

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2017

COUNCIL BILL NO.17-1017  
COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

6 **A BILL**

7 For an ordinance amending Articles II and IV of Chapter 57 (Vegetation) and  
8 Section 49-114 of the Revised Municipal Code, concerning trees within the City  
9 and County of Denver.

10 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

11 **Section 1.** That Article II (City Forester) of Chapter 57 (Vegetation) shall be amended by  
12 deleting the language stricken and adding the language underlined as follows:

13 "ARTICLE II: CITY FORESTER

14 **Sec. 57-16. Employment of city forester.**

15 The manager of parks and recreation, for the purpose of promoting the health, safety, welfare,  
16 and quality of life of the residents of the city through the development of a sustainable community  
17 forest and, specifically, the preservation of trees, and the establishment of standards for removal,  
18 maintenance, and planting of trees, shall employ a person to be known as the city forester, whose  
19 powers and duties are specified in this article. The city forester may promulgate such rules and  
20 regulations as the city forester deems necessary to carry out the purposes of this article.

21 **Sec. 57-17. Definitions.**

22 Words and phrases used in this article shall have the following meaning ascribed to them:

23 Established tree shall mean any live, self-supporting woody perennial plant which has a trunk  
24 diameter of six (6) inches or more measured at a point four and one half (4½) feet above ground  
25 level and which normally obtains a height of at least ten (10) feet at maturity, usually with one main  
26 stem or trunk and many branches.

27 Maintenance shall mean any and all work performed on a trees including, but not limited to,  
28 planting, watering, pruning, removing, spraying, injecting, and stump grinding, treating for insects or  
29 diseases, protecting and enhancing soils, and preserving and protecting during construction.

30 Private property means all land and improvements, including fixtures and appurtenances,  
31 located within the property lines of a property.

32 Property owner shall mean any person or entity having a legal or equitable interest in real  
33 property and its fixtures and appurtenances, including the interests of a tenant or lessee.

1 Public place shall mean and include all real property owned by, leased to, or under the control  
2 of the City and County of Denver, specifically including all public right-of-way.

3 Public right-of-way shall mean the entire area between the curb, or street where no curb  
4 exists, and the property line of a property, and between the centerline of the alley and the property  
5 line of a property.

6 Responsible party shall mean the property owner or an entity or person who, acting as an  
7 agent for or in any other legal capacity on behalf of the owner, has authority over property subject to  
8 this article or is responsible for the maintenance or management of said property.

9 Tree shall mean any perennial woody plant, usually, but not necessarily, single stem and  
10 long-lived, with a height greater than overall spread.

11 **Sec. 57-18. Responsibility for maintenance of trees on public right-of-way or other public**  
12 **place.**

13 (a) The manager of parks and recreation shall have the responsibility, through the city  
14 forester, to either maintain or order the maintenance of trees on the public right-of-way, and other  
15 public places.

16 (b) The responsible party of property abutting the public right-of-way shall have the duty  
17 to maintain trees on the abutting portion of the public right-of-way.

18 **Sec. 57-19. Planting, maintaining, replacing, and removing of trees on public property.**

19 Through the development and permitting process, the city forester may require the planting  
20 of trees on the public right-of-way or other public places in the city. The city forester shall establish  
21 rules and regulations for the planting, replacing, and maintaining of trees on any public right-of-way  
22 or other public place in the city and it shall be unlawful for any person to plant trees upon any public  
23 right-of-way or other public place in the city except as prescribed in such rules and regulations. The  
24 rules and regulations for trees on the public right-of-way and other public places shall contain the  
25 following:

26 (1) Planting and Spacing requirements for trees; ~~on the public right-of way and other~~  
27 public places;

28 (2) The types of trees which are prohibited from being planted; ~~on any public right-of way~~  
29 or other public place; and

30 (3) Tree diversity standards;

31 (4) Tree preservation specifications;

1           (35) Requirements for maintenance, replacement, and removal of ~~such trees upon the~~  
2 ~~public right-of-way or other public place; and~~

3           (46) Development and plan review fees to be charged by the city forester for review of  
4 developments on more than ten thousand (10,000) square feet of land area, developments required  
5 to have a site development plan review under the Denver Zoning Code, or other recurring plan  
6 reviews.

7 **Sec. 57-20. Permit required.**

8           (a) It shall be unlawful to plant trees on, perform trunk injections of pesticides into trees  
9 on, or remove trees from, the public right-of-way or other public place without a permit issued by the  
10 city forester.

