
HOUSE BILL 2373

State of Washington 58th Legislature 2004 Regular Session

By Representatives Nixon and Ruderman

Read first time 01/13/2004. Referred to Committee on Local Government.

1 AN ACT Relating to prohibiting local governments from limiting
2 citizens' ability to protect their homes from fires by trimming or
3 removing potentially dangerous trees or vegetation near their homes;
4 adding a new section to chapter 36.70A RCW; adding a new section to
5 chapter 35.21 RCW; adding a new section to chapter 35.63 RCW; adding a
6 new section to chapter 35A.63 RCW; and adding a new section to chapter
7 36.70 RCW.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

9 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.70A RCW
10 to read as follows:

11 (1) No county or city may enact, enforce, or maintain an ordinance,
12 development regulation, zoning regulation, or official control, policy,
13 or administrative practice that prohibits the owner of a residential
14 dwelling with potentially flammable roofing material from trimming or
15 removing trees or vegetation surrounding the dwelling in all directions
16 in an area equal to the maximum site potential tree height for fire
17 suppression purposes.

18 (2) For the purposes of this section, "site potential tree height"

1 means a distance equal to the height of the tallest tree that can grow
2 on that site.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.21 RCW
4 to read as follows:

5 (1) No city or town may enact, enforce, or maintain an ordinance,
6 development regulation, zoning regulation, or official control, policy,
7 or administrative practice that prohibits the owner of a residential
8 dwelling with potentially flammable roofing material from trimming or
9 removing trees or vegetation surrounding the dwelling in all directions
10 in an area equal to the maximum site potential tree height for fire
11 suppression purposes.

12 (2) For the purposes of this section, "site potential tree height"
13 means a distance equal to the height of the tallest tree that can grow
14 on that site.

15 NEW SECTION. **Sec. 3.** A new section is added to chapter 35.63 RCW
16 to read as follows:

17 (1) No county or city may enact, enforce, or maintain an ordinance,
18 development regulation, zoning regulation, or official control, policy,
19 or administrative practice that prohibits the owner of a residential
20 dwelling with potentially flammable roofing material from trimming or
21 removing trees or vegetation surrounding the dwelling in all directions
22 in an area equal to the maximum site potential tree height for fire
23 suppression purposes.

24 (2) For the purposes of this section, "site potential tree height"
25 means a distance equal to the height of the tallest tree that can grow
26 on that site.

27 NEW SECTION. **Sec. 4.** A new section is added to chapter 35A.63 RCW
28 to read as follows:

29 (1) No city may enact, enforce, or maintain an ordinance,
30 development regulation, zoning regulation, or official control, policy,
31 or administrative practice that prohibits the owner of a residential
32 dwelling with potentially flammable roofing material from trimming or
33 removing trees or vegetation surrounding the dwelling in all directions
34 in an area equal to the maximum site potential tree height for fire
35 suppression purposes.

1 (2) For the purposes of this section, "site potential tree height"
2 means a distance equal to the height of the tallest tree that can grow
3 on that site.

4 NEW SECTION. **Sec. 5.** A new section is added to chapter 36.70 RCW
5 to read as follows:

6 (1) No county may enact, enforce, or maintain an ordinance,
7 development regulation, zoning regulation, or official control, policy,
8 or administrative practice that prohibits the owner of a residential
9 dwelling with potentially flammable roofing material from trimming or
10 removing trees or vegetation surrounding the dwelling in all directions
11 in an area equal to the maximum site potential tree height for fire
12 suppression purposes.

13 (2) For the purposes of this section, "site potential tree height"
14 means a distance equal to the height of the tallest tree that can grow
15 on that site.

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