

ORDINANCE NO. 1230

AN ORDINANCE AMENDING ORDINANCE #1078 AS IT RELATES TO TREES LOCATED WITHIN THE CITY OF TILLAMOOK RIGHT-OF-WAY AND PROVIDING FOR CONTROL OF GROWTH.

The people of the City of Tillamook do ordain as follows:

Section 1. Title. This ordinance shall be known and cited as the “Street Tree Ordinance” of the city of Tillamook.

Section 2. Purpose and Intent.

1. Purpose. The City of Tillamook recognizing the value of trees in preserving the aesthetic and environmental qualities of the community, wishes to maintain the Tree City USA Program. This Ordinance shall constitute the official Comprehensive City Tree Program of the City of Tillamook, Oregon. It is the purpose of this ordinance to promote and protect the public health, safety and general welfare by providing for the regulation of the planting, maintenance and removal of trees, shrubs, and other plants within the City of Tillamook public parks, public right-of-way, and other public places where the public has free access.
2. Intent. It is the intent of the City of Tillamook that the terms of this ordinance shall be construed as to promote:
 - a. The recognition of the special significance of heritage and distinctive trees, and value the contribution, which such trees make to the beauty and quality of life in Tillamook.
 - b. The recognition that because of the known benefits of trees, trees on development properties should be preserved so that they may be considered for incorporation into development plans.
 - c. The intent is not to prohibit the removal of trees but to stop the thoughtless destruction of that vegetation which has a beneficial effect on the value of property and on the City in general.

Section 3. Definitions. As used in this Ordinance, the following words mean:

1. Bush/Shrub: All other woody vegetation not considered trees. Plants commonly planted as shrubs, include but are not limited to English Laurel, Photinia, Arborvitae, Poison Oak, English Holly, and English Ivy.
2. City: Shall mean the City of Tillamook.
3. DBH: Diameter of tree at Breast Height.
4. Fell: To remove or sever a tree or to use any procedure of which is to cause the death or other substantial destruction of the tree. Fell does not in any context include normal trimming or pruning.
5. Illegally removed tree: A tree removed without first obtaining City Street Tree Committee approval and a City permit.
6. Immediate Danger of Collapse of a Tree: A tree may already be leaning with the surrounding soil heaving, and/or there is a significant likelihood that the tree will topple or otherwise fail and cause damage to the surroundings. Immediate Danger of Collapse does not include hazardous conditions that can be alleviated by pruning or treatment.

7. Parking Strip or Planter Strip or Tree Lawn: The area between the street curb and sidewalk in the public right-of-way, utilized for landscaping and street tree planting.
8. Pollard: A tree cut back to the trunk to promote the growth of a dense head of foliage.
9. Street: Includes land within the dedicated public right-of-way including easements, sidewalks, tree lawn or tree well, and roadway.
10. Tree Removal: To cut down a tree, or remove 50% or more of the crown, trunk, or root system of a tree; or to damage a tree so as to cause the tree to decline and/or die. "Removal" includes topping. "Removal" includes but is not limited to damage inflicted upon a root system by application of toxic substances, operation of equipment and vehicles, storage of materials, change of natural grade due to unapproved excavation or filling, or unapproved alteration of natural physical conditions. "Removal" does not include normal trimming or pruning of trees.
11. Tree Topping: The severe cutting back of a tree's limbs to stubs three (3) inches or larger in diameter within the tree's crown to such a degree so as to remove the natural canopy and disfigure the tree. Topping does not include the practice of "pollarding" when conducted in accordance with the standards established by the International Society of Arboriculture.
12. Tree: Any woody plant having a trunk six (6) caliper inches or larger in diameter at breast height (DBH). If a tree splits into multiple trunks above ground, but below 4.5 feet, the trunk is measured at its most narrow point beneath the split, and is considered one (1) tree if greater than six (6) inches DBH. Plants commonly planted as shrubs, including but not limited to English Laurel, Photinia, Arborvitae, Poison Oak, English Holly, and English Ivy shall not be considered a "tree". Trees specifically planted and maintained, as a hedge shall additionally not be considered a "tree". Different classifications of trees include the following:
 - a. Dead Tree: A tree is lifeless. Such evidence of lifelessness may include unseasonable lack of foliage, brittle dry branches, or lack of any growth during the growing season.
 - b. Heritage Tree: A tree listed on the Official City of Tillamook Heritage Tree List adopted by the City Planning Commission.
 - c. Park Tree: A tree located in a public park or other area owned by the City having an individual name, and all other areas owned by the City, or to which the public has free access as a park.
 - d. Private Tree: A tree located on private property other than a dedicated right-of-way or City utility easement or public parks and grounds.
 - e. Significant Tree: A tree having a trunk eighteen (18) caliper inches DBH or larger in diameter.
 - f. Street Tree: A tree on land lying within a dedicated right-of-way along either side of a street, avenue, or other way within a dedicated utility easement of the City.
 - g. Tree Cutout or Tree Well: The area between the street and a sidewalk in the public right-of-way, for street tree planting.

