

📖 SEC. 810. LANDMARK TREES.

(a) **Designation Criteria.** The Board of Supervisors in Resolution No. 440-06, Clerk of the Board of Supervisors File No. 060487, adopted uniform criteria for the designation of landmark trees, which included consideration of the age, size, shape, species, location, historical association, visual quality, and other contribution to the City's character, as set forth Section [810\(f\)\(4\)\(A\)-\(E\)](#) below. This designation criteria, which may be amended from time to time, shall apply to all trees within the territorial limits of the City and County of San Francisco.

(b) **Designation Process.**

(1) **Nominations.** A tree may be nominated for designation as a landmark tree by any of the following parties: (i) the property owner whose property contains the subject tree by a written request to the Urban Forestry Council; (ii) the Board of Supervisors, Planning Commission, or Landmarks Preservation Advisory Board by adoption of a resolution of intent to nominate a tree for landmark status; or (iii) the director of any City agency or department by filing a nomination letter with the Urban Forestry Council. Each tree nominated for landmark tree status shall be the subject of a separate individual nomination.

(2) **Content of Nominations.** Nominations shall be made in writing to the Urban Forestry Council and shall include the basis for the nomination, which may address one or more of the adopted designation criteria, including the factors listed below in Section [810\(f\)\(4\)\(A\)-\(E\)](#) below; the lot, assessor's block, and street address of the subject property; one or more pictures of the tree; and any other information that the nominating property owner or entity believes would be pertinent to the nomination.

(3) **Urban Forestry Council Hearing and Determination.** The Urban Forestry Council shall hold a public hearing on a completed nomination request, and shall determine whether the tree qualifies as a landmark tree pursuant to the adopted designation criteria. After the conclusion of the public hearing, the Urban Forestry Council shall adopt written findings that specify the basis for its decision to approve or reject the nomination and shall forward these findings to the applicant for the nomination and the affected property owner. If the Urban Forestry Council determines that the subject tree meets the adopted designation criteria, it shall forward said decision to the Director, as to a tree on private property, or to the subject City agency, commission or department, as to a tree on City-owned property. If the Urban Forestry Council rejects the nomination, the Council shall not accept a new request for the subject tree for three years from the date of its decision. If the Urban Forestry Council determines that a tree qualifies as a landmark tree, its written findings on the nomination, along with any recommendations of relevant City agencies, commissions or departments, shall be forwarded to the Board of Supervisors for its consideration pursuant to Section [810\(b\)\(4\)](#) of this Article. If the Urban Forestry Council fails to forward said findings to the Board of Supervisors within 120 days of the Urban Forestry Council's receipt of the nomination request, the Board of Supervisors may, in its discretion, schedule a public hearing on the nomination, in which event, the failure of the Urban Forestry Council to forward said findings within the 120 day period shall constitute its approval of the nomination.

(A) If the nominated tree is on private or public property, the Council shall provide mailed notice of the hearing to the subject property owner and all property owners adjoining the subject property where the tree is located at least seven (7) days prior to its hearing. The Council, in its discretion, also may provide delivered notice of the hearing to residents adjoining the subject property, posted notice, or both.

(B) If the subject property exceeds one (1) acre in size, the Council shall provide posted notice in lieu of the mailed notice. Such notice shall be posted on at least two locations on each block face(s) tangent to the subject property at least seven (7) days prior to its hearing.

(C) If the Council either delivers or posts notice in accordance with these provisions, staff assigned to this task shall sign an affidavit, accompanied with any supporting material, stating when and where the notice was delivered or posted.

(4) **Designation.** Upon the recommendation of the Urban Forestry Council, the Board of Supervisors, by ordinance, may designate as a "landmark tree" any tree within the territorial limits of the City and County of San Francisco that meets the adopted designation criteria, or may rescind such designations. If the Urban Forestry Council does not issue findings in a timely manner pursuant to Subsection (b)(3), the Board of Supervisors shall adopt its own findings as part of the designation of a landmark tree.

(c) **Landmark Tree Designation Recorded Notice and Official Book.** Upon Board of Supervisors designation of a landmark tree, the Department or affected agency shall record a notice on the subject property concerning the landmark tree. The Department also shall record the landmark tree designation in an official book entitled Landmark Trees. If the landmark tree is a street tree under the maintenance responsibility of the Department, the Department shall record the landmark tree designation in a separate section of the Landmark Tree book that is reserved for those landmark trees under the maintenance responsibility of the Department. The Department shall maintain this book for public review and update it on a regular basis with the assistance of affected agencies.

