



NOTICE TO CORRECT TREE NUISANCE

Corrections Required by July 2, 2020

Date: April 2, 2020

Site Inspected by: Jim Field

Case Number: 19-205171-000-00-UF

Site Address: 4066 NE 12TH AVE

Property Owner:

CLAIRE BOLLINGER & SHAYAN ROHANI
4066 NE 12TH AVE
PORTLAND, OR 97212

Dear CLAIRE BOLLINGER & SHAYAN ROHANI,

Portland Parks & Recreation Urban Forestry (Urban Forestry) received a report and verified on August 9, 2019 that you and your neighbor's property at 4058 NE 12th Avenue are in violation of Portland City Code with a confirmed tree nuisance. The Tree straddles the property line and is jointly owned by both properties. We have attached the cited nuisance conditions and required corrections to this letter. Please review your options for correcting the tree nuisance and call your tree inspector, Jim Field, at 503-823-4011 to discuss resolution of your case.

You have 90 calendar days from the date of this notice to correct all cited nuisance conditions or 15 calendar days to submit an application for an administrative review.

The City will re-inspect the property for compliance with this notice on or after the specified date.

If the required actions above are not taken by the specified date, the City may assess monthly code enforcement fees per Urban Forestry's Fee Schedule (www.portlandoregon.gov/trees/article/497244) and an additional 10% City Auditor charge. The fee will be imposed by the City until you correct the violation(s) and City staff re-inspects the property and verifies all required corrections have been made. If you do not correct the violation(s) by three (3) months from the initial notice of violation, the monthly code enforcement fee doubles until the condition is corrected, inspected, and approved by the City Forester.

In addition, the City will complete the following enforcement actions:

- Abate the tree nuisance at your expense; and
- Charge the cost of abating the tree nuisance, a civil penalty, overhead, and Auditor's charges as a lien placed against your property.

For questions, please contact your Urban Forestry Tree Inspector:

Jim Field, Tree Inspector, Certified Arborist
503-823-4011 jim.field@portlandoregon.gov



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Date: April 2, 2020

Case Number: 19-205171-000-00-UF

Site Inspected by: Jim Field

Site Address: 4066 NE 12TH AVE

CITED VIOLATION(S):

1. **Allowing or causing a tree-related condition that threatens to injure the public health or safety, or threatens to damage public or private property (PCC 11.70.030.A.2)**
Giant sequoia (*Sequoiadendron giganteum*) *shared with property 4058 NE 12th Ave (PCC 11.30.300.E.3) has caused structural damage to dwelling at 4058 NE 12th Ave.

*Tree is shared with neighboring property at 4058 NE 12th Avenue. The neighboring property has been posted under 19-225014 UF. Please coordinate directly with 4058 NE 12th Ave to coordinate removal requirements.

CORRECTIONS REQUIRED:

The following corrections are to be made in coordination with joint owner of the tree at 4066 NE 12th Avenue.

1. **Remove private tree(s).** We have included a Permit to Correct Nuisance in this letter. The person(s) completing tree work must read this permit.
2. **Plant 1 private property tree(s).**
Trees must be at least 1.5-inch caliper.

For questions, please contact your Urban Forestry Tree Inspector:

Jim Field, Tree Inspector, Certified Arborist
503-823-4011 jim.field@portlandoregon.gov

Please visit the Portland Trees website, portlandoregon.gov/trees, or call 503-823-TREE (8733) to verify if a tree permit is needed and find answers to other tree-related questions.

Urban Forestry's mission is to manage and ensure Portland's urban forest infrastructure for current and future generations. Urban Forestry is committed to working with property owners, residents, contractors, and communities to enhance the urban forest and optimize the benefits that trees provide us all.





PERMIT TO CORRECT TREE NUISANCE

Permit Number: 19-205171-000-00-UF

Issue Date: April 4, 2020

Permit Issued by: Jim Field

Site Address: 4066 NE 12TH AVE

Property Owner:

CLAIRE BOLLINGER & SHAYAN ROHANI
4066 NE 12TH AVE
PORTLAND, OR 97212

Removal Specifications

Number and species of trees permitted for removal:

* 1 sequoia, giant (*Sequoiadendron giganteum*)

Reason for Removal:

Other: structural damage to dwelling at 4058 NE 12th Ave

Planting Specifications

You are required to plant 1 private property tree(s).

Broadleaf trees must be at least 1.5-inch caliper. Coniferous trees must be at least 5-feet tall.