Section 4. Creation and Establishment of a City Street Tree Committee.

1. Creation. There is hereby created and established a standing Street Tree Committee for the City of Tillamook, consisting of the Mayor, Chair of the Planning Commission, Public Works Director, City Planner, a member of the City Beautification Committee and two (2) at large positions appointed by the Mayor with the consent of the City Council, that shall be known as the City Street Tree Committee. Members of the Committee shall serve without compensation. The City Planner shall be the facilitator/chair of the meetings held by the City Street Tree Committee, and shall only vote in terms of a tie.

Terms. The term of the two (2) persons to be appointed by the Mayor with the consent of the majority of the City Council shall be three (3) years. In the event that a vacancy shall occur during the term of

any member, his or her successor shall be appointed for the unexpired portion of the term. Terms shall begin on the first day of January of the calendar year.

2. Duties and Responsibilities of the City Street Tree Committee.

- a. The City Street Tree Committee shall study, investigate, and develop, and/or update annually, and administer the Ordinance for the care, preservation, pruning, replanting, removal or disposition of Street Trees and Park Trees. This Ordinance shall be presented when required to the City Planning Commission and City Council and upon their acceptance and approval, shall constitute the official Comprehensive City Tree Program of the City of Tillamook City, Oregon.
 - b. The City Street Tree Committee, when requested by the City Planning Commission or City Council, shall consider, investigate, make findings, report and recommend upon any special matter or question coming within the scope of its work. Such report, with or without recommendations, shall be presented first to the City Planning Commission and then to the City Council for their review and final consideration and action if needed.
 - c. The City Street Tree Committee shall be responsible for making recommendations for approval or denial to the Planning Commission and for final approval or denial to the City Council upon receiving any requests for street tree planting or removal.
 - d. This ordinance provides full power and authority to the City Street Tree Committee to make recommendations to the City Council which has final authority over all trees, plants and shrubs located within street rights-of-ways, parks and public places of the city, and to trees, plants and shrubs located on private property that constitute a hazard or threat as described herein.
3. Appeals. Appeals from an order made under the authority of this Ordinance may be made by filing a written notice and paying the city's appeal fee as outlined in its planning fee schedule with the City Manager or City Planner within 10 days after the order is received, stating in substance, that the appeal is being made from the order to the City Planning Commission. The City Planner shall call the appeal to the attention of the City Planning Commission at their next regularly scheduled meeting. At that (the) meeting the appellant and the Public Works Director may present evidence. Actions and/or conditions recommended by the City Planning Commission, after the hearing, shall be adhered to unless appealed to the City Council for final action.
4. Review by the City Council. The City Council may review the conduct, acts and decisions of the City Street Tree Committee. A person may appeal from the ruling or order of the Planning Commission to the City Council who shall hear the matter and whose decision shall be final.

Section 5. Permit Procedures, Street Tree Planting and types of trees to be planted, by Abutting Property Owners.

1. Permit procedures. Abutting property owners may be granted permission to plant street trees by the City Street Tree Committee, at a regularly scheduled City Street Tree Committee meeting if street trees are proposed in a new subdivision or newly created road right-of-ways or a request for a tree according to 3(j) of this section, or administratively upon review by assigned City Planner or designee if street tree(s) are proposed on an existing tree lawn and an established road right-of-way with curb. Property owners abutting the public R.O.W. may be granted permission to plant approved tree species within public right-of-ways as is mentioned above, and if the following information is provided to the City:

- a. A request in writing is provided in the form of a letter to the Street Tree Committee and a City Public Works Permit application for street trees proposed in a new subdivision or newly created road right-of-ways, or a City Public Works Permit application for administrative permission for street tree(s) proposed on an existing tree lawn and an established road right-of-way with curb.
 - b. A plot plan of area referencing water and sewer lines, power lines, driveways and intersecting streets is provided.
 - c. Approval, if granted by the City, shall be required in the form of an approved City Public Works Permit prior to planting of the tree or trees. Fees for such permit shall be paid prior to approval by the abutting property owner.
 - d. A permit fee for the planting or removal of a street tree shall be established by resolution and incorporated into the land use fee schedule in Zoning Ordinance #979.
2. Diagrams. The following diagrams contained in Attachment A to this ordinance, which display general instructions on how to plant a bare-root tree and a containerized tree, and are to be used for illustration purposes only.
3. Street Tree Species to be Planted and Minimum Tree Planting Dimensions. The Official Tillamook Street Tree List of acceptable species of trees, shrubs, bushes and other woody plant material, as shown below in the listings under minimum planting dimensions, shall be compiled by the Committee and made available to the public. No person, without the written permission of the City, through a City Public Works Permit shall plant a Street Tree of a species other than those included on the list.

Street tree plantings shall be restricted to the following guidelines unless Section 5 Subsection 3(k) applies:

- a. The following small street trees are allowed in a minimum 3-foot wide parking strip, or a minimum 3-foot by 3-foot tree well in the Commercial Districts, with the exception of the Town Center Commercial District, with a minimum 20-foot spacing between trees:

<u>COMMON NAME:</u>	<u>SCIENTIFIC NAME:</u>
<u>Green Leaf Maple</u>	<u>Acer Palmatum</u>
<u>Almira Norway Maple</u>	<u>Acer Platanoides "Almira"</u>
<u>Globe Norway Maple</u>	<u>Acer Platanoides "Globe"</u>
<u>Globe European Ash</u>	<u>Fraxinum Excelsior "Globe"</u>
<u>English Hedge Maple</u>	<u>Acer Camestre</u>
<u>Globe Desert Ash</u>	<u>Fraxinus Velotina</u>
<u>Golden Raintree</u>	<u>Koelreoteria</u>
<u>Wintergold Crab Apple</u>	<u>Malus "Winter Gold"</u>
<u>Profusion Crab Apple</u>	<u>Malus "Sargent"</u>
<u>LaValle Hawthorne</u>	<u>Crategus Lavellei</u>
<u>Kwanzan Cherry</u>	<u>Prunus "Kwanza"</u>
<u>Thundercloud Plum</u>	<u>Prunus "Thundercloud"</u>
<u>White Dogwood</u>	<u>Cornus Florida</u>
<u>Red Leaf Maple</u>	<u>Atropurpuraum</u>

These trees will grow from 18-30 feet in height.

- b. The following small street trees are allowed in a minimum 4-foot wide parking strip, no closer than 2 feet from any curb, curb-line or sidewalk, with a minimum 30-foot spacing between trees:

<u>COMMON NAME:</u>	<u>SCIENTIFIC NAME:</u>
<u>Gerling Red Maple</u>	<u>Acer Rubrum "Gerling"</u>
<u>Tilford Red Maple</u>	<u>Acer Rubrum "Tilford"</u>
<u>Schlesinger Red Maple</u>	<u>Acer Rubrum "Schlesinger"</u>
<u>Pyramidal Sycamore Maple</u>	<u>Acer Pseudo Plantanus</u>
<u>Pyramidal European Hornbeam</u>	<u>Carpinus Betulus "Pyramidal"</u>
<u>Chanticleer Pear</u>	<u>Prunus</u>
<u>Rancho Callery Pear</u>	<u>Prunus</u>
<u>Trinity Pear</u>	<u>Prunus</u>
<u>Rancho Little Leaf Linden</u>	<u>Tilia Cordata</u>

These trees will grow from 20-35 feet in height.