(d) **Temporary Designation of Landmark Tree Status.**

(1) At the time a member of the Board of Supervisors introduces a resolution of intent to initiate a nomination and submits to the Clerk of the Board of Supervisors the information required for a landmark tree nomination request as set forth in Section [810\(b\)\(2\)](#), the subject tree shall be temporarily designated as a landmark tree ("temporary designation") and be subject to the provisions governing landmark trees set forth herein while proceedings are pending on the landmark tree designation. At the time the Planning Commission or Landmarks Preservation Advisory Board adopts a resolution of intent to initiate a nomination, temporary designation of the subject tree shall occur. If the Director of the Department or the director of any other City agency, commission or department initiates landmark tree designation, temporary designation shall occur when the Urban Forestry Council adopts a resolution determining that the subject tree qualifies for landmark tree status. In addition, the Director of the Department shall have the authority to issue an emergency order that temporarily designates a tree on private property or on any property under the jurisdiction of the Department to prevent the immediate removal of a tree. Upon initiation of a nomination pursuant to this Section, the entity initiating nomination shall immediately inform the Director who shall immediately cause a notice to be provided to the relevant department or private property owner informing them of the special permit and approval requirements pursuant to Section [810\(f\)](#).

(2) If 215 days have elapsed from the date of temporary designation and final action on landmark tree designation has not been completed, the temporary designation status for the subject tree shall expire unless the Board of Supervisors adopts a resolution to extend the temporary designation. Such extension shall not exceed 90 additional days.

(3) Although the subject tree ultimately may be designated as a landmark tree sometime after expiration of temporary designation status, once the temporary designation has expired or is

rejected as set forth below in Subsection (5), the affected tree shall not be subject to a new temporary designation for at least two years from the date of temporary designation.

(4) The 215-day term of temporary designation or any additional term, if extended through Board of Supervisors action pursuant to this Section, shall automatically be extended 30 additional days from the date the Mayor either signs the ordinance designating the subject tree as a landmark tree or the 10th day after the Clerk of the Board refers said ordinance to the Mayor and the ordinance is not signed or vetoed.

(5) If the Board of Supervisors rejects a resolution of intent to initiate nomination of a tree or the Urban Forestry Council rejects a nomination under subsection (b)(3), the temporary designation shall automatically terminate.

(e) **Zoning Administrator.** The Zoning Administrator shall be required to identify designated landmark tree(s) on proposed development or construction sites and to notify the Urban Forestry Council and the Department or affected City agency, commission or department. The Zoning Administrator and the Department or such other City Agency, commission or department with jurisdiction, shall be required to impose measures to protect such landmark trees on a construction site against damage to trunk, roots, and branches in accordance with Section [808\(c\)](#) of this Article. Removal of such trees shall be subject to the rules and procedures for removal of landmark trees provided in this Section.

(f) **Removal Criteria and Procedures.**

(1) **Removal Criteria.** The Urban Forestry Council shall develop and recommend for adoption by the Board of Supervisors uniform criteria, rules, and procedures governing determinations to remove landmark trees. Removal criteria shall require consideration and written findings on all of the factors related to the landmark tree as set forth in Section [810\(g\)\(4\)](#), below, and shall not authorize the removal of a landmark tree unless the it constitutes a hazard tree pursuant to Section [802\(o\)](#). Public notice, in accordance with the requirements of Section [806\(a\)\(2\)](#), and a hearing shall be required.

(2) **Removal on Private Property; Special Permit Required.** A property owner who desires a permit to remove a landmark tree shall apply to the Department on the designated form. Such application must be accompanied by an administrative fee in accordance with a fee schedule adopted by the Director. Except in the case of manifest danger and immediate necessity, landmark trees on private property shall be removed only after the Director's determination and issuance of a permit, following a public hearing. If the Director determines that removal of a landmark tree is necessary or permissible in accordance with the adopted removal criteria, the Director may impose such reasonable conditions on the permit for removal as he or she deems necessary to compensate for the loss of the tree, including but not limited to the replacement value of the tree, administrative costs, and contribution to the Adopt-A-Tree Fund. The Director's determination shall be final and appealable to the Board of Appeals. Any person seeking permission to remove a landmark tree must pay all costs related to the permit process and public hearings. Pending adoption of criteria for removal of landmark trees, the Department shall rely on the general criteria set forth in Section [810\(f\)\(4\)\(A\)-\(F\)](#).

