

Amendment 2 to Council Bill No. 64-2021

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Amendment No. 2

(This Amendment replaces the definition of “specimen tree”; requires a certain statement related to forest conservation; alters a criterion for a certain tree removal; and alters references to cutting or clearing.)

1 On the title page, in line 1 of the title, strike “cutting or”.

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3 On page 2, strike lines 5 through 9 and substitute:

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5 “A TREE WITH A TRUNK OR TRUNKS EACH OF WHICH MEASURES 30 INCHES IN DIAMETER OR LARGER,
6 MEASURED AT 4.5 FEET ABOVE THE GROUND.”.

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8 On page 2, in line 26 strike “CUT OR”.

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10 Also on page 2, in line 26, after PROPERTY. add “FOR PURPOSES OF THIS SECTION, A TREE THAT IS
11 REMOVED WITHOUT REMOVING THE STUMP IS CONSIDERED TO HAVE BEEN CLEARED”.

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13 On page 2, in line 28 strike “CUTTING OR”.

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15 On page 3, in line 5 strike “CUT OR”.

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17 Also on page 3, in line 10, before the period insert:

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“: AND

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(3) INCLUDE A STATEMENT FROM THE PROPERTY OWNER THAT:

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(I) NO SUBDIVISION, SITE DEVELOPMENT, OR OTHER ACTIVITY THAT WOULD SUBJECT THE

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PROPERTY TO FOREST CONSERVATION REGULATIONS IS CONTEMPLATED FOR AT LEAST FIVE YEARS; OR

22 (II) THE SUBJECT SPECIMEN TREES ARE DEAD OR DISEASED".

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24 Also on page 3, in line 12, strike "WHERE CLEAR AND CONVINCING EVIDENCE IS SHOWN THAT A
25 SPECIMEN TREE IS DISEASED OR DEAD" and substitute "WHERE THE DEPARTMENT DETERMINES THE
26 APPLICATION TO BE COMPLETE AND ACCURATE AND WHERE CLEAR AND CONVINCING EVIDENCE IS
27 SHOWN THAT THE SPECIMEN TREE IS DISEASED OR DEAD IF SAID CONDITION IS THE BASIS FOR THE
28 APPLICATION".

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30 Also on page 3, beginning in line 15, strike "CUT OR".

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32 Also on page 3, in line 20, strike "CUTTING OR".

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34 Also on page 3, in line 27, strike "CUT OR".

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36 Also on page 3, in line 28, strike "CUTTING OR".

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38 On page 4, in lines 1, 8, 10, 12, 15, 19, and 20 strike "CUTTING OR".

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40 Also on page 4, in line 11, after "SIZE" insert "INSIDE THE PLANNED SERVICE AREA OR LESS THAN SIX
41 ACRES IN SIZE OUTSIDE THE PLANNED SERVICE AREA".

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43 Also on page 4, in line 26, strike "CUT OR".

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45 On page 5, in line 1, strike "CUT OR".