11           (b) The city forester shall require mitigation, which may include compensation for the lost  
12 monetary value of the tree to the satisfaction of the city forester as determined through arboricultural  
13 industry standard tree and landscape appraisal methods, as a condition of permit approval for the  
14 removal of trees located on the public right-of-way or other public place except when the city forester  
15 has determined one of the following applies:

16                   (1) The tree is dead or in poor health;

17                   (2) The tree is structurally unsound or dangerous;

18                   (3) The tree is infested with any destructive or communicable disease, or other  
19 pestilence which may be detrimental to or endanger the good health and well being of  
20 trees in the city;

21                   (4) The tree is of an undesirable or nuisance species; or

22                   (5) The tree has been or must be impacted beyond repair by an unavoidable event  
23 such as, but not limited to, emergency utility work not within the control of the applicable  
24 responsible party.

25           (b~~c~~) It shall be unlawful to ~~destroy or otherwise damage injure, damage, or remove an~~  
26 ~~established trees in the front setback area of a zone lot in an R-0, R-1, R-2, or R-2-B zoning district~~  
27 ~~during the course of residential demolition or construction, as governed by section 59-126, without~~  
28 ~~a permit issued by the city forester as provided in section 57-25 for the following areas:-~~

29                   (1) In the front setback of a zone lot in an R-0, R-1, R-2, or R-2-B zone district under  
30 former Chapter 59 during the course of residential demolition or construction;

1           (2) In the primary or side street setback of a zone lot containing a single unit  
2 dwelling, a two-unit dwelling or a multiple-unit dwelling on any zone lot in a residential zone district  
3 under the Denver Zoning Code during the course of residential demolition or construction;

4           (ed) The city forester may, by rules and regulations, establish fees for the review and  
5 monitoring required by this section 57-20.

6 **Sec. 57-21. Removal of dead or dangerous trees, limbs or shrubs.**

7           The responsible party of any property shall remove any dead, dying or structurally unsound  
8 trees, limbs or shrubs from the premises of that responsible party or the public right of way abutting  
9 said property, when said dead, dying or structurally unsound trees or limbs are dangerous to life,  
10 limb, or property. When a dead, dying or structurally unsound tree, limb or shrub has the potential to  
11 affect adjacent property, and is dangerous to life, limb or property, the responsible party shall remove  
12 such tree or limb so as to avoid injury or damage to or on the adjacent property. The responsible  
13 party, shall remove any live, dead or dying tree, limb or shrub that is blocking a sight triangle or traffic  
14 sign causing a potential traffic hazard. The city forester may order the ~~property owner~~ responsible  
15 party to remove any such tree, limb or shrub.

16 **Sec. 57-22. Infected or infested trees.**

17           (a) The city forester may inspect any tree or tree part, including logs or branches existing  
18 or growing upon any property within the city. The city forester shall conduct surveys to determine if  
19 any destructive or communicable disease, or other pestilence exists which may be detrimental to or  
20 endanger the good health and well being of trees in the city.

21           (b) Upon discovery of any destructive or communicable disease, breeding place of the  
22 disease, or pestilence that endangers the good health and well being of trees, or is capable of  
23 causing an epidemic spread of communicable disease or insect infestation, the city forester shall at  
24 once notify in writing the responsible party, of the condition thereof and order such responsible party  
25 to eradicate, remove, or otherwise control such condition within a specified time.

1 **Sec. 57-23. Obstruction of public property.**

2 (a) The responsible party of any property shall maintain and care for the trees upon said  
3 property and upon the public right-of-way abutting said property so that ~~said~~ the trees do not interfere  
4 with, obstruct, or obscure signs or public safety signals that ~~or~~ in any way endanger the safe public  
5 use of streets, alleys, sidewalks, or other public places.

6 (b) Stumps are not permitted on the public right-of-way or other public place and must be  
7 removed to at least twelve inches below original grade.

8 (bc) The responsible party shall maintain all trees to provide for clear and safe use of the  
9 public right-of-way in accordance with applicable department of public works rules and regulations.

10 (d) When the city forester determines that a tree is in such a condition that it interferes  
11 with, obstructs, obscures signs or public safety signals, or in any way endangers the safe public use  
12 of streets, alleys, sidewalks, or other public places, the city forester shall issue an order directing the  
13 responsible party to prune, remove, or otherwise take such action as is necessary to eliminate the  
14 interference, obstruction, or dangerous condition of the tree.