- c. The following medium street trees are allowed in a minimum 6-foot wide parking strip, no closer than 3 feet from any curb, curb-line or sidewalk, with a minimum 40-foot spacing between trees:

<u>COMMON NAME:</u>	<u>SCIENTIFIC NAME:</u>
<u>Cavalier Norway Maple</u>	<u>Acer Platanoides</u>
<u>Cleveland Norway Maple</u>	<u>Acer Platanoides</u>
<u>Vineleaf Sycamore Maple</u>	<u>Acer Pseudo Plantanus "Vineleaf"</u>
<u>Royal Crimson Maple</u>	<u>Acer Platanoides "Royal Crimson"</u>
<u>Shade King Red Maple</u>	<u>Acer Rubrum "Shade King"</u>
<u>Ruby Red Horse Chestnut</u>	<u>Aesculus Carnea</u>
<u>Flame Ash</u>	<u>Franinus Pennsylvania "Atropurpurea"</u>
<u>Crimean Linden</u>	<u>Tilia Echlora</u>
<u>Mongolian Linden</u>	<u>Tilia</u>
<u>Purple European Hornbeam</u>	<u>Carpinus</u>
<u>Ginkgo</u>	<u>Ginkgo biloba</u>

These trees will grow 35-40 feet in height.

- d. The following large trees are allowed in a minimum 8-foot wide parking strip, no closer than 4 feet from any curb, curb-line or sidewalk, with a minimum 50-foot spacing between trees:

<u>COMMON NAME:</u>	<u>SCIENTIFIC NAME:</u>
<u>Sugar Maple</u>	<u>Acer Saccharinum</u>
<u>Red Maple</u>	<u>Acer Rubrum</u>
<u>Norway Maple Cutivars</u>	<u>Acer Platanoides</u>
<u>Linden Species</u>	<u>Tilia</u>
<u>Celtis Species</u>	<u>Celtis</u>
<u>Tupelo</u>	<u>Nyssa Sylvatica</u>
<u>Blue Ash</u>	<u>Fraxinus Quadrangulata</u>
<u>Oriental Plaintree</u>	<u>Plantanus Orientalis</u>
<u>Pin Oak</u>	<u>Quercus palustris</u>
<u>River Birch</u>	<u>Betula nigra</u>

These trees will grow 60-120 feet in height.

- e. Diagram. The diagram contained in Attachment B to this ordinance is an example of planting the right trees in the right place.
- f. Street trees shall not be allowed closer than 30 feet from the tangent point at street intersections as described in the vision clearance areas specified within Section 30(5) and Section 26(2) of the Tillamook City Zoning Ordinance #979.
- g. Small tree species within the list, in Section 5 Subsection 3a, of acceptable species may be planted under overhead utilities.
- h. No trees shall be allowed within 5 lateral feet of underground utilities, sewer and water lines.
- i. Street trees shall be required for new development in the Town Center Zone District, or TC District, on all streets except Main Avenue between First and Fourth Street.
- j. In new subdivisions or when the development of commercial property occurs, the City Planner and Public Works Director shall review landscaping plans and may require street trees to be planted in any of the streets, parking lots, parks and other public places abutting land henceforth developed and/or subdivided, prior to Section 5 Subsection 3(k) below.
- k. No person, without the written permission of the City Street Tree Committee, shall plant a Street Tree of a species other than those included on the list.
- l. The following trees are illegal and may not be planted in dedicated street rights-of-way or utility easements:

<u>COMMON NAME:</u>	<u>SCIENTIFIC NAME:</u>
<u>Poplar Species</u>	<u>Populus Species</u>
<u>Willow Species</u>	<u>Salix Species</u>
<u>Holly</u>	<u>Ilex Species</u>
<u>Elms</u>	<u>Ulmus</u>
<u>Lilac Species</u>	<u>Syringa Species</u>
<u>Locust Species</u>	<u>Robinia Species</u>
<u>Pines</u>	<u>Pinus Species</u>
<u>Spruces</u>	<u>Picea Species</u>
<u>Hickory</u>	<u>Carya Species</u>
<u>Catalpas</u>	<u>Catalpa Species</u>
<u>Walnuts</u>	<u>Juglans Species</u>
<u>Box Elder</u>	<u>Acer Negundo</u>
<u>Silver Maple</u>	<u>Acer Saccharinum</u>
<u>Horse Chestnut</u>	<u>Aescules Hippocastanum</u>
<u>Tree of Heaven</u>	<u>Ailanthus Altissima</u>

In general, no conifers or fruit-bearing tree may be planted in the right-of-way.

- 4. Landscaping Credit for Street Tree Planting
 - a. The retention of trees shall be considered in the design of partitions, site plans, subdivisions, or planned developments; the placement of roads and utilities shall preserve trees wherever possible.

