



## **Parks & Recreation Commission Meeting Agenda**

May 12, 2025  
5:30 PM – Regular Meeting  
Council Chambers  
400 N. Douty St.

### **CALL TO ORDER:**

### **ROLL CALL:**

### **INVOCATION:**

### **FLAG SALUTE:**

### **PUBLIC COMMENT:**

*This is the time for citizens to comment on subject matters within the jurisdiction of the Commission. This is also the public's opportunity to request an item from the Consent Calendar be pulled for discussion purposes or to comment on any item on the agenda. A maximum of three minutes is allowed for each speaker. Please begin your comments by stating your name and providing your residence.*

### **CONSENT CALENDAR:**

*Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made and then the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.*

- A. Approval of April 14, 2025 Parks and Recreation Commission Meeting Minutes

### **DIVISION UPDATES:**

- A. Director Updates
- B. Recreation Updates
- C. Softball Complex Updates
- D. Parks Updates

### **GENERAL BUSINESS:**

- A. Approval of Tree Permit Prune Request for 316 Ivy St
- B. City of Hanford Streets and Shrubs Ordinance 12.12.020-12.12.530

### **FUTURE AGENDA ITEMS:**

**ADJOURNMENT:**



## AGENDA STAFF REPORT

**MEETING DATE:** 5/12/2025

**AGENDA SECTION:** CONSENT CALENDAR

**SUBJECT:**

Approval of April 14, 2025 Parks and Recreation Commission Meeting Minutes

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**RECOMMENDATION:**

Recommendation:

Recommended Motion:

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

1. April 14, 2025 Meeting Minutes



**Parks & Recreation Commission Regular Meeting  
Minutes**

**April 14, 2025 5:30 PM  
Council Chambers  
400 N. Douty St.**

**CALL TO ORDER:**

Meeting was called to order at: 5:31pm by Chair Commissioner Blackwell.

**ROLL CALL:**

<b>Present:</b>	<b>Absent:</b>
Parks and Recreation Commissioner Joseph Castaneda Parks and Recreation Commissioner Carolyn Hudgins Parks and Recreation Commissioner Gregory Kelley Parks and Recreation Commissioner Judy Scott Parks and Recreation Commissioner sheldon Blackwell Parks and Recreation Commissioner Santiago Rodrigez	

**INVOCATION:**

No invocation took place for this meeting.

**FLAG SALUTE:**

Led by Chair Commissioner Blackwell.

**PUBLIC COMMENT:**

*This is the time for citizens to comment on subject matters not on the agenda and that are within the jurisdiction of the Commission. This is also the public's opportunity to request an item from the Consent Calendar be pulled for discussion purposes or to comment on any item on the agenda. A maximum of three minutes is allowed for each speaker. Please begin your comments by stating your name and providing your residence*

O Champi of Hanford: stated that numerous Oak Trees in the City of Hanford do not qualify as "heritage trees" and suggested that the Commission work with City Council on heritage tree removals. Some trees are aged 10-15 years old and will become an issue in the future. Director Albert did respond to the public comment: stated that with our our new Hanford Goes Green project a complete tree inventory, canopy assessment, and review of the current ordinance is apart of the deliverables from our consultants who are leading the project, will make new recommendations to Commission and Council based on their reports.

**CONSENT CALENDAR:**

*Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made and then the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.*

No items on consent for this meeting.

**DIVISION UPDATES:**

## A. Softball Complex Report

Sports Coordinator Austin P. provided updates on the softball complex and other locations where baseball and softball are taking place.

Questions:

Commissioner Kelley: asked some questions to clarify the numerical data provided and if the sums were correct.

Commissioner Scott: asked about employees and expenses related to the complex for a tournament or league.

Coordinator Austin replied that it depends on the registered teams but 5-10 teams is a two people job if greater than that would be a 4-person crew. Scott also asked if Sierra Pacific assists with field maintenance? Director Albert stated that we have agreement with the District that they cover expenses up to 40% on field improvements, equipment, etc. Austin did reply that they (School District) does maintain those two fields as best they could.

## B. Recreation Updates

Coordinator Brittany provided updates on recreation and events. Shared the flyers on all upcoming and recently completed events.

Commissioner Hudgins: asked if spring day camps had scholarships offered to them by us? Coordinator Brittany stated yes, they were offered and provided direction on how families can inquiry about that.

Commissioner Kelley: asked if lunch was provided to Spring day camp. Staff stated that for Spring they were provided snacks and breakfast throughout the day, but that lunch was the responsibility of the parent.

Commissioner Castaneda: asked if walk ups to future events and look into charges of those walk ups, regarding the Easter Egg hunt. Staff stated that the EEH was fully funded by a sponsorship and this allowed the event to be free.

## C. Boys and Girls Club Updates-Presented by Unit Director Kristy

Unit Director Kristy provided a quarterly update on the Boys and Girls Club. She had BGC members provide their personal story and connection to the Hanford Boys and Girls Club. No questions were provided to UD Kristy from Commission other than appreciation and congratulations on current status of the club.

## D. Director's Updates

Director Albert updated Commission on Urban Forestry Grant, provided a sample of Tree plotter, reviewed Walk with Doc, as well as the Echos of Parade event.

Questions:

GK: Concerning the forestry grant, the money has been promised. Does that mean any future freeze?

BA: stated that we are going to try to keep to the deliverables, and our strategy is to do the best we can, by stockpiling supplies.

JC: equipment items?

BA: stated that the rules of the grant have big stipulations and were limited on what we can provide, we are not allowed to purchase equipment.

SR: Have we narrowed down what the species might be?

BA: Yes and no, we have 20 different species that are good for our environment. Mexican oak is a possibility. We want to look at varieties and different species and ascetics. We can plant bigger if we can justify it. Forest Service likes 15 gallons. We are also in communication with UC Berkelys team for suggestions and Urban Tree Foundation.

JC: were going to put 300 trees out in Heros Park in year 2? When you do your risk assessment, the ones deemed to be dead or nonviable. Would those be marked to be replaced by the trees of the inventory?

BA: Said that Dudek will be label those at risk trees and if we need to remove, we will try to replace as well.

Judy S: stated that your doing a good job in the trees. Shift questions talk about baseball concessions at the YAC. Concession stand issues as well. Stated that the league asked if they will have the stand because they would like to continue to operate it.

BA: Stated that we are going to try to update you when we have a full answer.

Sheldon Blackwell: how do we access the tree plotter software?

BA: he will have to find out for us and see how many licenses do we have. If we can, may provide to commissioners.

## E. Parks Updates

Parks Manager Levi W. provided an update on landscaping services, irrigation ramp up, lights at YAC, CPSI training and testing as well slide replacement at Hidden Valley, playground repair at Lacey Park, recap of Helping Hands for April-painted at COE Park.

