

## **SUMMARY and FISCAL NOTE\***

| <b>Department:</b> | <b>Dept. Contact/Phone:</b> | <b>CBO Contact/Phone:</b> |
|--------------------|-----------------------------|---------------------------|
| LEG                | Yolanda Ho / 206-388-8126   | N/A                       |

*\* Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

### **1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE relating to land use and urban forestry; amending requirements for registered tree service providers; amending Sections 25.09.040, 25.11.020, 25.11.030, and 25.11.095 of the Seattle Municipal Code.

**Summary and Background of the Legislation:** In March 2022, the Council passed Ordinance 126554 that created a new requirement for tree service providers to register with the Seattle Department of Construction and Inspections (SDCI) prior to conducting commercial tree work on private property. The registration requirement is similar to a requirement established nearly a decade ago for tree service providers that work on trees located in the public right-of-way. SDCI created the registry system in August 2022 and required tree service providers to register by November 10, 2022.

The proposed legislation would amend certain aspects of the tree service provider registration requirements, primarily in response to feedback from tree service providers. In brief, it would:

- Rename “pruning, major” to “reportable work” but otherwise maintain the associated definition for “pruning, major” established by SMC 15.02.046;
- Require that commercial tree work in Environmentally Critical Areas be conducted per Section 25.11.095;
- Remove the requirement that hiring entities post a printed public notice at least three business days in advance of certain types of commercial tree work at or adjacent to the work site. Instead, tree service providers would submit the information required for the public notice as is current practice, and SDCI will be responsible for posting the notices online at least three business days in advance of the planned work. SDCI would be required to post online notices on a map-based system by March 31, 2024;
- Require that commercial vehicles operated by a tree service provider clearly display its City-issued registration number and have the business name and phone number on both sides and rear of the vehicle; and
- Make other minor changes to ensure technical consistency and clarify intent.

### **2. CAPITAL IMPROVEMENT PROGRAM**

**Does this legislation create, fund, or amend a CIP Project?**      ☐ Yes ☒ No

### 3. SUMMARY OF FINANCIAL IMPLICATIONS

**Does this legislation amend the Adopted Budget?**

☐ Yes ☒ No

**Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?**

SDCI may incur additional costs to set up the map-based online notice system. The department is anticipated to submit a request for additional resources (if needed) with the 2024 Proposed Budget.

**Are there financial costs or other impacts of *not* implementing the legislation?**

Tree service providers would continue to experience higher costs for their businesses to ensure that public notices are posted at or adjacent to work sites as required.

### 4. OTHER IMPLICATIONS

**a. Does this legislation affect any departments besides the originating department?**

SDCI is responsible for administering the tree service provider registry and associated requirements.

**b. Is a public hearing required for this legislation?**

No.

**c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

No.

**d. Does this legislation affect a piece of property?**

No.

**e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**

Shifting public notices to online only may disadvantage residents who do not have access to a smartphone or computer. While smartphone ownership is fairly consistent across races and ethnicities, access to a desktop/laptop computer and broadband internet at home continues to lag for Black and Hispanic adults. An online notice system is more likely to be less accessible to low-income residents, who have lower rates of technology adoption generally. In lieu of a physical notice, the requirement that registered tree service providers clearly display their City-issued registration number and have their business name and phone number on both sides and rear of their commercial vehicle can help residents verify whether the company working on-site is registered as required or performing commercial tree work illegally.

Workers in the landscaping industry, which includes tree service providers, disproportionately skew Hispanic or Latino (44 percent in landscaping services versus 18

percent in the U.S. workforce, Bureau of Labor Statistics 2021). This legislation would remove the requirement for posting a printed public notice at or near a work site, thereby lessening the burden on tree service providers.

**f. Climate Change Implications**

**1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**

No.

**2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

No.

**g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?**

Not applicable.

**Summary Attachments:**

None.