(3) **Removal on City-owned Property; Special Approval Required.** Removal of a landmark tree(s) on City property under the jurisdiction of any City agency, commission, or department shall be subject to the criteria, rules, and procedures adopted by the Board of Supervisors pursuant to Section [810\(f\)\(1\)](#), above, including the process for public notice and a hearing prior to removal of the tree. After following said criteria, rules, and procedures, the subject City agency, commission, or department shall make its decision on removal of a

landmark tree(s). Such decision is final and nonappealable. Pending the Board of Supervisor's adoption of the criteria, rules, and procedures pursuant to Section [810\(f\)\(1\)](#), the agency, commission, or department shall follow the general criteria of Subsection (f)(4)(A)-(F) and similar rules and procedures for removal of street trees as set forth in Section [806\(c\)](#) and for removal of hazard trees as set forth in this Section [806\(a\)\(4\)](#). This Subsection shall not supercede the Charter jurisdiction that has been granted to any City agency, commission, or department.

(4) **Required Findings.** As part of any determination that authorizes removal of any landmark tree, the City entity making such determination shall, in addition to the adopted removal criteria, consider and make written findings on each of the following factors related to the tree:

(A) Size, age, and species;

(B) Visual characteristics, including the tree's form and whether it is a prominent landscape feature;

(C) Cultural or historic characteristics, including whether the tree has significant ethnic appreciation or historical association or whether the tree was part of a historic planting program that defines neighborhood character;

(D) Ecological characteristics, including whether the tree provides important wildlife habitat, is part of a group of interdependent trees, provides erosion control, or acts as a wind or sound barrier;

(E) Locational characteristics, including whether the tree is in a high traffic area or low tree density area, provides shade or other benefits to multiple properties, and is visually accessible from the public right-of-way; and

(F) One or more criteria that qualify the tree as a hazard tree pursuant to Section [802\(o\)](#).

(5) **Emergency Removal on Private Property.** In the case of manifest danger and immediate necessity, as determined by the Director, the Director may remove or require the responsible owner(s) to remove a landmark tree immediately. After such emergency removal, the Director shall provide written notice of the necessity for such action to the Board of Supervisors and the Urban Forestry Council and shall also provide such notice to all interested San Francisco organizations and, to the extent practical, to the owners and occupants of properties that are on or across from the block face where the affected tree was removed. If the Department incurs any costs related to an emergency removal, said costs, including labor, equipment, materials, inspection services, and administrative costs, shall be an obligation owing by the responsible owner(s) to the City. Removal of a landmark tree pursuant to this Subsection is not subject to Section [810\(f\)\(4\)](#) above.

(6) **Emergency Removal on City-owned Property.** In the case of manifest danger and immediate necessity, as determined by the director or general manager of the subject agency, commission, or department, the subject agency, commission, or department may remove a landmark tree within its jurisdiction immediately. After such emergency removal, the subject agency, department, or commission shall provide written notice of the necessity of such action to the Board of Supervisors, Urban Forestry Council and Department of Public Works and shall also provide such notice to all interested San Francisco organization and, to the extent practical, the owners and occupants of properties that are on or across from the block face where the affected tree was removed. Removal of a landmark tree pursuant to this Subsection is not subject to Section [810\(f\)\(4\)](#) above.

(g) If a landmark tree(s) has been designated as part of a local historic district or landmark under [Article 10](#) of the Planning Code, removal of such tree shall be subject to the procedures set

forth in the Planning Code [Article 10](#) in addition to the requirements of Subsection [810\(f\)](#) above. In the case of a conflict between Section [810\(f\)](#) and the Article 10 designation, the more restrictive provisions shall apply.

(Added by Ord. 165-95, App. 5/19/95; amended by Ord. 17-06, File No. 051458, App. 1/20/2006; amended by Ord. 52-08, File No. 071672, App. 3/31/2008)

SEC. 810A. SIGNIFICANT TREES.