15 (e) In the case of an emergency, the city forester immediately may cause the necessary  
16 remedial action to prune, remove, or otherwise take any action necessary to eliminate the  
17 interference, obstruction, or dangerous condition.

18 **Sec. 57-24. Injuring, damaging or removing trees on public property.**

19 It shall be unlawful to injure, damage, destroy, or remove any tree situated upon the public  
20 right-of-way, or other public place within the city.

21 (1) Any person who shall injure, damage (including by excessive pruning or topping), or  
22 destroy (including by failure to maintain) any tree situated upon the public right-of-way or other public  
23 place shall promptly notify the city forester of such occurrence and shall, within such reasonable time  
24 as specified by the city forester in an order, repair said damage to the satisfaction of the city forester.

25 (2) If the city forester deems the tree to be beyond repair, or if the tree has been removed  
26 without a permit, the responsible party, shall compensate the City of Denver for the lost monetary  
27 value of the tree to the satisfaction of the city forester. Tree values shall be determined through  
28 arboricultural industry standard tree and landscape appraisal methods, in accordance with the most

1 recent edition of "The Guide for Plant Appraisal" published by the Council of Landscape Appraisers.  
2 Said ~~s~~Compensation may include tree replacement.

3 (3) ~~Should~~ If any person causes removal of any tree upon the public right-of-way, or other  
4 public place, after being denied a permit to do so, the city forester shall cause a penalty of up to  
5 treble damages of the appraised value of said tree to be assessed against the responsible party.

6 **Sec. 57-25. Injuring, damaging or Removing established trees on certain residential**  
7 **properties.**

8 (a) As provided in sections ~~59-124, 59-139, and 57-20(b)~~ 57-20(b), certain established  
9 trees shall not be removed, ~~the owner of any lot in an R-0, R-1, R-2, or R-2-B zoning district shall~~  
10 ~~preserve established trees located in the front setback area of the lot during the course of residential~~  
11 ~~demolition or construction unless the owner~~ responsible party obtains a permit for removal of the  
12 tree from the city forester. The city forester shall issue such a permit only upon a finding that:

13 (1) The tree is irreparably damaged, diseased, dying or dead;

14 (2) The tree poses a threat to public health and safety;

15 (3) The tree is of a type the city forester has determined by regulation to be  
16 undesirable or a nuisance species; or

17 (4) The responsible party demonstrates to the city forester that Ppreservation of the  
18 tree would leave the subject property with no ~~reasonable access~~ areas to the property greater than  
19 fifteen feet in height and greater than fifteen feet in width or would prevent the ~~owner~~ responsible  
20 party from developing ~~or using~~ the subject property in a manner otherwise permitted by applicable  
21 city laws and regulations.

22 (b) If an ~~owner~~ a responsible party to whom the requirements of section ~~59-124~~57-20  
23 applies injures, destroys or removes an established tree without obtaining a permit as required by  
24 this section, the city forester may order and enforce remediation of the violation as provided in  
25 sections 57-27 and 57-28, which order may include a requirement that the ~~owner~~ responsible party  
26 replace any destroyed or removed tree, or pay mitigation for the full appraised value of the tree as  
27 determined by the city forester using arboricultural industry standard tree and landscape appraisal  
28 methods.

1           (c) In order to protect an established tree from damage or destruction and to enhance the  
2 tree's chance of survival after construction activities on the property are completed, a responsible  
3 party shall take and maintain throughout the course of demolition or construction the following  
4 measures:

5           (1) Erect and maintain temporary fencing surrounding the area beneath the tree in  
6 order to mitigate the chance of impact injuries to the tree during demolition or construction;

7           (2) Refrain from operating construction equipment or storing construction materials  
8 beneath the canopy of the tree or engaging in other activities that would cause the undue compaction  
9 of the soil in the tree's root zone;

10          (3) Refrain from any excavation beneath the canopy of the tree that would cause  
11 undue destruction of the tree's roots; and

12          (4) Provide tree maintenance, including watering, to maintain tree health.

13 **Sec. 57-26. Unauthorized use of trees on public property.**

14           It shall be unlawful for any person other than those authorized in writing by the manager of  
15 parks and recreation, employees of the manager of parks and recreation, officers of the city,  
16 employees of a public utility, or a person licensed to perform work on trees or their employees to  
17 climb, and/or attach any lumber, fabric, wire, nails, bolts, cables, ropes or any other material foreign  
18 to the natural growth of a tree to any tree located within the public right-of-way, or other public place.