Number of trees required to plant:

* 1 private tree

Special Conditions of Permit

Planting has been deferred until the 2020 – 2021 planting season (October 2020 – April 2021)

Work must be made in coordination with joint owner of the tree at 4058 NE 12th Avenue.



Permit Conditions

- The person(s) completing tree work must read the permit.
- You must post the permit while tree removal work is underway in a location visible to pedestrians and motorists.
- City Code only permits proper arboriculture pruning: it does not permit topping, branch stubbing, heading, pollarding, or use of spurs or spikes. You must conduct pruning according to City of Portland Street Tree Pruning Standards available at portlandoregon.gov/trees/pruningstandards.
- To prevent the creation of hazards from partially removed trees, once work has commenced to remove a tree, this work shall be completed in a timely manner. Trees on private property will be considered completely removed when reduced to a stump no taller than 4.5 feet. For Street Tree removals, the stump must be ground out to below grade.
- The permit specifies the number of trees that you are required to plant. Plant trees in locations approved by Urban Forestry. **Notify Urban Forestry, in writing, if you request any changes to the permit requirements.** Urban Forestry must approve any changes for the permit to remain valid. You may not remove replacement trees without a permit. The City may perform compliance inspections to verify that you have met permit requirements. Compliance inspections may include verification of whether you have planted required trees as well as their location(s), species, specifications, and successful establishment.
- You are responsible for the successful establishment of planted trees, and you must replace trees that die with new trees that meet the permit requirements. You are responsible for the cost of the trees and their maintenance.
- You must agree to protect and save harmless the City of Portland and each of the officers and employees of said City against any injury or damage that may result from your acts on or in said location and against any damage or liability of any character whatsoever arising or growing out of any act performed due to the issuance of this permit. You must further agree to perform the permitted work in accordance with all the provisions of Charter, Codes, and Resolutions of the City of Portland pertaining to such work.
- Per Title 11, Trees, of the Portland City Code, if you do not comply with the terms and conditions of a tree permit, you may be subject to required corrections, enforcement actions, and enforcement penalties; including but not limited to planting additional trees and civil penalties of up to \$1,000 per day. Each tree constitutes a separate violation, and each day a person remains in non-compliance with a permit or tree plan may also constitute a separate violation.

For questions, please contact your Urban Forestry Tree Inspector:

Jim Field, Tree Inspector, Certified Arborist
503-823-4011 jim.field@portlandoregon.gov

Please visit the Portland Trees website, portlandoregon.gov/trees, or call 503-823-TREE (8733) to verify if a tree permit is needed and find answers to other tree-related questions.

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TREE REMOVAL PUBLIC POSTING

This Posting Must Be Visible on Site While Conducting Work

Tree Location:	4066 NE 12TH AVE
Case number:	19-205171-000-00-UF
Approved Tree Removal(s):	* 1 sequoia, giant (Sequoiadendron giganteum)
Required Replacement Tree(s):	0 street tree(s), 1 private tree(s)

A City Tree Inspector has determined the tree(s) listed above has caused a tree-related condition that threatens to injure the public health or safety, or threatens to damage public or private property. The City requires removal of the tree(s) to safeguard people and property (Portland City Code, Title 11, Trees).

Please contact Urban Forestry if you have questions.
503-823-TREE(8733) trees@portlandoregon.gov

Please visit the Portland Trees website portlandoregon.gov/trees or call 503-823-TREE (8733) to verify if a tree permit is needed and find answers to other tree-related questions.

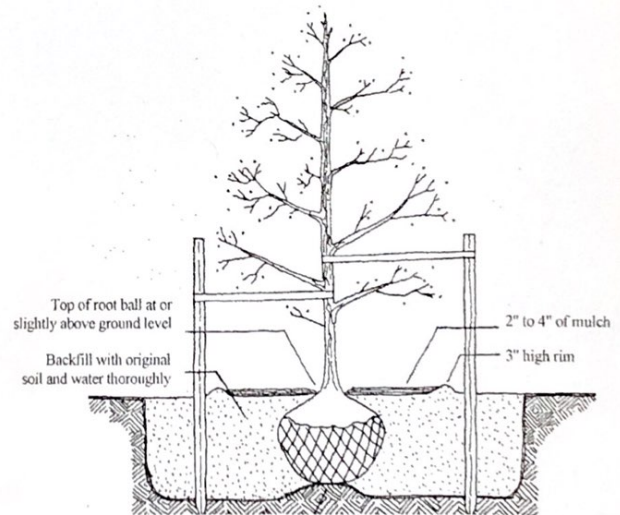
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TREE PLANTING BASICS

