



Roll Call Number

09-1776

Agenda Item Number

45A

Date.....September 28, 2009.

An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by repealing Section 122-58 thereof, and enacting a new Section 122-58, and by adding and enacting a new Article X, to Chapter 42, to establish a comprehensive system for the consideration of tree removal and the planting of replacement trees in the review and approval of applications for grading permits, site plans, subdivision plats and plats of survey, and to adopt a list of approved tree species for planting in the rights-of-way and as required replacement trees",

which was considered, and voted for the first time upon under Roll Call No. 09-1587 of August 24, 2009, subject the ordinance being amended to use the mitigation ratios as initially proposed on July 13, 2009; and was considered and voted upon for the second time under Roll Call No. 09- 1675 of September 14, 2009, subject to adding the word "economically" before the word "feasible" where used in Sections 42-554 and 42-555; again presented.

The text of the ordinance has been amended from that initially presented for first reading as follows:

- to change the definition of mature tree to be a tree at least 12 inches in diameter;
- to change the tree mitigation ratios to commence at one replacement tree for the removal of a tree at least 12 inches and less than 18 inches in diameter;
- to identify examples of when tree removal necessary to comply with an applicable law or governmental regulation may occur without mitigation; and,
- to add the word "economically" before the word "feasible" where used in Sections 42-554 and 42-555.

MOVED by Hensley that this ordinance do now pass.

ORDINANCE NO. 14,889

FORM APPROVED:

Roger K. Brown  
Roger K. Brown, Assistant City Attorney

(Council Communication No. 09-680 )

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED  
T. M. Franklin  
Mayor

Diane Rauh City Clerk