Vice Chair Commissioner Scott: asked about update on lights from YAC. Staff stated that they are in the process of

having vendor come out. Stated two vendors tried to troubleshoot the cause of the outages and were unsuccessful at reaching the internal components. A new vendor has been contacted to finalize repairs.

Questions:

GK: Cows at the displays in the triangle?

Staff: We will let streets know.

JC: Lights out at Harris park, did an assessment of the lights at Harris, and its close to \$1million.

Staff: Those are accurate estimates for the lighting needs at Harris.

## **GENERAL BUSINESS:**

### **A. Tree Permit: Removal Request for 124 Florinda**

Staff stated that the tree was not alive and home owner was concerned for safety.

1st Motion: Commissioner Castaneda

2nd Motion: Commissioner Hudgins

JS: Asked what would the process look like for the change in the muni-code for the trees? Director responded that it will take some time to gather, review, and report on that topic.

Motion to Approve

**RESULT:** Passed (UNANIMOUS)

**MOVER:** Parks and Recreation Commissioner Joseph Castaneda

**SECONDER:** Parks and Recreation Commissioner Carolyn Hudgins

**AYES:** Joseph Castaneda, Carolyn Hudgins, Gregory Kelley, Judy Scott, Sheldon Blackwell

## **FUTURE AGENDA ITEMS:**

Commissioner Kelley requested the tree ordinance information. When did the law take effect, when was it implemented, what are the fines associated with the ordinance?

## **ADJOURNMENT:**

Meeting adjourned at 6:35pm.



# AGENDA STAFF REPORT

**MEETING DATE:** 5/12/2025

**AGENDA SECTION:** DIVISION UPDATES

**SUBJECT:**

Director Updates

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**RECOMMENDATION:**

Recommendation:

Recommended Motion:

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

None



# AGENDA STAFF REPORT

<b>MEETING DATE:</b> 5/12/2025	<b>AGENDA SECTION:</b> DIVISION UPDATES
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**SUBJECT:**

Recreation Updates

**RECOMMENDATION:**

Recommendation: Commission receive report.

Recommended Motion:

**BACKGROUND:**

Recreation Updates

Event Updates:

Food Truck Takeover-last month is May with the last day being 5-28-25. The schedule is open to everyone on our social media pages.

Father/Daughter and Mother/Son dances-see detailed report attached.

Spring Camp-completed, the camp was a success with over 30 children enrolled for the Spring Break camp.

Egg Hunt: sponsored event, over 500+ community members, took in registered and walk ups for the event, provided egg hunts, activities, vendors, and music.

Echoes of Courage: event was a success, did rain on the event for the first part of the day, saw over 75+ in attendance throughout the event, amazing speakers and flag ceremony for our local veterans.

The Plunge Update

Summer Camp: scholarships now open, over 40+ enrolled throughout the 9 weeks, cost is \$100/child for the week, camps are themed and include various activities.

Movies in the Park: upcoming within the next few months, movie selections have not been finalized.

**FISCAL IMPACT:**

**ATTACHMENTS:**

1. RECREATION UPDATES.



# Recreation Update

April 14, 2025



# Event Updates



Food Truck Takeover  
in Civic Park



Father & Daughter /  
Mother & Son  
Dances



Egg Hunt



Echoes of  
Courage



The Plunge



Summer  
Camp



Movies In The  
Parks



# Food Truck Takeover in Civic Park

- Last Month, Last Takeover=5/28/25
- March - May Every Wednesday  
from 11:00 AM-2:00 PM
- Rotating food vendors. Schedule is  
available on our social media pages.

## May 14

- TRAVELIN' TOM'S  
COFFEE
- TACOS SAN MARCOS
- CHEF GRAY

A promotional poster for the Food Truck Takeover event. At the top, the words "FOOD TRUCK TAKEOVER" are written in large, bold, black letters. Below this is a yellow food truck with a red circular sign on its side that says "EVERYONE IS WELCOME! COME AND JOIN US!". The background is a light blue sky with rays and a green field. Below the truck, the text reads "MARCH - MAY EVERY WEDNESDAY 11AM - 2PM". Further down, it says "Come Hungry And Enjoy Your Lunch At Beautiful Civic Park!". At the bottom, the location is given as "400 N DOUTY ST. CIVIC PARK". In the bottom right corner, there is a white oval containing the text "City of Hanford Parks And Community Services Department 559-585-2525".

**FOOD TRUCK TAKEOVER**

EVERYONE IS WELCOME!  
COME AND JOIN US!

MARCH - MAY  
EVERY WEDNESDAY 11AM - 2PM

**Come Hungry And Enjoy Your Lunch At  
Beautiful Civic Park!**

📍 400 N DOUTY ST. CIVIC PARK

City of Hanford  
Parks And Community Services  
Department  
559-585-2525

2025 Echoes of Courage EXPENSES / REVENUE			
<b>REVENUE</b>			
SPONSORS	\$2,500.00		
		<b>TOTAL REVENUE</b>	<b>\$2,500.00</b>
<b>MISC EXPENSES</b>			
SECURITY	\$440.00		
BANNERS/ MARKETING MATERIALS	\$300.00		
SOCIAL MEDIA BOOSTS	\$29.78		
DECORATIONS	\$300.00		
MISC EXPENSES	\$150.00		
THANK YOU FOR SPONSORS	\$350.00	TBD	
		<b>TOTAL MISC. EXPENSES</b>	<b>\$1,569.78</b>
		<b>DIFFERENCE</b>	<b>\$930.22</b>

# Echoes of Courage Financial Report

# Father & Daughter / Mother & Son Dances



2025 Daddy / Daughter Mother / Son Dances EXPENSES / REVENUE

<b>CITY ALLOCATED BUDGET FOR EVENT</b>			
<b>REVENUE</b>			
<b>TICKETS</b>			
<b>DADDY / DAUGHTER</b>	<b>\$2,623.23</b>		
<b>MOMMY/ SON</b>	<b>\$1,899.90</b>		
		<b>TOTAL REVENUE</b>	<b>\$4,523.13</b>
<b>MISC EXPENSES</b>			
<b>FOOD- JOJOS GRILL A DOG</b>	<b>\$2,954.14</b>		
<b>BANNERS/ MARKETING MATERIALS</b>	<b>\$208.16</b>		
<b>COTTON CANDY</b>	<b>\$360.00</b>		
<b>SOCIAL MEDIA BOOSTS</b>	<b>\$199.76</b>		
<b>FENCING</b>	<b>\$2,450.00</b>		
<b>DECORATIONS</b>	<b>\$440.06</b>		
<b>STAFF</b>	<b>\$2,917.00</b>		
<b>GAMES</b>	<b>\$1,975.00</b>		
<b>PRIZES</b>	<b>\$386.00</b>		
<b>FACEPAINTING</b>	<b>\$1,050.00</b>		
<b>BALLON ANIMALS SERVICE</b>	<b>\$360.00</b>		
<b>DJ</b>	<b>\$1,500.00</b>		
<b>BALLOONS ACTIVITY</b>	<b>\$449.60</b>		
<b>BALLOONS DÉCOR</b>	<b>\$348.51</b>		
		<b>TOTAL MISC. EXPENSES</b>	<b>\$15,598.23</b>
		<b>DIFFERENCE</b>	<b>-\$11,075.00</b>