- Always check for underground utilities; call 811 or make a request online at digsafelyoregon.com before you dig. It's the law.
- Dig a hole two times the width of the root ball. The hole should not be deeper than the depth of the root ball. Planting a tree too deep is a known cause of tree failure in urban areas.
- Lift the tree into the planting hole by the root ball, not the trunk. If the tree is in a container, gently remove the container prior to placing the tree into the planting hole.
- If the roots are circling the inside of the container, gently but aggressively break up only the involved roots. This encourages normal growth and deters roots from growing around the tree trunk, which can kill the tree later in life. If the tree is balled and burlapped rather than in a container, remove all wire, string, burlap, plastic and other substances. Be careful not to fracture the root ball.
- Once you have placed the tree in the planting hole, make sure the tree is straight and begin backfilling. In most cases, you should backfill the planting hole with the soil that was removed. Do not use amendments unless the soil is very poorly drained or heavily urbanized.
- Gently tamp the soil, but do not compact the soil too much! The tree needs a combination of air space and material.
- Stabilize your tree immediately after planting by attaching wide, belt-like ties to two sturdy stakes set firmly in the ground on opposite sides of the tree. Attach them to the tree loosely, taking care not to injure the bark. The tree should be able to sway in the wind to establish a strong root system. **Remove stakes and ties after one year.**
- Form an earth berm/rim around the edge of the planting hole and add a 2- to 4-inch layer of mulch inside the berm. This will aid in moisture retention. Leave 2–3 inches of space between the mulch and trunk of the tree to avoid fungal growth and potential decay of the trunk.



TREE ESTABLISHMENT BASICS

- You must water newly planted trees regularly during the summer dry season (roughly June to October) for the first two to three years. Begin with 15 gallons of water per tree per week, and adjust as needed.
- Trees should not require fertilizer, but if a tree appears unhealthy, check with an arborist to determine if it needs fertilizer or some other care. Monitor trees for insect and disease problems.
- After two to three years, prune the tree to remove poorly connected branches. Additionally, prune street trees to maintain street and sidewalk clearances. Visit the Portland Trees webpage, portlandoregon.gov/trees, for information on proper pruning and to obtain a street tree pruning permit or to learn about community street tree pruning opportunities.
- Maintain a mulch circle around the trunk of the tree. Mulch helps retain soil moisture and adds nutrients to the soil. Having mulch around the tree will also help prevent damage to the bark from lawnmowers and string trimmers. Do not pile mulch up around the trunk of the tree. This creates an environment which can lead to trunk decay.





ADMINISTRATIVE REVIEW

If you believe that the City has issued this notice in error, you have fifteen (15) calendar days from the date of this notice (required submission by April 17, 2020) to submit an application for an administrative review.

To apply for an Administrative Review, you must complete an Administrative Review application within fifteen (15) calendar days from the date of this notice (by April 17, 2020). You must include a \$200 fee with the application. The \$200 fee is not subject to low-income allowance reductions and the City will refund it only if we determine that all of the violation(s) were cited in error. The City requires this Administrative Review Fee of \$200 and a completed Administrative Review Application in order to process your application.

You can find applications online at portlandoregon.gov/trees/article/579121 or pick them up in person at the Permit Center, located on the first floor of the Development Services Center at 1900 SW 4th Avenue. You can also contact Urban Forestry at 503-823-8733 and press 5 for more information about obtaining an Administrative Review application or the review process.

Mail the Administrative Review Application and the \$200 filing fee to Urban Forestry at 1900 SW 4th Avenue, Suite 5000, Portland, OR 97201, or deliver the application and fee in person to Urban Forestry staff at the Permit Center, located on the first floor of Development Services Center at 1900 SW 4th Avenue.

You should include the completed Administrative Review Application and all pertinent documentation, photos, and other evidence in the submission and specifically address how Urban Forestry erred in applying City Code Title 11. You will not have an additional opportunity, outside of the Administrative Review application submission, to present evidence. **You must include all pertinent evidence at the time of application submission.**

The Bureau of Development Services Director or City Forester, as applicable, will review the Administrative Review Application and supporting evidence. Following the review, the City will issue a written determination to the name provided on the Administrative Review Application. When you submit a completed Administrative Review application, the City will stay all violation corrections/penalties pending the resolution.