The need to remove trees shall be considered in the review process for partitions, site plans, subdivisions, or planned developments.

- b. The preservation of trees shall provide a basis for consideration of a landscaping credit, which can reduce the landscaping requirements described in Section 22 of the Zoning Ordinance #979.
 - c. The planting of Street Trees in the public Right-of-way shall provide a basis for consideration of a landscaping credit, which can reduce the landscaping requirements described in Section 22 of the Zoning Ordinance #979.
5. Tree Technical Manual. The Street Tree Committee may adopt a Tree Technical Manual, and revise its contents from time to time. The Tree Technical Manual shall contain specialized, arboricultural reference materials; establish procedures and design standards required for installation, planting, pruning, thinning, removal, and maintenance of trees; and, establish or preserve the tree and root protection zone. Any person who is required under this Code or pursuant to a condition of approval of a development permit to undertake such activities or to comply with the tree and root protection zone shall comply with the requirements and procedures set forth in the Tree Technical Manual.

Section 6. Special Street Tree Districts within the City of Tillamook. The following District(s) shall be considered Special Street Tree Districts, and shall have detailed descriptions contained in Attachment C to this Ordinance for the planned location of street trees and other amenities:

Town Center (TC) District Streetscape Design Plan. This district shall include 3' X 3' tree wells located approximately 30 feet apart from one another with a historic streetlight centered between each tree (see attached). Street trees shall be required on all streets in the Town Center Zone District, except Main Avenue, between First and Fourth Streets. A reduction to the number of street trees may be granted when the development preserves healthy, mature trees adjacent to the sidewalk. Under this design plan, there is no requirement to remove existing trees on Main Avenue, but the planting of new trees on Main Avenue between First and Fourth Streets is discouraged.

The following small street trees are allowed in Town Center Commercial District

<u>COMMON NAME:</u>	<u>SCIENTIFIC NAME:</u>
<u>Green Leaf Maple</u>	<u>Acer Palmatum</u>
<u>Almira Norway Maple</u>	<u>Acer Platanoides "Almira"</u>
<u>Globe Norway Maple</u>	<u>Acer Platanoides "Globe"</u>

Section 7. Street Tree Maintenance, Care, Pruning, Corner Clearance and Removal of Dangerous or Nuisance Trees.

- 1. Street Tree Maintenance, Care, Pruning and Corner Clearance.
 - a. Standards. All trees located within the public right-of-way must be pruned to National Arborist Association Pruning Standards for Shade Trees. Such standards shall be adopted as part of the City of Tillamook Right-of-Way Tree Program.
 - b. Adjacent Property Owners to Maintain Trees. Every adjacent property owner of any tree overhanging any right-of-way within the city shall prune the branches so that such branches shall not obstruct the light from a street lamp, or obstruct the view of any street intersection. The owner of a tree, which is encroaching on or adjacent to electric wires, is required to notify the Tillamook

People's Utility District (PUD) prior to removal of hazardous limbs or branches. It is PUD's responsibility to remove, prune, or trim tree from electric wires. The owner shall maintain a clear space of fourteen feet (14') over the street, and eight (8) feet above the sidewalk. The owner of a tree at or within 30 feet of a street intersection shall follow the criteria for the vision clearance areas as described here and within Section 30(5) and Section 26(2) of the Tillamook City Zoning Ordinance #979. Said owners shall remove all dead, diseased, or dangerous trees; or broken or decayed limbs which constitute a menace to public safety.

- c. **Adjacent Property Owners Liable.** The owner of property abutting trees on a right-of-way shall be liable for injury, damage, or loss to persons or property caused by the property owner's negligent failure to comply with subsection b of this section.
- d. **Notification.** The Public Works Director, or designee, may serve notice on the adjoining property owner to prune, remove, or otherwise treat any tree on a right-of-way as conditions may require. Neither the duty of the adjoining property owner to maintain trees located on a right-of-way, nor the liability for the property owner's failure to do so, is dependent upon any notice from the city.
- e. **Debris Removal.** The owner of property abutting trees on a right-of-way, or public area shall be required to remove all debris from the right-of-way by sunset of the same day, unless specifically authorized to do otherwise by the Public Works Director, or designee. The acceptable standard shall be a broom clean finish or better.
- f. **City Tree Maintenance.** The city shall have the right to plant, prune, maintain, and remove trees located within the public right-of-way as may be necessary to preserve or enhance the symmetry and beauty of such areas. This section does not prohibit the planting of street trees by adjacent property owners, providing that the selection and location of said tree is in accordance with Section 5 of this ordinance.
- g. **City Held Harmless.** The city of Tillamook shall not be liable for injury, damage, or loss to person or property caused in whole or part by the defective or dangerous condition of any tree located in or upon a right-of-way. The property owner shall defend and hold harmless the city from all claims for loss and damage arising from the owner's negligent failure to comply with this ordinance.
- h. A City Public Works Permit is not required for the pruning of a street tree.