(a) **Definition.** For purposes of this Section, a significant tree shall be a tree: (1) on property under the jurisdiction of the Department of Public Works or (2) on privately owned-property with any portion of its trunk within 10 feet of the public right-of-way, and (3) that satisfies at least one of the following criteria: (a) a diameter at breast height (DBH) in excess of twelve (12) inches, (b) a height in excess of twenty (20) feet, or (c) a canopy in excess of fifteen (15) feet. The Director may deem a significant tree a hazard tree if such tree satisfies the provisions of Section [802\(o\)](#). A landmark tree shall not be treated as a significant tree even if the landmark tree meets one or more of the abovementioned criteria. A landmark tree shall be governed by the provisions of Section [810](#).

(b) **Removal; Requirements.**

(1) Removal of a significant tree(s) on privately-owned property shall be subject to the rules and procedures governing permits for removal of street trees as set forth in Section [806\(b\)](#).

(2) Removal of a significant tree(s) that are the responsibility of the Department shall be subject to the rules and procedures governing permit for Departmental removal of street trees as set forth in Section [806\(a\)](#).

(3) If the Director determines that a significant tree is a hazard tree, this Article's provisions applicable to removal of a hazard tree shall apply.

(4) **Emergency Removal.** In the case of manifest danger and immediate necessity, as determined by the Director in writing, the Director may remove or require the responsible owner(s) to remove a significant tree immediately. After such emergency removal, the Department shall provide written notice to all interested San Francisco organizations and, to the extent practical, owners and occupants of properties that are on or across from the block face where the affected tree was removed of the necessity for such action. If the Department incurs any costs related to an emergency removal, said costs, including labor, equipment, materials, inspection services, and administrative costs, shall be an obligation owing by the responsible owner(s) to the City. Removal of a significant tree pursuant to this Subsection is not subject to Subsection (c) below.

(c) As part of the Director's determination to authorize removal of a significant tree, the Director shall consider the following factors related to the tree;

(1) Size, age, and species;

(2) Visual and aesthetic characteristics, including the tree's form and whether it is a prominent landscape feature or part of a streetscape;

(3) Cultural or historic characteristics, including whether the tree has significant ethnic appreciation or historical association or whether the tree was part of a historic planting program that defines neighborhood character;

(4) Ecological characteristics, including whether the tree provides important wildlife habitat, is part of a group of interdependent trees, provides erosion control, or acts as a wind or sound barrier;

(5) Locational characteristics, including whether the tree is in a high traffic area or low tree density area, or provides shade or other public benefits;

(6) Whether the tree constitutes a hazard tree as set forth in Section [802\(o\)](#); and

(7) Whether the tree has been maintained as set forth in Section [802\(l\)](#).

(d) **Zoning Administrator.** The Zoning Administrator shall be required to identify significant tree(s) on proposed development or construction sites and to notify the Department. The Zoning Administrator and the Department shall be required to impose measures to protect such significant trees on a construction site against damage to trunk, roots, and branches in accordance with Section [808\(c\)](#) of this Article. Removal of such trees shall be subject to the rules and procedures for removal of significant trees provided in this Section.

(Added by Ord. 17-06, File No. 051458, App. 1/20/2006)

SEC. 810B. SIDEWALK LANDSCAPE PERMITS.

(a) **Permit for Installation or Removal of Sidewalk Landscaping.** Permits to install or remove sidewalk landscaping shall be subject to the rules and procedures applicable to planting and removal of street trees under Section [806\(b\)](#).

(b) **Permit Decision.**

(1) The Director of the Department, in his or her discretion, may approve, conditionally approve, or disapprove the requested permit. When issuing permits, the Director may impose any conditions consistent with the public health, safety, welfare, and convenience, including, but not limited to, appropriate time, place, and manner restrictions and considerations to minimize neighborhood impacts.

(2) All sidewalk landscape permits are revocable at the will of the Director. In addition, when, in the judgment of the Director of Public Works, the public interest or convenience will be served by the removal of the dirt, debris, materials and equipment or any portion thereof from the sidewalk space, the Director shall modify, condition, or revoke the permit accordingly.

(c) **Fees.** The fee for a sidewalk landscape permit is \$215.00. If two, three, or four applicants on the same block submit a joint application for a sidewalk landscape permit, the fee is \$185.00 for each applicant. If five or more applicants on the same block submit a joint application for a sidewalk landscape permit, the fee is \$160.00 for each applicant. Fees for removal of sidewalk landscaping shall be the same as the fee charged for permits to remove street trees.

(1) **Fee Review and Adjustment.** Beginning with fiscal year 2007-2008, the fees that are established herein shall be reviewed and adjusted each year in accordance with the procedures set forth in Section [2.1.2](#).

