
Local Government Committee

HB 2373

Brief Description: Prohibiting local governments from limiting citizens' ability to protect their homes from fires by removing or trimming potentially dangerous trees or vegetation near their homes.

Sponsors: Representatives Nixon and Ruderman.

Brief Summary of Bill

- Prohibits counties, cities, and towns from enacting, enforcing, or maintaining an ordinance or other specified control or practice that prohibits the owner of a residential dwelling with potentially flammable roofing material from trimming or removing trees or vegetation surrounding the dwelling in all directions in an area equal to the maximum site potential tree height for fire suppression purposes.
- Defines "site potential tree height" as a distance equal to the height of the tallest tree that can grow on that site.

Hearing Date: 1/19/04

Staff: Ethan Moreno (786-7386).

Background:

The state Constitution and laws specify numerous provisions for the governance and operation of counties, cities, and towns. These provisions include general governance frameworks, and a system of classification under which cities may be classified as code cities or non-code cities and towns. Code cities have broad statutory home rule authority in matters of local concern. Code cities and non-code cities and towns have separate statutory requirements for governance and operation.

Current law also specifies provisions and requirements for counties, cities, and towns for the planning, regulation, and development of land, including locally enacted development regulations and zoning ordinances. Ordinances or other regulatory measures related to tree and/or vegetation management may be enacted and enforced by local governments.

Summary of Bill:

New sections are added to current planning and other statutory provisions regulating land use for counties, code cities, and non-code cities and towns to specify that no county, city, or town may

enact, enforce, or maintain an ordinance, development regulation, or other specified control or practice that prohibits the owner of a residential dwelling with potentially flammable roofing material from trimming or removing trees or vegetation surrounding the dwelling in all directions in an area equal to the maximum site potential tree height for fire suppression purposes.

For the purposes of these provisions, "site potential tree height" is defined as a distance equal to the height of the tallest tree that can grow on that site.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.