# Parent Dances Expense Report

# Egg Hunt



- April 19th 10am- 2pm in Civic Park
- Free Event - Presented by Anthem
- Over 500+ in attendance throughout the day
- Passed out over 2,000+ eggs
-

2025 Egg Hunt EXPENSES / REVENUE

<b>CITY ALLOCATED BUDGET FOR EVENT</b>	<b>\$2,500.00</b>		
<b>REVENUE</b>			
<b>SPONSORS</b>	<b>\$5,000.00</b>		
<b>VENDORS</b>	<b>\$397.10</b>		
<b>BUDGET</b>	<b>\$3,000.00</b>		
		<b>TOTAL REVENUE</b>	<b>\$8,397.10</b>
<b>MISC EXPENSES</b>			
<b>EGGS</b>	<b>\$1,417.80</b>		
<b>BANNERS/ MARKETING MATERIALS</b>	<b>\$270.63</b>		
<b>TRAIN RIDES</b>	<b>\$700.00</b>		
<b>PONY RIDES</b>	<b>\$1,400.00</b>		
<b>FENCE RENTAL</b>	<b>\$2,450.00</b>		
<b>DECORATIONS</b>	<b>\$403.05</b>		
<b>BASKETS</b>	<b>\$321.23</b>		
<b>STAFF</b>	<b>\$850.00</b>		
<b>PRIZES</b>	<b>\$200.00</b>		
<b>WRISTBANDS</b>	<b>\$163.61</b>		
		<b>TOTAL MISC. EXPENSES</b>	<b>\$8,176.32</b>
		<b>DIFFERENCE</b>	<b>\$220.78</b>

# Easter Egg Hunt Financial Report

# The Plunge



Opens June 7<sup>th</sup>

Classes Start June 3

Fee \$3 \$2 for 55+ and Military

10 Visit Entry Pass

## Plunge Hours

### **Weekdays Public Swim**

Monday- Friday 12:30PM- 5:30PM

### **Weekends Public Swim**

Saturday & Sunday 10:00AM- 6:00PM

### **Evening Private Party Rentals**

Saturday & Sunday 6:30PM- 8:30PM

## Swim Lessons

### **Morning Swim Lessons**

Private Lessons Monday - Friday

Group Lessons Tuesday - Friday

Times: 10:05-10:35 & 10:40-11:10 &

11:15-11:45 & 11:50-12:20

### **Evening Swim Lessons**

Private Lessons Monday - Friday

Group Lessons Tuesday - Friday

Times: 6:00-6:30 & 6:35-7:05

## Aquatic Classes

### **Monthly Fee for Each Session**

\$20 Adults \$16.00 Seniors

### **Water Aerobics -**

Tuesday & Thursday Session 1: 8:00am-

8:45am & Session 2: 9:00am-9:45am

### **Lap Swim -**

Session 1: M,W,F 8am-10am or Session

2: T,Th,F 8am-10am

# Summer Day Camp



- Starts June 9<sup>th</sup> - Aug 8<sup>th</sup>
- 7:30am - 5:30pm At Longfield Center
- 9 Weeks
- Fee \$100 per week  
Scholarship is available for  
qualifying families
- Lunch will be provided by  
**KCAO**

# Movies In The Park

## Parks for 2025 Showing

Civic Park

Centennial Park

Hidden Valley

Freedom Park

3 Showings At The Plunge.

\*movie titles TBD



More info to come

# Questions





## AGENDA STAFF REPORT

**MEETING DATE:** 5/12/2025

**AGENDA SECTION:** DIVISION UPDATES

**SUBJECT:**

Softball Complex Updates

**RECOMMENDATION:**

Recommendation: Commission receive report.

Recommended Motion:

**BACKGROUND:**

Softball Complex Updates

**Concession Stand:**

- Currently operational 7 days a week.
- February revenue was \$9,449.00
- March revenue was \$33,380.01
- April revenue was \$28,910.00
  - Three month total revenue: \$71,739
  - Three month total expense: \$29,653
- **Year to Date: includes concessions, leagues and tournaments, rentals/permits.** Stand has been in operation to the City since October 2024-8 months.
  - Expenses: \$182,800
  - Revenue: \$209,595
- Tournament for the month of April were one each weekend.
- Spring league will come to an end this month
- Facility updates: new uniforms are being designed and purchased before the end of the fiscal year for concession and facility staff, new equipment has been procured to assist with field maintenance, and new programs are in development for future months.

**FISCAL IMPACT:**

**ATTACHMENTS:**

None



## AGENDA STAFF REPORT

**MEETING DATE:** 5/12/2025

**AGENDA SECTION:** DIVISION UPDATES

**SUBJECT:**

Parks Updates

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**RECOMMENDATION:**

Recommendation: Commission receive report.

Recommended Motion:

**BACKGROUND:**

Please see attached presentation for background detail.

**FISCAL IMPACT:**

**ATTACHMENTS:**

1. Parks Updates May Meeting



# HANFORD

## CALIFORNIA

### **PARKS MONTHLY UPDATE**

Parks And Recreation Commission May 2025

# Updates

- **Projects/ Updates:**
  - Freedom PIP patch training and repair.
  
- **Plans Upcoming:**



# Helping Hands 2025

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## May 2025

- Corp Yard clean up
- Olive trees
- Front hedges

# Park of the Month

## Harris Street Ballpark

- 4.6 Acres –Ball Diamond
- Concession Stand
- Rental space – 8 user groups

## Stats

- ~3000 visitors annually
- Stay Avg 78 min,
- Stay split 30-45 32% & 120+ 29%



# Questions or Comments?





## AGENDA STAFF REPORT

**MEETING DATE:** 5/12/2025

**AGENDA SECTION:** GENERAL BUSINESS

**SUBJECT:**

Approval of Tree Permit Prune Request for 316 Ivy St

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**RECOMMENDATION:**

Recommendation:

Recommended Motion:

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

1. 316 Ivy prune request 5.12.25

# Heritage Tree Removal Request



316 E Ivy St


Levi Winebrenner

On 4.12.25



# Requesting to prune two trees in park strip

- Justification of the request
  - SCE topped the trees to protect power lines, but it is now leaning into and over the street

- 
- Relatively healthy tree
    - Appears to have been topped, causing outward growth and imbalance.