(d) **Minimum Accessibility Requirements.**

(1) In no case shall the new sidewalk-landscape result in an unobstructed sidewalk width of less than 48 inches or increase the cross-slope of the portion of the sidewalk designated as an accessible path-of-travel.

(2) For each curbside parking space (approximately 20 feet of curb length), the design shall include a minimum 48-inch wide accessible curbside parking path that is perpendicular and connects the curb to the sidewalk path of travel. This path shall be: (i) located at the approximate centerline of each curbside parking space; (ii) made of concrete, pavers, or brick; and (iii) set on a firm base.

(e) The permit holder shall be responsible for maintaining the sidewalk-landscape area in a condition that is safe to pedestrians and vehicular traffic and free of litter and unsightly weeds. The permit holder also shall be responsible to maintain the health of plants with appropriate pruning, watering, and other care.

(f) **Waiver of Requirements.** The Director, in his or her discretion, may waive any of the substantive requirements for a sidewalk landscape permit. The Director may issue a waiver only

after holding a public hearing on the waiver request and issuing a written decision concerning whether the waiver will be granted, conditionally granted, or denied. When issuing such waivers, the Director may impose any conditions consistent with the public health, safety, welfare, and convenience.

(g) **Regulations.** In addition to the requirements set forth in this Section, the Director, after a public hearing, may adopt such orders, policies, regulations, rules, or standard plans and specifications as he or she deems necessary in order to preserve and maintain the public health, safety, welfare, and convenience. Such orders, policies, regulations, or rules may include, but are not limited to, permit application materials, planting guidelines, planting locations, materials, key design dimensions for planting areas, site conditions, replanting, landscape design modifications, and accessibility of sidewalks and streets. When such orders, policies, regulations or rules will affect the operations and enforcement of the Department of Parking and Traffic or the Municipal Railway, the Director shall consult with and provide an opportunity to comment to the General Manager of the Municipal Transportation Agency prior to adoption of such orders, policies, regulations, or rules.

(Added by Ord. 121-06, File No. 060142, App. 6/14/2006)

📖 **SEC. 811. PENALTIES FOR VIOLATION OF ORDINANCE.**

(a) **Criminal Penalties.** Violation of any of the provisions of Sections [805\(b\)](#), [806](#), [808](#), [810\(f\)\(1\)](#), [810A\(b\)](#), and [810B](#) of this [Article 16](#) shall be chargeable as an infraction or a misdemeanor. Every violation determined to be an infraction is punishable by a fine of \$200 for a first violation and \$400 for each additional violation within one year. Every violation determined to be a misdemeanor is punishable by a fine not exceeding \$1,000 and/or imprisonment in the County Jail for a period not to exceed six months, for each offense.

(b) **Civil Penalties and Fees.**

(1) The Director may call upon the City Attorney to maintain an action for injunction to restrain or summary abatement to cause the correction or abatement of the violation of this [Article 16](#), and for assessment and recovery of a civil penalty and reasonable attorney's fees for such violation.

(2) Any person who violates this [Article 16](#) may be liable for a civil penalty, not to exceed \$500 for each day such violation is committed or permitted to continue, which penalty shall be assessed and recovered in a civil action brought in the name of the people of the City by the City Attorney in any court of competent jurisdiction. In assessing the amount of the civil penalty, the court may consider any one or more of the relevant circumstances presented by any of the parties to the case, including, but not limited to, the following: the nature and seriousness of the misconduct, the number of violations, the persistence of the misconduct, the length of time over which the misconduct occurred; and the willfulness of the defendant's misconduct. The City Attorney also may seek recovery of the attorneys' fees and costs incurred in bringing a civil action pursuant to this Section.

