

Bill would require notification before cutting down city trees

by Luke Broadwater, The Baltimore Sun • Sept. 19, 2011

Baltimore City Council members introduced a bill Monday that they say would close the "loophole" that allowed contractors to cut down dozens of trees along city streets without proper public notification in preparation for the Baltimore Grand Prix.

"Whoever you are, you cannot remove a tree ... unless you post a sign with the necessary information," said Councilwoman Mary Pat Clarke, who represents parts of North and Northeast Baltimore and is the bill's lead sponsor. "This is apparently a very necessary addition to the existing law."

At issue is a city law requiring that notice be posted at least five days before trees along city streets are chopped down, informing the community of the reason for the tree removal and leaving a contact number for complaints. That was not done in the case of the Grand Prix because contractors believed the law — which council members say lacked clarity — did not apply to them, officials said.

"We discovered there's apparently a loophole when it comes to notifying the public," said Councilman William H. Cole IV, who represents downtown. "Even if the city is the party removing the trees, it still needs to be posted."

The new legislation states: "No person or city agency may remove a tree from a city street without providing notice."

The bill makes an exception for emergency situations.

The issue heated up in August, when more than 4,000 people signed an online petition opposing the tree removal for the Grand Prix. Eight residents, including David C. Troy, a software developer from Bolton Hill, filed legal documents requesting a temporary restraining order halting further tree removal.

Baltimore Circuit Judge Evelyn Cannon dismissed the complaint on technical grounds, saying the residents had sued the wrong party. A contractor for Baltimore Racing Development LLC, not the city, had removed the trees, the judge said. She added that the law requiring the city to post five days' notice doesn't apply to private parties.

Racing officials initially said they planned to remove 136 trees for the race but ended up removing fewer than 40.

Officials said they planned to plant 59 new trees along the race course, plus 139 more around downtown in spots where trees are missing or dead. Grand Prix CEO Jay Davidson said the organization would pay for 5,000 more saplings for the city to use where it sees fit.