# Commission Action

- Vote to approve or deny this request.



## AGENDA STAFF REPORT

**MEETING DATE:** 5/12/2025

**AGENDA SECTION:** GENERAL BUSINESS

**SUBJECT:**

City of Hanford Streets and Shrubs Ordinance 12.12.020-12.12.530

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**RECOMMENDATION:**

Recommendation: Commission receive this report.

Recommended Motion:

**BACKGROUND:**

Per the request of a Commissioner attached is the information regarding the tree ordinance and a code compliance fee schedule.

**FISCAL IMPACT:**

**ATTACHMENTS:**

1. STREET TREES AND SHRUBS
2. CODE COMPLIANCE FEE SCHEDULE.

CHAPTER 12.12  
STREET TREES AND SHRUBS

**Note: Prior history: Prior code §§ 7-2.01—7-2.13 and Ord. 96-18.**

**§ 12.12.020. Definitions.**

"Authorized street tree list" means that list identifying the types of trees which may be planted in park strips.

"City arborist" means an arborist who is a member of the International Society of Arborists (or equivalent organization) designated by the parks and recreation department director.

"Critical root zone" or "CRZ" means a defined circular area around a tree with a radius measured to the nearest foot of the tree's longest drip line radius plus one foot as illustrated below.

"Damaged" means the removal of bark greater than three inches across, the breaking or splitting of the main trunk, or the dislocation of the main trunk or any act compromising its health or structural integrity according to accepted industry standards or to cause damage that is severely detrimental to its overall aesthetics.

"Dead" means a tree, shrub, hedge, or other plant that is no longer alive, has been damaged beyond repair, or is in an advanced state of decline (where an insufficient amount of live tissue, green leaves, limbs, or branches exist to sustain life) and has been determined to be in such state by the director.

"Development project" means any exterior construction work associated with or requiring a building permit for any building addition, building demolition, site grading, excavation or site paving.

"Director" means the parks and recreation department director of the city of Hanford or designee.

"Hazard" or "hazardous condition" means any tree, shrub, hedge, or plant that is or appears to be: (1) dead; (2) likely to fall; (3) seriously diseased; (4) an obstruction or potential obstruction to pedestrian or vehicular traffic; (5) an obstruction or potential obstruction of any traffic signs, traffic control devices, streetlights, regulatory signs, or similar types of equipment or signs; or (6) in a condition that is detrimental to the public health, safety, or general welfare.

"Hedge" means any group of shrubs planted in line or in groups so that the branches of any one plant are intermingled or contact the branches of any other plant in the line or group.

"Heritage tree" means any of the following: (1) any Oak Tree native to Central California, Valley Oak Tree (*Quercus lobata*), with a diameter greater than 10 inches; or (2) any tree or a group of trees specifically designated by the city council for protection because of its historical significance, special character or community benefit.

"Imminent hazard" or "imminently hazardous condition" means a hazardous condition that presents an immediate threat to the health, safety, or general welfare of the public which requires immediate action to prevent injury to the public or property.

"Park strip" means that portion of the public street right-of-way between the curb or curb line and the adjacent sidewalk or property line, as applicable, used for or which may be used for the

purpose of planting and maintaining street trees, shrubs, hedges, or other plants. In some areas within the city, park strips may extend into a private property's yard beyond the sidewalk. Park strips may be located on private property or may abut private property.

"Prune" or "trim" means to remove any segment of the above- or below-ground woody tissue of a tree, shrub, hedge, or other plant. If pruning is done in nonconformance with said conditions of permit or without a permit, it shall be deemed a "removal."

"Remove" or "removal" means cutting to the ground, complete extraction, or killing by spraying, girdling, or any other means of a tree.

"Replacement" for the purposes of this chapter shall be determined by utilizing a certified tree and landscape appraiser or the most recent edition of the Guide for Plant Appraisal, published by the Council of Tree and Landscape Appraisers.

"Shrub" means a bush or plant (excluding weeds) more than 12 inches tall but not more than six feet tall.

"Street" means a public right-of-way owned by or under the control of the city whose primary function is to carry vehicular traffic and shall also include sidewalks and park strips.

"Topping" means the removal of branches from mature trees leaving stubs and large wounds on such trees.

"Tree" shall mean any perennial, woody plant species or cultivar that reaches a height exceeding six feet at maturity, whether planted singly or as a hedge, or having secondary branches supported on a main stem or stems. The term "tree" includes street trees and heritage trees.

"Tree protection plan" means a plan in compliance with Section 12.12.310, Protection and preservation of heritage trees.

(Ord. 15-12 § 1, 2015)

#### **§ 12.12.110. Authority to direct work on trees, shrubs, hedges, and other plants.**

The planting of trees in park strips of less than five feet in width shall be permitted only if the trees planted are selected from the authorized tree list for such area. If the park strip is five feet or more in width, trees may be planted which are allowed in the authorized tree list for such area.

(Ord. 15-12 § 1, 2015)

#### **§ 12.12.130. Prohibition of violation of chapter.**

It is unlawful for any person to plant, remove, prune, or maintain any trees, shrubs, hedges, or other plants or cause the same to be done in violation of this chapter.

(Ord. 15-12 § 1, 2015)

#### **§ 12.12.210. Pruning or removal of heritage or street tree—Permit required.**

- A. Except as provided in this section, it is unlawful for any person to prune or remove any heritage tree or remove a street tree, or do any construction work or activity that may affect the critical root zone of a heritage or street tree, without a permit issued by the director.
- B. Each permit to prune or remove a heritage or street tree shall contain the following

information:

1. Name of permit applicant;
  2. Time period in which to complete the action specified or required in the permit;
  3. Reason for pruning or removal;
  4. If a tree will be removed, the type and species of the replacement tree to be purchased and planted by the permittee at the permittee's sole cost and expense;
  5. Description of the pruning, if applicable; and
  6. Location of the tree to be pruned or removed (address of property where tree is located and the specific location of the tree on the applicant's property).
- C. The director shall, subject to the consultation requirements set forth below, issue a permit to prune or remove a street tree or prune a heritage tree only if at least one of the following criteria is met:
1. The tree creates a hazardous condition or imminently hazardous condition;
  2. The type, species, or location of the tree is in conflict with the policy or plans of the city;
  3. The tree interferes with electrical lines and the interference cannot be corrected by pruning the tree;
  4. The tree has caused concrete or asphalt damage that results or could result in a hazardous condition or imminently hazardous condition and which cannot be resolved by other reasonable means;
  5. The tree has or may cause damage to utilities, including without limitation water, sewer, communication lines or power lines, that results or could result in a hazardous condition or imminently hazardous condition and which cannot be resolved by other reasonable means;
  6. The tree is in conflict with an approved development permit for an adjacent property or right-of-way;
  7. Removal is required for thinning to allow proper spacing; or
  8. Removal would allow a more desirable planting in conformance with the approved tree list.
- D. The director shall, subject to the consultation requirements set forth below, issue a permit to remove a heritage tree only if the tree creates a hazardous condition or imminently hazardous condition.
- E. Except as otherwise provided in this chapter, the director will consult with the commission on applications to remove street trees and applications to prune or remove heritage trees. The commission shall make recommendations to the director concerning heritage or street tree

