

ORDINANCE NO. 14-06

AN ORDINANCE TO PROTECT NATIVE SHRUBBERY, TREES AND PLANTS AND TO REASONABLY PREVENT SURFACE RUNOFF AND SOIL EROSION CAUSED BY CLEAR CUTTING WITHIN THE CORPORATE LIMITS OF THE CITY OF SKY VALLEY AND FOR OTHER PURPOSES

WHEREAS, the City of Sky Valley recognizes that from time to time property owners want or need to remove or trim trees, shrubbery and undergrowth; and,

WHEREAS, the City of Sky Valley wishes to establish appropriate guidelines so as to protect native shrubbery, trees and plants and reasonably prevent surface runoff and soil erosion caused by clear cutting.

The Council of the City of Sky Valley hereby ordains:

- I. Ordinance No. 12-01 is hereby amended by adding the following sections, which sections shall read as follows:

Section 7A. Clear Cutting


- (1) It shall be the policy of the City of Sky Valley that native shrubbery, trees and undergrowth such as mountain laurel, rhododendron, rare wildflowers, ferns, etc. shall be preserved insofar as practical and reasonable in order to retard surface runoff and soil erosion, and to protect their native species.
- (2) Clear cutting and the removal of native vegetation shall be prohibited, except as follows:
 - a. As necessary for placing public roads, utilities, structures and parking areas.
 - b. As necessary to protect a "Home Ignition Zone." Home Ignition Zones are defined as 60 feet around any habitable structure.
 - c. Underbrushing or selective cutting of a group of small trees or native shrubbery in excess of a 10' x 10' area may be allowed with a permit as long as a sufficient canopy and cover is left as a sizable buffer between the area to be cut and the public right-of-way or adjacent property owner.
- (3) A permit shall be required for any such cutting or clearing. An application for clear cutting consistent with the policy enumerated as Section 7A(1) for clear cutting shall be established by the city manager and all applicable penalties and rights of appeal set forth in ordinance 12-01 shall be applicable to this section.

- II. SHOULD ANY SECTION OR PROVISION OF THIS ORDINANCE BE DECLARED BY A COURT OF COMPETENT JURISDICTION TO BE UNCONSTITUTIONAL OR INVALID SUCH DECLARATION SHALL NOT AFFECT THE VALIDITY OF THE

ORDINANCE AS A WHOLE OR ANY PART THEREOF OTHER THAN THE PART SO DECLARED TO BE UNCONSTITUTIONAL OR INVALID. ALL RESOLUTIONS AND ORDINANCES AND PARTS OF RESOLUTIONS AND ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED.

III. THIS ORDINANCE WILL BECOME EFFECTIVE UPON ADOPTION BY THE CITY COUNCIL AND APPROVED BY THE MAYOR AS PROVIDED BY THE CHARTER OF THE CITY OF SKY VALLEY.

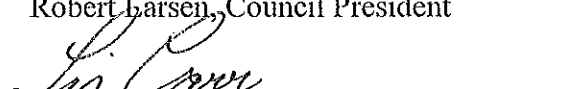
It is so ordained and approved by vote of the City Council of the City of Sky Valley this 16th day of December, 2014.



Hughel Goodgame, Mayor



Robert Larsen, Council President



Liz Carr, Councilmember



Martin Greene, Councilmember



Neil Howard, Councilmember

Attest:



Mandi Cantrell, City Clerk