

ORDINANCE NO. 3343

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

WHEREAS, after two years of birch tree removal and an additional two years of evaluation, on May 9, 2017, the City Council of the City of Longview concurred with a recommendation from the Parks and Recreation Board (the Tree Board) to reinstate the use of imidacloprid on a case by case basis as a means of aphid control in the urban forest; and

WHEREAS, the City of Longview Parks Department will treat city owned trees in front of homeowner and business owner locations that receive requests to address aphid infestation complaints; and

WHEREAS, the City of Longview Parks Department will manage the entire application process to ensure that all chemical safety rules, regulations, and procedures are followed; and

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

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 _____, 2017.

Approved by the Mayor this _____day of _____, 2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

James McNamara
City Attorney

Published: _____