

Council Meeting  
February 28, 2006

Honorable Mayor and Members  
of the City Council  
City Hall  
Torrance, California

Members of the Council:

**SUBJECT: SECOND AND FINAL READING OF ORDINANCE 3681**

**RECOMMENDATION:**

Second and Final Reading of **ORDINANCE NO. 3681** amending Section 5 to Article 1 of Chapter 5 of Division 7 of the Torrance Municipal Code requiring a permit to prune or remove trees on public property and Section 13 of Article 1 of Chapter 5 of Division 7 regulating the maintenance and replacement of trees in parkways.

**BACKGROUND:**

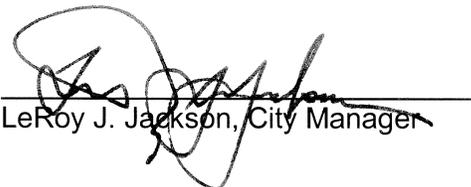
At the regular meeting of the City Council held on the 7th day of February, 2006, this Ordinance was introduced and approved for its first reading by the following roll call vote:

AYES:	COUNCILMEMBERS:	Mauno, McIntyre, Nowatka, Scotto, Witkowsky, and Mayor Walker.
NOES:	COUNCILMEMBERS:	None.
ABSTAIN:	COUNCILMEMBERS:	None.
ABSENT:	COUNCILMEMBERS:	None.

Respectfully submitted,

  
\_\_\_\_\_  
Sue Herbers, City Clerk

NOTED:

  
\_\_\_\_\_  
LeRoy J. Jackson, City Manager

Attachment A: Ordinance 3681  
B: Ordinance Summary



## ORDINANCE NO. 3681

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 5 TO ARTICLE 1 OF CHAPTER 5 OF DIVISION 7 OF THE TORRANCE MUNICIPAL CODE REQUIRING A PERMIT TO PRUNE OR REMOVE TREES ON PUBLIC PROPERTY AND SECTION 13 OF ARTICLE 1 OF CHAPTER 5 OF DIVISION 7 REGULATING THE MAINTENANCE AND REPLACEMENT OF TREES IN PARKWAYS.

The City Council of the City of Torrance does ordain as follows:

#### SECTION 1

That a new Section 5 is added to Article 1 of Chapter 5 of Division 7, entitled PERMIT REQUIRED TO CUT, TRIM, REMOVE, ETC. This section reads in its entirety as follows:

**“SECTION 75.1.5. PERMIT REQUIRED TO CUT, TRIM, REMOVE, ETC.; GRANTING; DURATION.**

- a) No person may cut, trim, remove, prune, plant, injure or interfere with any tree upon any street, park, alley or public place of the City without first obtaining a permit from the Public Works Director. The permit will be valid for thirty days.
- b) Permits will be issued in compliance with the following criteria:
  - 1) The owner of the property immediately adjacent to the street or parkway tree must complete a permit application.
  - 2) All permitted tree services must be performed by a professional tree services contractor selected from a list of City-approved contractors.
  - 3) Any trimming, pruning or removal must be done in accordance with City standards.
  - 4) The property owner must pay all costs of the trimming, pruning or removal.
  - 5) Tree services contractors are subject to reasonable requirements of the City concerning such matters as equipment, insurance, qualifications of employees and licensing.
- c) In the Hillside Overlay District, as established Chapter 1, Article 41, Section 91.41.1 in Division 9 of the Torrance Municipal Code, removal of a tree upon any parkway will be permitted, subject to the conditions listed in (b) of this Section, as well as the following:
  - 1) All new or replacement parkway trees will be selected from a list of trees that are of a limited height, to be determined by the Streetscape Administrator.”

#### SECTION 2

That a new Section 13 is added to Article 1 of Chapter 5 of Division 7, entitled MAINTENANCE AND REPLACEMENT OF TREES IN PARKWAYS. This section reads in its entirety as follows:

**“SECTION 75.1.13. MAINTENANCE AND REPLACEMENT OF TREES IN PARKWAYS.**

It shall be the duty of property owners to provide for maintenance and replacement of all trees, grass and landscaping in public parkways abutting their property. No maintenance, trimming, cutting or removal performed on a street tree may be done until a permit has been obtained per TMC 75.1.5.”

SECTION 3

Any provisions of the Torrance Municipal Code or its appendices, or any other ordinances of the City inconsistent with this ordinance, to the extent of the inconsistencies and no further, are repealed.

SECTION 4

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision will not affect the validity of the remaining portions of the ordinance. The City Council declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases are declared invalid or unconstitutional.

SECTION 5

This ordinance will take effect thirty days after the date of its adoption. Within fifteen days following adoption, this ordinance or a summary of this ordinance, if authorized by the City Council, will be published at least once in the Daily Breeze, a newspaper of general circulation, published and circulated in the City of Torrance.

INTRODUCED AND APPROVED the 7th day of February, 2006.

ADOPTED AND PASSED this \_\_\_ day of \_\_\_\_\_, 2006.

APPROVED AS TO FORM:  
JOHN FELLOWS III, City Attorney

\_\_\_\_\_  
Mayor Dan Walker

ATTEST:

by \_\_\_\_\_  
Ronald T. Pohl, Assistant City Attorney

\_\_\_\_\_  
Sue Herbers, CMC  
City Clerk

**Ordinance Summary****TORRANCE CITY COUNCIL ORDINANCE NO. 3681**

On \_\_\_\_\_, 2006, the City Council of the City of Torrance adopted an ordinance requiring a permit to cut, trim or remove any tree upon any street, park, alley or public place in the City and imposing a duty on property owners to maintain and replace all trees, grass and landscaping in public parkways abutting their property.

\*\*\*\*City Clerk to add a paragraph stating that copies of the ordinance are available at the City Clerk's office and stating the names of the City Council members that voted in favor and those that voted against.\*\*\*\*