removal and heritage tree pruning after an inspection by a subcommittee of the commission and after deliberation by the commission. Requests for such inspections shall be made by the director at commission meetings. The director need not consult with the commission on heritage or street tree removal or heritage tree pruning if, in the director's reasonable judgment, a heritage or street tree poses an imminently hazardous condition. In such instance, the director may approve a permit without consulting the commission; provided however, the director will inform the commission of the issuance of such permit at the commission's meeting that immediately follows the permit's issuance. The director need not consult with the commission regarding applications to prune street trees.

- F. If the city grants a permit for the removal of a heritage or street tree, the person or entity removing the tree must remove the tree's trunk to a minimum depth of two feet below the adjacent ground level.

(Ord. 15-12 § 1, 2015)

**§ 12.12.220. Permit application.**

- A. Applications for permits required under this chapter shall be submitted to the director, along with an application fee. Application fees shall be set by resolution of the city council. The director shall review each permit application that the city accepts for filing. As part of the review of each application, the director may request additional information from the applicant or conduct any investigation the director believes is necessary to complete the review. After the completion of the review of the permit application and advisory input by the commission, if required, the director shall provide written notice to the applicant of the decision to issue (as requested or modified) or deny the permit.
- B. The notice shall be in a form prescribed by the director. The notice shall provide the opportunity for the applicant to appeal the director's decision.
- C. An applicant wishing to appeal the director's decision shall submit a written request for an appeal hearing to the director within seven calendar days of the property owner's receipt of the director's notice. The city council will serve as the hearing body for appeals. A hearing shall be set for a date that is not less than 15 days and not more than 60 days from the date that the request for hearing is filed in accordance with the provisions of this section. The city council will give the applicant an opportunity to be heard and will thereafter render a written decision regarding the director's decision on the permit application.
- D. Permits issued for work occurring under Section 12.12.210 shall, except as otherwise provided herein, be valid for 60 days, except permits issued to public utilities, which may be for a period of one year. The director may extend the effective period of a permit if the director finds good cause exists in a particular case.

(Ord. 15-12 § 1, 2015)

**§ 12.12.230. Development permit combined.**

The request for a heritage or street tree planting, pruning, or removal permit may be included as part of an application for a development permit. Where the request for planting, pruning, or removal permit is included as part of the development permit application, the development permit may serve as the planting, pruning, or removal permit and be processed under the application,

noticing, hearing, and appeal provisions applicable to the development permit application, and no separate planting, pruning, or removal permit application and planting, pruning, or removal permit is required, so long as all of the substantive provisions and permit processing requirements of this chapter are satisfied as part of the processing of the development application.

(Ord. 15-12 § 1, 2015)

**§ 12.12.240. No permit required.**

A. Notwithstanding any provision of this chapter, no permit shall be required for pruning or removing a heritage or street tree if any of the following criteria are met prior to any work being performed:

1. An imminent hazard exists where the immediate pruning is necessary to protect the public health, safety, or welfare. The property owner who causes emergency work to be done must ensure that the heritage or street tree is not pruned more than is reasonably required to eliminate the imminent hazard; such party must obtain a permit for any non-emergency pruning of the same tree. The property owner causing the emergency pruning or removal must provide, within two business days of the completion of the emergency work, written notice to the director that includes a full description of the work completed, the exact location where the work was performed, the bases for the emergency work, and photographs clearly showing the condition creating the imminently hazardous condition;
2. An imminently hazardous condition exists and the director provides written notice to the responsible property owner to take corrective action, and the owner complies strictly with such notice;
3. Removal of the tree is in connection with a city-approved public works project; or
4. A development permit, or amendment thereto, which allows the removal of a tree, has been issued by the city and accepted by the permit applicant pursuant to the provisions of this code pertaining to development permits.

B. In case of emergency, when a tree is hazardous or dangerous to life or property, it may be pruned or removed by order of the city's public works, parks and recreation, police, or fire departments, provided further, that any franchise public utility or representative of the city may remove or prune trees which interferes with the safe and efficient operation of the public service for which they are responsible, but only to the extent made necessary by such interference, with the permission of the director and/or the city arborist.

(Ord. 15-12 § 1, 2015)

**§ 12.12.260. Presentation of permit on request.**

A. It is unlawful for any person to prune or remove or cause the same to be done to a heritage or street tree unless the permit or a copy of the permit allowing for this activity is maintained on the site where the tree to be pruned or removed is located.

B. It is unlawful for any person to prune or remove or cause the same to be done to a heritage or street tree unless the permit or a copy of the permit can immediately be presented upon

request by an official or representative of the city.

- C. It is unlawful for any person to engage in any work on or allow any work on a heritage or street tree that is subject to a permit to occur unless and until: (1) the permit or a copy of the permit is located on the site where the subject tree is located; and (2) the permit or a copy of the permit is readily available for presentation upon request as described in this section.

(Ord. 15-12 § 1, 2015)

**§ 12.12.270. Revocation of permit.**

- A. The director may revoke a permit issued pursuant to this part if the director determines any of the following:

1. The permit was obtained or extended by false, misleading, or incomplete information;
2. One or more conditions set forth in the permit have been violated; or
3. One or more provisions of this chapter have been violated.

- B. The director shall give written notice of the revocation of the permit to the applicant. The applicant may appeal the director's decision in accordance with the provisions of Section 12.12.220.

(Ord. 15-12 § 1, 2015)

**§ 12.12.280. Reforestation.**

Permits for heritage or street tree removal, removals without permits and acts causing damage to heritage or street trees shall require replanting in accordance with the following guidelines:

- A. Trees removed under jurisdiction of a planning approval pursuant to this chapter shall conform to conditions specified in the planning approval.
- B. Trees removed with a valid tree removal permit shall be replaced in accordance with this chapter and instructions identified by the director. Replacement instructions shall include direction on the location and species of the replacement tree. Tree replacement shall be one to four twenty-four (24) inch box size tree(s) determined by the director, for each tree removed.
- C. Trees removed without a valid tree removal permit shall be replaced by one to four 48 inch box size tree(s) for each tree removed at the discretion by the director if the value of the removed tree(s) was significantly greater than that of a forty-eight (48) inch box tree. In such cases of non-permitted removal, the determination of the level of replacement shall be within the discretion of the director, but will not exceed the actual tree loss as determined by the replacement value. In addition to the requirements of this subsection, penalties under Section 12.12.530 or other sanctions allowed by law may be imposed for removal of heritage or street trees without a permit.
- D. Where the director determines that replanting is not feasible and/or appropriate, e.g., sufficient trees exist on site, the director may: (1) require that a payment of equal value to the cost of the purchase and installation of the replacement tree(s) be made to the city tree

planting fund; or (2) place other conditions on the permit which are of equal value to the cost of the purchase and installation of the replacement tree(s).