2. Removal of Dangerous or Nuisance Trees.

- a. The City may prune or cause to have pruned a private tree when it interferes with the proper spread of light along the street from a streetlight, or interferes with the visibility of any traffic control device or sign.
- b. The City may cause the removal of all, or part of any dead, dangerous or diseased park or street tree when the tree constitutes a hazard to life, property, or harbors insects or disease that constitutes a potential threat to other trees within the City.
- c. The city may remove, or cause or order to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electrical power lines, natural gas lines, water lines, or other public improvements, or is affected with any injurious fungus, insect, or other pest.
- d. Abutting property owners may be granted permission by the Tree Committee for the removal of dangerous or nuisance trees if the tree is considered to be dead, dangerous or diseased, or when the

tree constitutes a hazard to life, property, or harbors insects or disease that constitutes a potential threat to other trees within the City.

- e. Upon approval by the Tree Committee, a City Public Works Permit shall be required for the removal of a street tree.
 - f. Notice to Prune or Remove Dangerous or Nuisance Trees. If any property owner fails to maintain adjacent trees as per this ordinance, the Public Works Director or designee, shall order such person or persons, within thirty (30) days of mailing of said notice to so prune or remove such tree(s).
3. All trees existing prior to the approval of this ordinance or amendments thereto shall be considered pre-existing and allowed to remain unless they are considered a nuisance to, dead, diseased, or dangerous to the general public by the City Street Tree Committee.

Section 8. Abuse, Mutilation or Indiscriminant Topping of Trees. No person shall abuse, destroy, or mutilate any street tree, in a dedicated public right-of-way, or any other public place, or attach or place any rope or wire (other than one used to support the tree itself), sign, poster, handbill, or other thing to, or on any tree growing in a public place, or cause or permit any wire charged with electricity to come into contact with any such tree, or to allow any gaseous liquid, or solid substance which is harmful to such trees to come into contact with their roots or leaves.

Except as provided by this section, it shall be unlawful as a normal practice of any person, firm or City Department to top any street tree, park tree, or other tree on public property. Trees severely damaged by storms or other causes, or certain trees under utility wires or obstructions where other pruning practices are impractical may be exempted from this Ordinance by the determination of the City.

Section 9. Interference with the City. No person shall prevent, delay, or interfere with the City or any of its agents, while engaging in the planting, cultivating, mulching, pruning, spraying or removal of any street trees, park trees or private trees as authorized by this Ordinance.

Section 10. Administration of the Ordinance. The interpretation and administration of this Ordinance is the responsibility of the City Manager or persons designated by the City Manager.

Section 11. Penalties.

1. Any person, firm or corporation violating any provisions of this Ordinance shall be deemed to be causing a nuisance and be considered in violation of Ordinance #1206.
2. Failure to comply. When a person to whom a notice is directed shall fail to comply within the specified time, the violation shall be considered a nuisance and it shall be lawful for the City to cause the tree(s) in question to be pruned and/or removed; and the exact cost thereof shall be assessed to the property owner as provided by law in the case of public nuisance abatements.

Section 12. Severability Clause. If any provision of this ordinance or application thereof to any person or circumstance is held invalid by any court, other provisions or applications of the ordinance, which can be given effect without the invalid provision, or application shall not be affected, and to this end the provisions of this ordinance are declared to be severable.

PASSED 1st reading by the Tillamook City Council this 3rd day of March, 2008.

PASSED 2nd reading by the Tillamook City Council this 17th day of March, 2008.

APPROVED by the Tillamook City Council this 17th day of March, 2008.

J. Robert McPheeters, Mayor

ATTEST:

City Recorder