenance;

B. Abatement of hazardous tree or tree part as approved by the Director, except that commercial tree work on a hazardous tree must comply with the requirements of Section 25.11.095;

C. Emergency activities necessary to remedy an immediate threat to public health, safety, or welfare;

D. Tree removal undertaken as part of tree and vegetation management and revegetation of public parkland and open spaces by responsible public agencies or departments;

E. Tree removal approved as part of an Environmentally Critical Area tree and vegetation plan as provided in Section 25.09.070, ~~except that commercial tree work conducted by a tree service provider in an Environmentally Critical Area~~ must comply with the requirements of Section 25.11.095;

F. Tree removal shown as part of an issued building or grading permit as provided in Sections 25.11.060, 25.11.070, and 25.11.080, except that commercial tree work conducted by a ~~tree service provider~~ must comply with the requirements of Section 25.11.095;



G. Removal of street trees as regulated by Title 15 (~~of the SMC~~); and

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

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

**25.11.095 Tree service provider registration**

\* \* \*

C. Tree service provider activities

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

a. ~~((Provide the registered tree service provider's hiring entity with a notice that the hiring entity must post in a safe location at or adjacent to the commercial tree work site in a manner clearly visible from the public right of way at least three business days in advance of the commercial tree work.))~~ Unless it is an emergency action pursuant to Section 25.11.030, the The registered tree service provider shall provide the Director with the following information:

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

1) ~~((Include a))~~ A brief description of the commercial tree work the registered tree service provider will be conducting ~~that exceeds normal and routine pruning operations and maintenance or that involves removal of any ((trees)) tree 6 inches or greater~~

1 ~~((diameter at breast height)) DBH and that~~ identifies whether ~~said the~~ tree meets the City's  
2 definition of exceptional;

3 2) ~~((Provide a copy of the))~~ The tree service provider's registration  
4 number; and

5 3) ~~((Indicate whether a permit is required for the commercial tree~~  
6 ~~work. If a permit is required, provide a copy of the permit))~~ The permit number, if a permit is  
7 required. If no permit is required, the tree service provider shall indicate that no permit is  
8 required.

9 b. The Director shall provide the public notice information required by  
10 subsection 25.11.095.C.1.a to the public on a City web page at least three business days in  
11 advance of ~~the commercial tree work~~ reportable work and at least six business days in advance of  
12 removal of any tree 6 inches or greater DBH. By March 31, 2024, the web page shall provide the  
13 information through an online mapping tool.

14 c. While a registered tree service provider is conducting commercial tree  
15 work subject to public notice required by subsection 25.11.095.C.1.a, the tree service provider  
16 shall post the public notice in a safe location at or adjacent to the commercial tree work site in a  
17 manner clearly visible from the public right-of-way. The posted public notice should remain in  
18 place for five days after the work has been completed.

19 2. A registered tree service provider is responsible for complying with best  
20 practices applicable to the particular commercial tree work for which they are retained,  
21 including:

1 a. Determination of the commercial tree work needed to justify removal or  
2 pruning outside of the routine pruning operations and maintenance in order to meet the  
3 objectives of the hiring entity; and

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

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

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

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

19 c. If the tree does not meet the City's definition of exceptional, the  
20 registered tree service provider that ~~submits~~ prepares the report required by subsection  
21 25.11.095.C.3.b for the hazardous tree removal permit application may also perform the removal  
22 ~~or major pruning~~ of the tree; and

1 d. If the tree meets the City's definition of exceptional, the registered tree  
2 service provider or hiring entity shall engage another registered tree service provider to  
3 independently assess the tree and ~~submit the application for its removal~~ prepare the report  
4 required by subsection 25.11.095.C.3.b. The registered tree service provider that ~~submits the~~  
5 ~~application~~ independently assesses the tree and prepares the report must be different from the  
6 registered tree service provider that will perform the removal ~~or major pruning~~ of the tree.

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

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

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2023,  
and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved /    returned unsigned /    vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Bruce A. Harrell, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Elizabeth M. Adkisson, Interim City Clerk

(Seal)

## Amendment 2 Version 1 to CB 120509 – Tree Service Provider Modifications

**Sponsor:** Councilmember Strauss

Optional Third Party Assessment

**Effect:** When a registered tree service provider proposes to remove an exceptional tree based on it being a hazardous tree, the current regulations require that the tree service provider engage another registered tree service provider to conduct an independent assessment of the tree before the Seattle Department of Construction and Inspections (SDCI) can issue a hazardous tree removal permit. This amendment would provide SDCI with the authority to decide if a third party assessment is required instead of requiring it in all cases.

Amend Section 4 of Council Bill 120509, as follows:

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

### **25.11.095 Tree service provider registration**

\* \* \*

#### **C. Tree service provider activities**

\* \* \*

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

a. The registered tree service provider applying for the hazardous tree removal permit must either have an employee or a person on retainer who is currently credentialed with an ISA Tree Risk Assessment Qualification;

b. The registered tree service provider must submit documents as required by the Director, including a brief report that summarizes the factors contributing to the tree's risk

rating. This report should include information on the overall health of the tree, the dimensions and structure of the tree, and analysis of potential targets should it or major parts of it fall. When deemed necessary by the Director, the report should also include analyses of tissue samples to confirm disease or other issues concerning whether the tree poses a hazard to property or human safety;

c. If the tree does not meet the City's definition of exceptional, the registered tree service provider that submits the hazardous tree removal permit application may also perform the removal or major pruning of the tree; and

d. If the tree meets the City's definition of exceptional, the Director may require that the registered tree service provider ~~shall~~ engage another registered tree service provider to independently assess the tree and submit the application for its removal. The registered tree service provider that submits the application must be different from the registered tree service provider that will perform the removal or major pruning of the tree.