- E. Any person causing damage to a heritage or street tree shall be required to take such steps as may be required by the director to assure the future vitality of the tree(s), including costs of treatment and/or construction of protection barriers, or if the director determines that the damage is so great that the tree is no longer reasonably sustainable, replacement of the damaged tree per subsection C.

(Ord. 15-12 § 1, 2015)

**§ 12.12.300. Property owner maintenance—Responsibility and duty to public.**

- A. Subject to the provisions of Section 12.12.110, each owner of property that is located in the city shall maintain and replace, when necessary, any street trees, shrubs, hedges, or other plants within a park strip located on or which abuts an owner's property in such condition so as to comply with this chapter. Each property owner shall plant and replace any removed or otherwise missing street trees in accordance with the requirements of Section 12.12.210.
- B. A property owner required by this section to plant, maintain, and replace, when necessary, street trees, shrubs, hedges, and other plants shall owe a duty to the public using streets and/or sidewalks to maintain such street trees, shrubs, hedges, and other plants in a safe and non-hazardous condition. For purposes of this section, maintenance of street trees, shrubs, hedges, and other plants includes, without limitation: watering, pruning, fertilizing, pest control, spraying, removal of branches, leaves and other debris, weed abatement, and protection of the critical root zone. Watering shall occur in a manner consistent with the city's rules on water use identified in this code.
- C. A property owner required by this section to maintain any street trees, shrubs, hedges, or plants shall comply with the following:
1. Provide the necessary maintenance so that street trees, shrubs, hedges, and plants do not become a hazard;
  2. Provide a minimum of eight foot vertical pedestrian clearance from the top of the sidewalk and a minimum 14 foot vertical vehicular clearance from the top of pavement, to any part of a street tree; provided however, each street tree shall be trimmed so that the vertical clearance around the entire tree is uniform and consistent;
  3. Provide adequate clearance for unobstructed pedestrian and vehicular view of all traffic signals, street lights, regulatory signs, street name signs, and other similar types of equipment and signs;
  4. All maintenance shall be completed in accordance with the guidelines of the American National Standard Institute (ANSI);
  5. Obtain a permit as required in Section 12.12.210; and
  6. Obtain an encroachment permit from the city's public works department for any work that the property owner or his or her contractor will perform within a public right-of-way or if any vehicle or equipment will operate or be parked in any public right-of-way

as a result of any work pertaining to a tree, shrub, hedge, or other plant for which the property owner is responsible.

- D. If any property owner fails to maintain any street trees, shrubs, hedges or other plants for which the owner is responsible in a non-hazardous condition as required by this section, and any person or entity suffers damage or injury to person or property, the property owner shall be liable for all damages and/or injuries caused by his or her failure to maintain the street trees, shrubs, hedges, or other plants.
- E. If, in the opinion of the director, a tree, shrub, hedge, or other plant located on private property located outside of a park strip constitutes a nuisance or hazard, the process, procedures, and remedies described in this chapter with respect to street trees, shrubs, hedges, and other plants located in park strips, will be available to the city.
- F. Any and all damage caused by a tree, shrub, hedge, or plant to any person or property or to any utility, street, sidewalk or other improvement shall be the responsibility of: (1) the owner of the property on which such tree, shrub, hedge, or plant is located; or (2) if the offending street tree, shrub, hedge, or plant is located within a park strip that abuts private property, the owner of the private property that abuts such park strip.

(Ord. 15-12 § 1, 2015)

#### **§ 12.12.310. Protection and preservation of heritage trees.**

- A. Any person who owns, controls, has custody or possession of any real property within the city shall use reasonable efforts to maintain and preserve all heritage trees located thereon in a state of good health, pursuant to the provisions of these regulations.
- B. Any application for discretionary development approval of real property or any other development project shall be accompanied by a signed statement by the property owner or authorized agent which discloses whether any heritage trees exist on property and described on the plans associated with the application the location of each such tree, its species, trunk size and drip line area. In addition, the location of any tree within 30 feet of the area proposed for construction that is within the public right-of-way shall be shown on the plans identified by species.
- C. In regard to any heritage tree designated by the city council for protection (hereinafter "protected tree"), any exterior construction work associated with any development project performed within a radius measured from the trunk center equal to 10 times the diameter of the trunk measured at four feet above grade shall require the preparation and submittal of a tree protection plan for review and approval by the director and/or the city arborist prior to the issuance of any permit for a development project. The tree protection plan shall be prepared by a certified arborist.
- D. A tree protection plan shall at minimum include the following requirements:
  - 1. Prior to the commencement of any development project, fencing shall be installed at the drip line of any protected tree which will be affected by the construction and shall prohibit the storage of any construction materials, equipment or other materials inside the fence. The drip line shall not be altered in any way so as to increase the encroachment of the

construction.

2. Prohibit extraction, soil deposit, drainage and leveling within the drip line unless approved by the director and the city arborist.
  3. Prohibit disposal or depositing of oil, gasoline, chemicals, paints, solvents or other materials within the drip line or in drainage channels, swales or areas that may lead to the drip line.
  4. Prohibit the attachment of wires, signs, ropes, of any foreign objects to any protected tree.
  5. Utility service and irrigation lines shall be located outside of the drip line when feasible.
  6. Include provision for the retention of the services of a certified arborist for periodic monitoring of the project site for the health of protected trees. An arborist or the director or designee must be present whenever activities occur which will pose a potential threat to the health of the protected trees or whenever any work needs to be done within the drip line of such tree.
  7. Include other provisions as deemed necessary by the director and/or the city arborist to preserve the protected tree and insure compliance with those provisions.
  8. Require that the parks and recreation department be notified whenever any damage or injury occurs to a protected tree during construction so that proper treatment may be administered.
  9. Contain the signature of the property owner and building permit applicant.
- (Ord. 15-12 § 1, 2015)

**§ 12.12.320. Interfering with maintenance work or injuring street trees prohibited.**

- A. No person shall in any way interfere with the city or its employees or contractors engaged in the planting, mulching, pruning, spraying, treating, or removal of any street tree, or in the removal of stone, cement, or other substance around the trunk of any street tree.
- B. No person shall, except with written permission of the director: (1) damage, cut, carve, girdle, or injure the bark of any street tree; (2) attach or keep attached, or cause the same, any sign, wire, device, or injurious material to any such tree or the guard or stake intended for the protection of such street tree; (3) allow any gaseous, liquid or solid substance, pesticide, herbicide, or similar chemical agent harmful to a street tree to come into contact with the roots, leaves, bark or any part of any street tree; (4) construct concrete, asphalt or brick paving or otherwise fill the ground area within four feet of any street tree that may shut out/off air, light, or water to the street tree or its roots; (5) pile building material or other material around any street tree in any manner that will in any way injure the street tree; or (6) construct any raised planter around a street tree's trunk.
- C. As part of any construction work or activity of a building or structure, the owner or responsible party thereof shall place such guards around all nearby street trees that are required in the opinion of the director to effectively prevent injury to such trees.