(c) **Administrative Penalties.**

(1) In addition to the penalties set forth in Subsections (a) and (b) above, the Director may require any person who removes, injures, or destroys a Tree in violation of the provisions of this [Article 16](#) to pay a sum of money equal to the Tree's Replacement value or the diminishment of the Tree's value as set forth in the current edition of the Guide for Plant Appraisal (Council of Tree and Landscape Appraisers). Further, in addition to the penalties set forth in Subsections (a) and (b) above, the Director may require any person who removes, fails to maintain, injures, or destroys sidewalk landscaping or the associated design improvements in violation of the

provisions of Section [810B](#) to pay a sum of money equal to the Replacement value of the affected Landscape Material and associated design improvements or the diminishment of the value of the Landscape Material as set forth in the current edition of the Guide for Plant Appraisal (Council of Tree and Landscape Appraisers). In no case shall the administrative penalty be less than \$500 per violation. When one or more additional violations occur within one year of the first violation, the Director may assess a responsible party double the Tree's Replacement value or the diminishment of the Tree's value. Depending on the nature and seriousness of the misconduct, including unpermitted removal of or damage to a Landmark or Significant Tree; the unpermitted removal of or damage to Sidewalk landscaping installed pursuant to a permit issued under Section [810B](#); the number of violations; the persistence of the misconduct; the length of time over which the misconduct occurred; or the willfulness of the defendant's misconduct, the Director may assess additional penalties in excess of the amounts specified above. In addition to the administrative penalty assessed pursuant to this Section, the Director may assess enforcement costs to cover the reasonable costs incurred in enforcing the administrative penalty, including reasonable attorneys' fees. Any and all amounts paid or collected pursuant to this subsection, with the exception of enforcement costs, shall be deposited into the Adopt-A-Tree Fund.

(2) Notwithstanding the monetary limitation specified above in this Subsection (c), if a responsible party performs Major Maintenance on a Street Tree subject to the provisions of Section [805](#)(b) without a permit or injures, destroys, or removes such a Tree, the Department may assess a penalty of up to \$10,000 per violation in addition to the other remedies specified above.

(3) The Department shall send Notice of the assessment of administrative penalties to the responsible party. Such Notice shall include a statement that payment is due within 60 days of the mailing date of the Notice. If a responsible property owner fails timely to remit payment, the Department shall send a second Notice of payment due. Such second Notice shall include a statement that failure timely to remit payment in full to the City within 30 days of the mailing of the second Notice shall cause the Director to institute lien proceedings pursuant to Sections [706.4-706.7](#) of this Code. Enforcement and collection of liens for costs associated with Hazard Tree abatement shall be in accordance with Sections [706.4-706.7](#) of this Code, except that all monies received in payment of such liens with the exception of enforcement costs, shall be credited to the Adopt-a-Tree Fund.

(4) **Hearings.** At the written request of any person who has been assessed a penalty under subsections (c)(1)-(2), the Director, or the Director's designee, shall hold a public hearing regarding the proposed penalty. The Director, or the Director's designee, must receive the written request for a hearing within 60 days of the Department's notice of the assessed penalty. After the public hearing, the Director's, or the Director's designee's, decision on the assessed penalty shall be final.

(Added by Ord. 165-95, App. 5/19/95; amended by Ord. 294-98, File No. 98-0991, Eff. 11/2/98; Ord. 17-06, File No. 051458, App. 1/20/2006; Ord. 121-06, File No. 060142, App. 6/14/2006; Ord. [119-15](#), File No. 150221, App. 7/15/2015, Eff. 8/14/2015; Ord. [245-17](#), File No. 170985, App. 12/22/2017, Eff. 1/21/2018)

📖 **SEC. 812. ENFORCEMENT OF ORDINANCE; DESIGNATED EMPLOYEES.**

The Director shall authorize appropriate employees to issue citations to enforce the provisions of this [Article 16](#).

(Added by Ord. 165-95, App. 5/19/95; amended by Ord. 121-06, File No. 060142, App. 6/14/2006; Ord. 310-10, File No. 101194, App. 12/16/2010; Ord. [119-15](#), File No. 150221, App. 7/15/2015, Eff. 8/14/2015; Ord. [245-17](#), File No. 170985, App. 12/22/2017, Eff. 1/21/2018)

📖 SEC. 813. URBAN FOREST MANAGEMENT PLAN.

The Department shall use its best efforts to ensure that activities of the Department are guided by the Urban Forest Management Plan entitled “Urban Forest Master Plan, Phase I, Street Trees,” adopted in 2015, or any superseding management plan. The Department shall update and improve the Urban Forest Management Plan as necessary, subject to approval by the Director.

(Added by Ord. 165-95, App. 5/19/95; amended by Ord. [245-17](#), File No. 170985, App. 12/22/2017, Eff. 1/21/2018)

📖 SEC. 814. SEVERABILITY.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Article or any part thereof is for any reason held to be invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Article or any part thereof. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid or ineffective.

(Added by Ord. 165-95, App. 5/19/95)