

Exhibit A

**CHAPTER 11.10 - ADMINISTRATION OF  
THIS TITLE**

**Sections:**

11.10.010 Code Administration and Duties Performed.  
11.10.020 Determining What Regulations Apply.  
11.10.030 General Rules for Reading and Applying the Code Language.  
11.10.040 Amendments to this Title.  
11.10.050 Interagency and Intergovernmental Agreements.  
11.10.060 Performance Guarantees.  
11.10.070 Fees.

**11.10.010 [No change]**

**11.10.020 [No change]**

**11.10.030 [No change]**

**11.10.040 [No change]**

**11.10.050 [No change]**

**11.10.060 [No change]**

**11.10.070 Fees.**

**A.** Generally. The City Council may establish and amend by ordinance permit, inspection, review, enforcement, in-lieu of planting or preservation, appeal and other fees as necessary to sustain the development permit, tree permit, and other Development Service or Urban Forestry programs. All fees, charges, civil penalties, and fines established by authority of this Title will be listed in the Portland Policy Documents.

**B.** Fees in lieu of planting or preserving trees. Where allowed by other provisions of this Title, a fee may be paid into the Tree Planting and Preservation Fund in lieu of planting or preserving trees. The fee per tree is the entire cost of establishing a new tree in accordance with standards described by the City Forester. The cost includes materials and labor necessary to plant the tree, and to maintain it for 25 years. The fee will be reviewed annually and, if necessary, adjusted to reflect current costs. See Section 11.15.010 for more information on the Tree Planting and Preservation Fund.

## CHAPTER 11.15 - FUNDS AND CONTRIBUTIONS

### Sections:

- 11.15.010 Tree Planting and Preservation Fund.
- 11.15.020 Urban Forestry Fund.
- 11.15.030 Charitable Contributions.
- 11.15.040 Annual Report.

### **11.15.010 Tree Planting and Preservation Fund.**

- A.** Purpose. The purpose of the Tree Planting and Preservation Fund is to facilitate tree planting, to ensure mitigation or tree replacement when tree preservation or tree density standards are not met on a particular site, and to advance the City's goals for the urban forest and intend to achieve equitable distribution of tree-related benefits across the City.
- B.** Expenditures. Money in the Tree Planting and Preservation Fund may be used only as follows:
  - 1.** To plant trees on public or private property, including streets, ~~in the same watershed as the site from which the funds were collected.~~ Planting trees includes the cost of materials and labor necessary to install and establish a tree for a 25 year period;
  - 2.** To purchase conservation easements for the perpetual retention of trees and tree canopy. Such conservation easements shall allow the City to replace trees that are removed when they die or become dangerous; and
  - 3.** To acquire land to permanently protect existing trees or groves.
- C.** Contributions. Contributions to the Tree Planting and Preservation Fund may occur through a number of means, including:
  - 1.** Payment made in lieu of tree replacement as part of a tree permit issued as stated in Chapter 11.40;
  - 2.** Payment made in lieu of preservation or planting where site or street characteristics or construction requirements make it infeasible to meet the requirements of Chapter 11.50;
  - 3.** Payment of restoration fees for enforcement actions for Private Trees; and
  - 4.** Voluntary contributions. ~~The funds shall be used within the watershed of the contributor's choosing.~~
- D.** Administration of the Tree Planting and Preservation Fund. The Tree Planting and Preservation Fund is administered by the City Forester, maintained in a dedicated separate account, and is independent of the general fund. Any balance in the Tree Planting and Preservation Fund will be carried forward into subsequent fiscal years.

**11.15.020** [No change]

**11.15.030** [No change]

**11.15.040 Annual Report.**

The City Forester will provide an annual report to the Urban Forestry Commission and City Council at the end of each fiscal year. The report will include any charitable contributions received, as well as fund revenues collected and spent and the end balance in each fund. The report should also include recommendations for future expenditures of the funds and means to optimize those expenditures in the upcoming fiscal year.

- A. Tree Planting and Preservation Fund. The report will include a general inventory ~~by watershed~~ of the funds collected and number and types of trees planted or area protected through preservation easements or acquisition.
- B. The Urban Forestry Fund. The report will include an accounting of revenues collected and expenditures.