19 **Sec. 57-27. Unlawful to disobey order.**

20           (a) It shall be unlawful for any person to fail or refuse to obey an order of the manager of  
21 parks and recreation or the city forester issued under this article within the time specified in the order.

22           (b) If the responsible party to whom an order has been issued fails or refuses to take  
23 remedial action, which may include compensation, in accordance with and within the time specified  
24 in an order, the city forester may cause the remedial action so ordered to be performed at the  
25 expense of the responsible party.

1 (c) Upon completion of the remedial action ordered to be performed, or completion of  
2 emergency remedial action taken without order, the city forester shall mail a notice of the final cost  
3 ~~of such~~ to the responsible party.

4 (d) Any person subject to an order of the city forester may appeal ~~said~~ the order to the  
5 manager of parks and recreation within fifteen (15) days of ~~said~~ the order. Any appeal to the manager  
6 must be in writing. The manager of parks and recreation or the manager's designee, which may  
7 include a hearing officer, shall hear ~~said~~ the appeal within thirty (30) days of the appeal. An appeal  
8 of the decision of the manager or his designee may be had in accordance with the Colorado Rules  
9 of Civil Procedure.

10 (e) The manager of parks and recreation or the manager's designee may enter into an  
11 agreement with the owners, or responsible party, allowing the costs of remediation to be paid in  
12 payments over a period of time. If any person fails or refuses to abide by any such agreement, the  
13 manager of parks and recreation may file a lien as provided in section 57-28.

14 (f) In addition to any other method of enforcement of this article, the city forester may, by  
15 rules and regulations, utilize administrative citations pursuant to article XVII (Administrative  
16 citations), chapter 2, Denver Revised Municipal Code, to enforce this article.

17 (g) Whenever work is, or has been performed, that injures, damages, destroys, or removes  
18 any tree situated upon the public right-of-way or other public place within the city, or established  
19 trees in certain residential districts without a permit for their removal, the city forester may order any  
20 work stopped until authorized by the city forester to proceed. The responsible party, once notified of  
21 the order, shall not allow any further work upon the public right-of-way or other public place until so  
22 authorized. Any such order shall be by written notice served on the responsible party of the property  
23 abutting the public right-of-way or other public place upon which work was or is being performed or  
24 where the condition exists, or any person engaged in the work, causing the work to be performed or  
25 having a permit to perform the work. Service of any order may be made by personal service or by  
26 certified mail, return receipt requested, and service shall be deemed complete upon delivery.

27 **Sec. 57-28. City's lien.**

28 ~~In the event~~ If the property owner responsible party fails to pay the costs of remediation or  
29 enter into an agreement as provided in 57-27(e) within fifteen (15) days of the notice sent under



1 section 57-27, the costs of remediation shall constitute a lien against the real property where the  
2 remediation took place or, if the remediation was on public right-of-way, the abutting property. The  
3 department shall thereafter pay the cost and expense of the remediation from any appropriation  
4 made available for that purpose, and shall certify a statement of payment to the manager of revenue,  
5 who shall assess and charge the same against the property involved and collect the same, together  
6 with interest at the rate established by law for delinquent real estate property taxes.

7 (1) The lien created hereby shall be superior and prior to other liens, regardless of date,  
8 except liens for general and specific taxes.

9 (2) For the purpose of this article, cost of remediation shall include the administrative cost  
10 incurred therewith."

11 **Section 2.** That Chapter 57-61, "Name and address to be displayed on vehicles and  
12 equipment", of the Revised Municipal Code is hereby amended by adding the language underlined  
13 and deleting the language stricken as follows:

14 **"Section 57-61. Name and address to be displayed on vehicles and equipment.**

15 All automobiles, trucks, trailers or other vehicles operated by any licensee for the  
16 transportation of the equipment used by the licensee in ~~such~~ its business, and all self-propelled,  
17 drawn or towed equipment used by any licensee in ~~such~~ its business, shall have the name and  
18 address telephone number of ~~such~~ the licensee or the business of the licensee displayed on both  
19 sides thereof in plain and legible figures and letters not less than ~~three~~ two (3 2) inches in height,  
20 which shall be kept in ~~such~~ a condition ~~as to~~ that permits the same to be readily distinguished and  
21 read at a distance of at least sixty (60) feet, and it shall be unlawful and a ground of revocation of  
22 the license for any licensee to operate any such vehicle or cause any such equipment to be operated  
23 or drawn or towed upon the street, alleys or other public ways or places within the city unless or  
24 without the ~~same~~ name and telephone number being so displayed thereon."