- D. Tree stakes or guards may be placed around street trees by the city, the city's contractors, or by the owner of the property on which the street tree is located or which is located in a park strip abutting the owner's property as long as such stakes and guards are merely placed near street trees for the purpose of protecting and/or training such trees.
- E. Each property owner shall ensure that electrical lines and wires providing electricity to his or her property are secured so they do not come into contact with any street tree, and no person shall, without the written authorization of the director, attach to a street tree any electric wire or line, insulator, or device for the holding or securing of any electric wire or line, or electrical or utility poles.
- F. No person shall move any building or other object along any street in such manner as to injure any street tree. Whenever the director determines or reasonably believes that any street tree may be injured, the director may require the person moving the building or other object along a street in the city to furnish a bond in an amount sufficient to cover the damage or destruction of street trees.

(Ord. 15-12 § 1, 2015)

#### **§ 12.12.330. Park strip inspection.**

The director may inspect or cause to be inspected all street trees, shrubs, hedges, and other plants located within park strips. Upon discovering that any street tree, shrubs, hedges, or other plants within a park strip are dead, infected or infested with plant, animal, insect, or other condition detrimental to the growth, health, or life of any such street tree, the director may utilize the provisions of and pursue the remedies outlined in Sections 12.12.400 through 12.12.530.

(Ord. 15-12 § 1, 2015)

#### **§ 12.12.340. Hazardous conditions—Sight obstructions on private property.**

- A. No owner or person in possession or control of any property shall maintain any tree, shrub, hedge or other plant located on his or her property, or located in a park strip abutting the owner's property, in a manner that causes or may cause a hazardous condition or imminently hazardous condition on a street.
- B. No owner of property shall permit the existence of any tree, shrub, hedge, plant, mound of earth, boulders, or any other object located on his or her property or within a park strip abutting his or her property that obscures and/or impairs the view of passing motorists or pedestrians or which impairs the view of any street sign, traffic sign, or any other control device or sign placed upon the streets for the safety and convenience of the public.

(Ord. 15-12 § 1, 2015)

#### **§ 12.12.400. Notice of violation.**

If the director determines that a violation of this chapter has occurred or that the condition of any tree, shrub, hedge, or plant constitutes a violation of any provisions of this chapter, the director may, by written notice, notify the owner of the property in violation to take corrective action. A notice of violation may be provided in the form of an administrative citation or other form of writing that the director deems appropriate.

(Ord. 15-12 § 1, 2015)

**§ 12.12.410. Notice of violation—Delivery.**

The notice of violation specified in Section 12.12.400 may be given by delivering a written notice personally to the property owner, or by mailing the notice, certified with return receipt requested, to the property owner at his or her last known address as the same appears on the last equalized assessment rolls of the county.

(Ord. 15-12 § 1, 2015)

**§ 12.12.420. Notice of violation—Contents.**

Any notice of violation issued by the director pursuant to Section 12.12.400 shall contain the following information:

- A. The date of inspection;
- B. The address or a description of the property upon which such tree, shrub, hedge, or plant is located, or the address of the property which abuts the park strip in which such tree, shrub, hedge, or plant is located;
- C. A description of the violation;
- D. A description of the corrective action required to address the violation; and
- E. A definitive time period or deadline to complete the corrective action.

(Ord. 15-12 § 1, 2015)

**§ 12.12.430. Notice of violation—Right to appeal.**

- A. The notice of violation will specify that the property owner may file with the director a written request for an appeal hearing. Such written request must be received by the director within 15 calendar days of the date of the notice of violation. The written request for hearing must clearly outline the reasons and bases for the property owner's objection to the notice of violation.
- B. The director shall consider each written request for appeal. If the director does not alter his or her decision on an issue as a result of the written request for appeal hearing, the director shall set the matter for a hearing before the city council. The city council will serve as the hearing body for appeals involving notices of violation. A hearing shall be set for a date that is not less than 15 days and not more than 60 days from the date that the request for hearing is filed in accordance with the provisions of this section. The city council will give the property owner an opportunity to be heard and will thereafter render a written decision regarding the notice of violation.

(Ord. 15-12 § 1, 2015)

**§ 12.12.440. Work performed by city.**

- A. If the corrective action required by a notice of violation is not completed within the time specified in the notice, the city may, but shall not be required to, perform the required work or cause the work to be performed.

- B. In cases of imminently hazardous conditions, the director shall have the authority to perform or cause to be performed corrective work necessary to abate the imminent hazard without first issuing a notice of violation to the property owner.

(Ord. 15-12 § 1, 2015)

**§ 12.12.450. City invoice for work performed.**

- A. The property owner shall be responsible for all costs associated with any corrective action taken by the city, including, without limitation, costs of planting, removal, or pruning and the city's administration time and expenses associated therewith. After completion of the work by the city pursuant to Section 12.12.440, the city shall mail an invoice to the property owner. The property owner shall, except as otherwise provided in this section, remit full payment to the city within 30 calendar days of the date of the city's invoice.
- B. Any invoice not fully paid within the 30 day calendar period referenced in the immediately preceding subsection shall be deemed delinquent and shall accrue interest at the rate of 10% per year or the maximum interest rate allowed by law, whichever is less.
- C. The costs payable to the city pursuant to this section may, at the director's discretion, be made in installments of no less than \$15 per month, which shall be included as a charge on the utility bills or property tax bills for the property at which the city provided services. A property owner wishing to pay the amount owed in installments pursuant to this subsection must submit a written request to the director within 15 calendar days of the date of the invoice issued by the city pursuant to this section; if a property owner fails to submit such a request within the 15 calendar-day period, the payment terms identified in subsection B shall apply. Each owner of real property who is allowed to make installment payments pursuant to this subsection shall execute a promissory note and/or other documents approved by the city to reflect: (1) the payment obligation; (2) interest at a rate equal to the local agency investment fund (LAIF) interest rate in effect on the date of execution of the promissory note and/or other documents; and (3) the city's cost to prepare and record the documents evidencing the debt owed to the city and to process such installment payments.
1. If the director determines that installment payments shall be added to a property's utility bills, the property owner shall also execute a lien or deed of trust, in a form approved by the city, that will be recorded against the real property at which the city provided services. In determining whether the amount owed to the city will be paid through installments added to a property's utility bills, the director may require satisfactory proof that the real property will sufficiently secure payment of the amount owed to the city.
  2. If the director determines that installment payments shall be paid through an owner's property tax bills, the city will notify the Kings County tax collector of the amounts to be added to the tax roll. The amount added to each tax bill shall be the equivalent of the monthly installment rate approved by the director plus any administrative fees charged by Kings County to collect and process the payments.

