

ORDINANCE NO. 3248

AN ORDINANCE OF THE CITY OF LONGVIEW, WASHINGTON, AMENDING THE URBAN FOREST MAINTENANCE MANAGEMENT PLAN.

WHEREAS, after two years of local testing, on June 14, 2012, the City Council of the City of Longview concurred with a recommendation from the Parks and Recreation Board (the Tree Board) to suspend the use of imidacloprid as a means of aphid control in birch trees because of its questionable effectiveness; and

WHEREAS, it is desirable to amend the chemical application policies contained within City's Urban Forest Maintenance Management Plan to document the suspension of the application of imidacloprid as a mechanism of aphid control; and

WHEREAS, there is also a need to adopt minor revisions in the section of the Urban Forest Maintenance Management Plan dealing with City Tree removal criteria.

NOW THEREFORE, The City Council of the City of Longview do ordain as follows:

Section 1 That the Urban Forest Maintenance Management Plan, as adopted by LMC 13.04.020 shall be, and is hereby amended to read as set forth in Attachment "A" attached hereto and incorporated herein by this reference.

Section 2. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance and the same shall remain in full force and effect. The City of Longview hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases being declared unconstitutional.

Section 3. That nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 4. That the City of Longview City Clerk is hereby ordered and directed to cause this Ordinance to be published.

Section 5. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 6. This Ordinance shall be in full force and effect from and after thirty (30) days from the date of its passage and publication as provided by law.

Passed by the City Council this ____ day of _____, 2013.

Approved by the Mayor this ____ day of _____, 2013.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

James McNamara
City Attorney

Published: _____