25 **BALANCE OF PAGE INTENTIONALLY LEFT BLANK**

1           **Section 3.** That Chapter 57-71, "Required", of the Revised Municipal Code is hereby  
2 amended by deleting the language stricken as follows:

3           **"Section 57-71. Required.**

4           It shall be unlawful for any person to engage in the business of, or receive compensation for,  
5 ~~planting, cutting, trimming, pruning, or removing trees shrubs or vines~~ without first procuring a license  
6 therefor from the director of excise and licenses."

7           **Section 4.** That Chapter 57-74, "Classes of licenses", of the Revised Municipal Code is  
8 hereby amended by adding the language underlined and deleting the language stricken as follows:

9           **"Section 57-74. Classes of licenses.**

10 (a) Ornamental ~~plant management~~ tree license shall authorize the person holding the license to  
11 ~~plant, cut, trim, prune, and remove small vegetation~~ trees where the licensee is not required to leave  
12 the ground except by use of a step ladder not exceeding the height of twelve (12) feet and then only  
13 for the purpose of shearing evergreens.

14 (b) General tree license shall authorize the licensee to ~~plant, cut, trim, prune, and remove~~  
15 ~~vegetation~~ trees of any size.

16 (c) Sawyer tree license shall authorize the person holding the license to cut, trim, prune, and  
17 remove trees upon public places, except public right of way, for the purposes of controlling invasive  
18 tree species, fire mitigation, and improving forest health."

19           **Section 5.** That Chapter 57-75, "Requirements", of the Revised Municipal Code is hereby  
20 amended by adding the language underlined as follows:

21           **"Section 57-75. Requirements.**

22           The applicants for licenses under section 57-74(a) and (b), which may include an employee  
23 of the applicant, shall be tested by the city forester to determine their competence to perform the  
24 type of work which the respective license authorizes."

25           **Section 6.** That Chapter 57-77, "Insurance requirements", of the Revised Municipal Code  
26 is hereby amended by adding the language underlined and deleting the language stricken as follows:

1 **"Section 57-77. Insurance requirements.**

2 (a) — No license shall be issued under this division until the applicant shall file with the city forester  
3 a satisfactory certificate of public liability insurance evidencing the following required coverages:

4 (1) Commercial General Liability insurance with minimum limits of \$500,000 for general  
5 license contractors, \$100,000 ornamental license contractors. The city shall be named as an  
6 additional insured;

7 (2) Workers' Compensation and Employers' Liability insurance. Applicants shall maintain  
8 coverage as required by statute; and

9 (3) Auto Liability insurance with minimum limits of \$150,000 combined single limit. ~~policy~~  
10 ~~covering all operations of the applicant and the operation of all vehicles operated in the business in~~  
11 ~~the sum of at least one hundred fifty thousand dollars (\$150,000.00) for each person injured and five~~  
12 ~~hundred thousand dollars (\$500,000.00) in the case of the injury of two (2) or more persons in a~~  
13 ~~single occurrence, and the sum of not less than five hundred thousand dollars (\$500,000.00) for~~  
14 ~~property damage for a general tree license and one hundred thousand dollars (\$100,000.00) for~~  
15 ~~property damage for an ornamental tree license. Such policy may be written to allow the first five~~  
16 ~~hundred dollars (\$500.00) of liability for damages to property and persons to be a deductible. The~~  
17 ~~policy shall contain a noncancellability endorsement which requires that~~

18 For all coverages, the city forester shall be notified of any proposed cancellation at least within thirty  
19 (30) days, ~~ten (10) days if due to non-payment of premium.~~ prior to the cancellation being effective.  
20 At any time that the city forester receives notice of proposed cancellation of insurance, the city  
21 forester shall immediately notify the holder of the license that, unless the holder of the license can  
22 satisfy the city forester that an appropriate insurance policy as required by this section has been  
23 obtained to replace the policy being cancelled Upon notification of cancellation, the license is  
24 cancelled and the holder of the license shall do no further work until such time as adequate insurance  
25 is provided.