(Ord. 15-12 § 1, 2015)

**§ 12.12.460. Collection of city's costs.**

- A. To cause the payment of a delinquent amount, the director may pursue any remedy available

to the city to enforce this code.

- B. The city may add to the owner's unpaid balance any costs incurred by the city to collect a delinquent amount.

(Ord. 15-12 § 1, 2015)

**§ 12.12.470. Collection of corrective action costs—Special assessment.**

- A. To cause the payment of a delinquent amount, the director may pursue any remedy available to the city to enforce this code.
- B. The city may add to the owner's unpaid balance any costs incurred by the city to collect a delinquent amount.
- C. If a property owner fails to pay a city invoice in a timely manner, the city may, but shall not be required to, declare the delinquent amount a special assessment against the owner's property.
- D. If the city elects to declare a special assessment in accordance with subsection A, the director will cause a notice of a public hearing before the city council to be provided to the property owner in the manner specified in Section 12.12.430. The notice will specify the day, hour, and place where the city council will hear and pass upon a report of the director (the contents of which are described below), together with written objections, if any, which may be raised by the property owner.
- E. Prior to such hearing, the director shall prepare and file with the city council a report specifying the work performed by the city, the cost thereof, a description of the real property upon which the offending tree, shrub, hedge, or plant was located or a description of the real property abutting the park strip in which the offending street tree, shrub, hedge, or plant was located, and the assessment proposed to be levied against the property to pay the costs incurred by the city.
- F. On the day and hour fixed for the hearing, the city council will hear and pass upon the report of the director, together with any written or oral objections which may be raised by any property owner liable for the cost of the city's corrective work. The city council may make such modifications in the report as it may deem just, after which, the report, as submitted or as modified, will be confirmed and provided to the property owner. The decision of the city council on all objections shall be final and conclusive.
- G. The hearing will serve to provide full opportunity to the person subject to the city's invoice to be heard and object. The failure of any person to appear at the hearing shall constitute a failure to exhaust administrative remedies.
- H. The city council, after confirmation of a special assessment amount, may:
1. Order a notice of lien to be delivered to the county for recording against the owner's property; or
  2. Order the assessment amount to be submitted to the county tax assessor, who shall enter the amount thereof in the county's assessment records opposite the description of the

particular property, and the amount shall be collected together with taxes assessed against the property. Thereafter, the city's assessment shall be collected at the same time and in the same manner as taxes against the property are collected and shall be subject to the same penalties and interest, and to the same foreclosure and sales rights and procedures in the event the owner fails to pay the assessment in a timely manner.

(Ord. 15-12 § 1, 2015)

**§ 12.12.480. Private arrangements for tree trimming or removal.**

The director may, if he or she deems it to be in the public's interest, cause street trees to be pruned or removed through a private arrangement between the city and the owner of the property on which such trees are located or the owner of the property that abuts the park strip in which the trees are located. The arrangement will include terms under which the city will be reimbursed for initially paying the costs of such work on the owner's behalf.

(Ord. 15-12 § 1, 2015)

**§ 12.12.500. No interference with enforcement of this chapter.**

No person shall interfere with or delay an authorized representative or contractor of the city from executing and enforcing this chapter.

(Ord. 15-12 § 1, 2015)

**§ 12.12.510. Failure to give or receive notice.**

The failure to post, mail, or deliver by personal service any notice required under this chapter or the failure of any person to receive such notice shall not affect the validity of any proceedings or actions taken by the city or its officers, officials, employees, contractors, or volunteers under this chapter.

(Ord. 15-12 § 1, 2015)

**§ 12.12.520. Additional penalties.**

- A. In addition to the reforestation requirements, described in Section 12.12.280, if the director finds that any person has violated this chapter by participating in any act constituting a violation under this chapter, the director may, through the issuance of administrative citations, impose a penalty of up to \$1,000 per participant per tree for such illegal act. A schedule of penalty amounts will be established by resolution of the city council.
- B. Any person or entity violating the provisions of this chapter may be directed by the city to stop work and to prepare a mitigation plan to correct the violation and mitigate the damage inflicted. Once the violation is corrected and mitigation implemented, the city shall allow construction to resume. The mitigation plan shall be filed and approved by the city arborist, agreed to in writing by the property owner(s) and either implemented or guaranteed by the posting of adequate bond or other security. The mitigation plan shall include measures for protection of any remaining trees on the property and shall provide for replacement of each tree removed or damaged on the property or at locations approved by the director. The replacement ratio shall be determined by the director according to the provisions of this chapter.

(Ord. 15-12 § 1, 2015)

**§ 12.12.530. Remedies.**

The provisions of this chapter are non-exclusive and supplement any existing rights and remedies available to the city. The provisions of this chapter may be enforced by any remedies provided for in this municipal code or otherwise available in law or equity. Violations of this chapter may be prosecuted criminally, civilly, or administratively, either undertaken separately or in conjunction with other remedies, at the sole discretion of the city. Nothing in this chapter shall be deemed to prevent the city from commencing any administrative, legal, equitable, or criminal proceeding to enforce this chapter, the city's municipal code, or any law.

(Ord. 15-12 § 1, 2015)

CODE COMPLIANCE DIVISION

CODE VIOLATION FINES	
FEE NAME	FEE AMOUNT
Minor	\$50.00
General	\$200.00
Health and Safety	\$500.00

Definitions:

Minor: A "Minor" violation shall be defined as a violation of the Hanford Municipal Code, or other applicable law or code, that does not have the potential to create a health or safety hazard to the occupants of a structure/building or the general public.

General: A "General" violation shall be defined as a violation of the Hanford Municipal Code, or other applicable law or code, that has the potential of creating a health or safety hazard to the occupants of a structure/building or the general public if the violation is allowed to continue.

Health and Safety: A "Health and Safety" violation shall be defined as a violation of the Hanford Municipal Code or other applicable law or code that is a health or safety hazard to the occupants of a structure/building or the general public.

Subsequent Violations:

Second Violation- Within six months of the date of the initial citation, the fine shall be two times the initial fine.

Third Violation- Within six months of the date of the initial citation, the fine shall be four times the initial fine.