

DRAFT ORDINANCE CITY OF SOMERVILLE

Ordinance No. 2016-_____

IN THE BOARD OF ALDERMAN: _____, 2016

ORDINANCE EXTENDING THE REQUIREMENTS OF PUBLIC NOTICE AND HEARING FOR PUBLIC SHADE TREES TO TREES ON CITY-OWNED PROPERTY

Be it ordained by the Board of Alderman, in session assembled, that the Code of Ordinances of the City of Somerville be hereby amended by adding below section 12-106 to Article VI, Tree Preservation Ordinance:

12-106. - Trees on City-Owned Property Not Considered Public Shade Trees

The tree warden or his or her deputies shall not cut down or remove any tree on City-owned property, without first holding a public hearing.

The tree warden or his or her deputy shall post notice of the time and place of the public hearing, identifying the size, type and location of the tree to be cut down or removed, in two or more public places in the City, and upon the tree in question, at least seven days prior to the public hearing. Notice of this public hearing shall be sent to each alderman and published on the City's website.

The tree warden or his or her deputies shall not cut down or remove a tree on City-owned property if, at or before a public hearing, objection is made in writing by one or more persons; unless such cutting down or removal is approved by the Mayor or Board of Alderman.

No public hearing shall be necessary however, prior to the tree warden or his or her deputies cutting down or removing trees measuring less than one and one half inches in diameter one foot from the ground, and all bushes on city-owned property.

Nothing in this section shall prohibit the tree warden and his or her deputies from cutting down or removing any tree which in his or her opinion obstructs, endangers or hinders any person or property on City-owned property.

- (See M.G.L. c. 87, s. 3 - 5)