26 (b) ~~No license shall be issued until such time as the applicant for the license files with the city~~  
27 ~~forester a certificate of workmen's compensation insurance satisfying the statutes of the State of~~  
28 ~~Colorado and cannot be cancelled without thirty (30) days' notice to the city forester. At any time that~~  
29 ~~the city forester receives notice of proposed cancellation of insurance, the city forester shall~~

1 ~~immediately notify the holder of the license that, unless the holder of the license can satisfy the city~~  
2 ~~forester that an appropriate insurance policy as required by this section has been obtained to replace~~  
3 ~~the policy being cancelled, the license is cancelled and the holder of the license shall do no further~~  
4 ~~work until such time as adequate insurance is provided.”~~

5       **Section 7.** That Chapter 57-79, “Licensee responsibility”, of the Revised Municipal Code is  
6 hereby amended by adding the language underlined and deleting the language stricken as follows:

7 **“Section 57-79. Licensee Responsibility.**

8 (a) Persons or entities holding licenses under this division shall be responsible for performing all  
9 work in conformity with the rules and regulations of the city forester and any and all applicable  
10 statutes of the State of Colorado and ordinances of the City and County of Denver.

11 (b) All holders of licenses shall in addition:

12 (1) Provide safety measures and equipment to protect ~~workmen~~ workers and the public.

13 (2) Employ qualified persons, appropriately certified or licensed where required by the  
14 statutes of the State of Colorado.

15 (3) Obey all orders or notices issued under the authority of the city forester.

16 (4) Provide all vehicles used in the operation of the business with identification and letters  
17 a minimum of two (2) inches in height and of a color contrasting with the background. The  
18 identification shall include the following information:

19 a. Name of company;

20 b. Business address;

21 c. Business telephone number.

22 (5) Maintain with the city forester a current mailing address. Any order, notice, summons  
23 and complaint or other departmental communication, whether delivered by personal service  
24 or by certified, registered or first class mail sent to that address, shall constitute service. For  
25 entities holding licenses, the entity shall also maintain with the city forester the name of a

1 representative of the entity, and any order, notice, summons and complaint or other  
2 departmental communication, whether delivered by personal service or by certified, registered  
3 or first class mail sent to this representative, shall constitute service on the entity holding the  
4 license.

5 (6) Maintain workers' compensation insurance or, if such insurance is not required by state  
6 law and is not carried voluntarily, notify in writing the person contracting for the service that  
7 no workers' compensation insurance is in effect.

8 (7) Inform the city forester when any employee who performed the testing requirements in  
9 Section 57-75 above on behalf of an entity holding a license, is no longer employed by that  
10 licensed entity."

11 **Section 8.** That Chapter 49-114, "Extension beyond prescribed limits or conversion to  
12 private use of sidewalks", of the Revised Municipal Code is hereby amended by adding the language  
13 underlined and deleting the language stricken as follows:

14 **"Section 49-114. Extension beyond prescribed limits or conversion to private use of**  
15 **sidewalks.**

16 (a) On all streets where courts or open spaces are permitted for the planting of trees or  
17 grass plots, the same shall be kept level and to grade and free of any obstruction, fence, railing,  
18 bench, hedge or bush, unless objects are used to define tree planting spaces, water quality or green  
19 infrastructure facilities, bike rack areas, or other acceptable amenities to ensure safe use of the  
20 public right-of-way.

21 (b) When trees are located within a concrete sidewalk area, ~~an open space eighteen (18)~~  
22 ~~inches wide shall be left around each tree. This open~~ all planting spaces shall be designed in a  
23 manner covered by an iron grate flush with the adjacent sidewalk as deemed necessary for the public  
24 safety by the manager of public works in consultation with the city forester.

25 (c) No person shall construct or reconstruct a loading platform upon city property without  
26 first obtaining a permit to do so from the manager of public works."

1 COMMITTEE APPROVAL DATE: September 26, 2017 by consent

2 MAYOR-COUNCIL DATE: October 3, 2017

October 16, 2017

3 PASSED BY THE COUNCIL: \_\_\_\_\_

4 \_\_\_\_\_ - PRESIDENT PRO-TEM

5 APPROVED: Allegra Hays - MAYOR Oct 18, 2017

6 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
7 EX-OFFICIO CLERK OF THE  
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_;

10 PREPARED BY: Adam C. Hernandez, Assistant City Attorney DATE: October 5, 2017

11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
12 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
14 §3.2.6 of the Charter.

15  
16 Kristin M. Bronson, City Attorney

17  
18 BY: Kristin J. Crawford, Assistant City Attorney DATE: Oct 5, 2017