

Resolution No 09-05
Introduced: July 8, 2009
Adopted: July 8, 2009
Effective Date: July 8, 2009

RESOLUTION

SUBJECT: Native Canopy Tree Planting Program

WHEREAS, Maryland Code, Natural Resources Article, Section 5-427(a) authorizes the governing body of a municipal corporation, by appropriate resolution or ordinance, to implement a local urban and community forestry program within its jurisdiction; and

WHEREAS, the Town Council has received a report and recommendation from the Town Environment Committee recommending that the Town Council adopt an urban and community forestry program within the Town; and

WHEREAS, the Town Council considered the urban and community forestry program adopted by this resolution at its June 10, 2009 and July 8, 2009 regular meetings; and

WHEREAS, upon consideration of the recommendations of the Town Environment Committee and its own analysis of the program, the Town Council finds that implementing an urban and community forestry program upon the terms attached hereto is in the public interest and is necessary for the good government of the Town, and for the protection and promotion of the health, safety, comfort, convenience, welfare and happiness of the residents of the Town;

NOW, THEREFORE, the Town Council of the Town of Chevy Chase hereby approves and adopts an urban and community forestry program to be known as the "Native Canopy Tree Planting Program" upon the terms and conditions set forth in Attachment A to this resolution and as the same may be subsequently amended and the Town Manager is hereby authorized and directed to implement the aforesaid program in accordance with its terms.

TOWN OF CHEVY CHASE

Kathy Strom
Kathy Strom, Mayor

x Linna Barnes
Linna Barnes, Council Member

Allan Lang
Allan Lang, Council Member

David Lublin
David Lublin, Council Member

Pat Burda
Pat Burda, Council Member

ATTEST:
Pat Burda
Pat Burda, Secretary

Canopy Tree Incentive Program Policy

Each year, the Town will plant a certain number of canopy trees on private property in the Town based on the budget approved by the Town Council. These plantings will occur in the spring and fall in conjunction with the Town's public tree plantings.

The Town will advertise the program on its website and in the Forecast newsletter. The species of trees to be planted shall be approved by the Environment Committee in consultation with the Town Arborist. Normally, the Town will only plant one tree per requesting property per year; however, the Town may offer to plant more than one tree on a property if the number of trees available exceeds the number of requests.

The Town does not provide a warranty or guarantee for the trees. The trees are offered to residents free of charge and are provided on a first-come, first-served basis assuming the following conditions are met:

- The Town arborist determines that there is an appropriate location on the property for a new canopy tree.
- The resident agrees to water, prune and maintain the tree. Each resident will sign (1) a waiver acknowledging that the Town is not responsible for the future health and welfare of the tree and (2) a commitment by the resident to maintain the tree. The Town will provide maintenance instructions and a watering bag with each new tree.
- The resident signs an agreement to release, indemnify, and hold harmless the Town and all of its officers, employees, contractors, and agents from all suits, actions, damages and costs which may result from the planting of the new tree.