



# City of Somerville, Massachusetts

## Legislation Details (With Text)

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**Title:** That this City Council supports Senate Bill S.1323 "An act to update the Public Shade Tree law", which would increase the penalty for the illegal removal of public shade trees from the current maximum of \$500, to the actual replacement value of the trees.

**Sponsors:** Ben Ewen-Campen, Willie Burnley Jr., Lance L. Davis, Beatriz Gomez Mouakad, Charlotte Kelly, Matthew McLaughlin, Judy Pineda Neufeld, Jefferson Thomas (J.T.) Scott, Kristen Strezo, Jake Wilson

**Indexes:** City Clerk

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Date	Ver.	Action By	Action	Result
8/25/2022	1	City Council	Approved	Pass

### Agenda Text

That this City Council supports Senate Bill S.1323 "An act to update the Public Shade Tree law", which would increase the penalty for the illegal removal of public shade trees from the current maximum of \$500, to the actual replacement value of the trees.

### Official Text

**WHEREAS:** Massachusetts General Law, Chapter 87, sets an upper limit on the penalty for the illegal removal of public shade trees at \$500, which is nowhere near sufficient to act as an effective deterrent; and

**WHEREAS:** In Somerville, we have witnessed the illegal removal of public shade trees on multiple recent occasions, including most recently abutting 599 Somerville Ave., where four public trees were illegally removed without cause or explanation by a private contractor on Monday, August 8, 2022; and

**WHEREAS:** Chapter 87 has not been meaningfully updated in nearly 100 years, and whereas Senate Bill S. 1323, sponsored this term by Senator Creem & Senator Comerford, and related to similar bills sponsored for nearly a decade by Rep. Jon Hecht and his successor Rep. Steve Owens, would make several critical updates to MGL Chapter 87; and

**WHEREAS:** These updates include a requirement that Tree Wardens have relevant professional experience, that "vehicles" are included as a way that public trees might be damaged, and that the maximum penalty for illegal removal of a public shade tree be increased from \$500 to the actual replacement value, as set by Department of Conservation and Recreation regulations; NOW, THEREFORE, BE IT

***RESOLVED:*** That the Somerville City Council strongly supports the adoption of S.1323, and respectfully encourages the Legislature to pass S.1323 this term; AND BE IT FURTHER

***RESOLVED:*** That a copy of this Resolution be sent to Somerville's State Delegation, Senator Cynthia Creem, and Rep. Steve Owens.