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2 Councilmember Mary Cheh

Councilmember Charles Allen

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8 A BILL
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13 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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18 To amend the Urban Forestry Preservation Act of 2002 to increase the permit fees for tree
19 removal and the fees for unlawful tree removal, and to expand the Tree Fund use to
20 include planting on park, school, and other District-owned land; and to amend the
21 Department of Transportation Establishment Act of 2002 to grant additional
22 authority to the Tree Management Administration.
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24 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That
25 this act may be cited as the “Tree Canopy Protection Amendment Act of 2015”.

26 Sec. 2. The Urban Forest Preservation Act of 2002, effective June 12, 2003 (D.C.
27 Law 14-309; D.C. Official Code § 8-651.01 *et seq.*), is amended as follows:

28 (a) Section 102(5) (D.C. Official Code § 8-651.02(5)) is amended by striking the
29 phrase “55 inches or more” and inserting the phrase “47 inches or more” in its place.

30 (b) Section 104 (D.C. Official Code § 8-651.04), is amended as follows:

31 (1) Subsection (b)(3) is amended by striking the phrase “equal to \$35 per inch
32 of the circumference of the Special Tree in question” and inserting the phrase “not less than
33 \$55 per inch of the circumference of the Special Tree in question” in its place.

34 (2) Subsection (d) is amended by striking the phrase “a fine of not less than
35 \$100” and inserting the phrase “a fine of not less than \$300” in its place.

36 (3) A new subsection (e) is added to read as follows:

37 “(e) The Mayor may increase the fee or fine by regulation.”.

38 (c) Section 107(b) (D.C. Official Code § 8-651.07(b)) is amended to read as follows:

39 “(b)(1) The Fund shall be used to:

40 “(A) Plant and maintain trees on public space, on District-owned land,
41 including park and school property; and

42 “(B) Provide income-contingent subsidies to assist District residents
43 with costs related to the removal and replacement of hazardous trees.

44 “(2) The Fund may be used:

45 “(A) In coordination with the District Department of the Environment,
46 to support tree planting on private land; and

47 “(B) For any associated costs incurred by the District in administering
48 this chapter.”.

49 Sec. 3. Section 5(5) of the Department of Transportation Establishment Act of 2002,
50 effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.04(5)) is amended as
51 follows:

52 (a) Subparagraph (C) is amended by striking the word “and”.

53 (b) Subparagraph (D) is amended to read as follows:

54 “(D) Plant and maintain trees on public space and on District-owned
55 land, including park and school property;”.

56 (c) New subparagraphs (E) and (F) are added to read as follows:

57 “(E) Remove and trim trees citywide; and

58 “(F) Conduct survival checks of replacement trees planted on public
59 property pursuant to section 107(b) of the Urban Forest Preservation Act of 2002, effective
60 June 12, 2003 (D.C. Law 14-309; D.C. Official Code § 8-651.07) to ensure canopy
61 replacement and to help inform future planting decisions.”.

62 Sec. 4. Fiscal impact statement.

63 The Council adopts the fiscal impact statement in the committee report as the fiscal
64 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
65 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

66 Sec. 5. Effective date.

67 This act shall take effect following approval by the Mayor (or in the event of veto by
68 the Mayor, action by the Council to override the veto), a 30-day period of congressional
69 review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved
70 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the
71 District of Columbia Register.