TRANSLATION SERVICES

The City of Portland complies with all non-discrimination, Civil Rights laws including Civil Rights Title VI and ADA Title II. To request translation, interpretation, accommodation, modifications, or additional information, please contact 503-823-4437, or use City TTY 503-823-6868, or Oregon Relay Service: 711.

تلتزم مدينة بورتلاند بكل قوانين عدم التمييز والحقوق المدنية بما في ذلك الفصل السادس من قانون الحقوق المدنية والفصل الثاني من قانون الأمريكيين ذوي الإعاقة. للحصول على خدمات الترجمة التحريرية أو الشفهية أو طلب تعديلات أو معلومات إضافية، تفضل بالتواصل مع 503-823-4437، أو استخدم خدمة الرسائل على الرقم 503-823-6868 أو خدمة الاتصال المقدمة لذوي الإعاقات السمعية والنطقية بأوريغون: 711.

La ciudad de Portland cumple con todas las leyes antidiscriminatorias y de derechos civiles, incluyendo el Título VI de la Ley de Derechos Civiles y el Título II de la ADA. Para solicitar servicios de traducción e interpretación, adaptaciones, modificaciones o información adicional comuníquese con 503-823-4437, o use el servicio TTY 503-823-6868 de la ciudad o el Servicio de Retransmisión de Oregon: 711.



ポートランド市は、差別撤廃を宣言している公民権法第6編やADA第2編など公民権法に遵守しています。翻訳、通訳、調整、変更、その他情報のリクエストは、(503-823-4437) までお問い合わせください。また、TTY (503-823-6868) やオレゴン州リレー・サービス(711) でもお問い合わせ可能です。

ເມືອງ Portland ປະຕິບັດຕາມການບໍລິຫານປະຕິບັດ, ກົດໝາຍວ່າດ້ວຍສິດທິພົນລະເມືອງທັງໝົດ ລວມເຖິງສິດທິພົນລະເມືອງຂໍ້ VI ແລະ ADA ຂໍ້ II. ຫາກຕ້ອງການແປພາສາ, ການອະທິບາຍ, ການອ່ານອອກສຽງສະດວກ, ການດັດແປງ ຫຼື ຂໍ້ມູນເພີ່ມເຕີມ, ກະລຸນາຕິດຕໍ່ຕົວ 503-858-4437, ຫຼື ໃຊ້ TTY ເມືອງ 503-823-6868, ຫຼື Oregon Relay Service: 711.

Orașul Portland respectă toate legile pentru Drepturi Civile de anti-discriminare, inclusiv Drepturi Civile Titlul VI și ADA Titlul II. Pentru a solicita traducere, interpretare, acomodare, modificări sau informații suplimentare, vă rugăm să contactați 503-823-4437, sau folosiți City TTY 503-823-6868, sau Oregon Relay Service (Serviciul de Releu Oregon) la: 711.

Городские власти Портленда выполняют все законы о гражданских правах о недискриминации, в том числе, раздел VI гражданских прав и раздела II ЗПОВ. За получением услуг письменного или устного перевода, размещением, внесением изменений или за дополнительной информацией, обращайтесь к 503-823-4437, по городскому телетайпу: 503-823-6868 или в службу коммутируемых сообщений: 711.

Magaalada Portland waxay u hogaansantahay dhammaan sharciyada takoor la'aanta, Xuquuqda Rayidka oo ay kujiraan Xuquuqda Rayidka Qodobka VI iyo II ADA. Si aad u codsatid turjumida, fasiraadda, hoy, bedellada, ama macluumaad dheeraad ah, fadlan la xiriir 503-823-4437, ama isticmaal Magaalada TTY 503-823-6868, ama Adeeg Isku wareejinta Oregon: 711

Міська адміністрація Портленда дотримується всіх законів про недопущення дискримінації та захист громадянських прав, у тому числі розділу VI Закону про захист громадянських прав і розділу II Закону про американців-інвалідів. Щоб отримати додаткову інформацію або подати заявку на отримання послуг письмового чи усного перекладу, вжиття допоміжних заходів, внесення змін у чинні правила тощо, слід звертатися до 503-823-4437. Можна також скористатися телетайпом (503-823-6868) або Орегонською службою комутування повідомлень (711).

Thành Phố Portland tuân thủ tất cả các luật Nhân Quyền không phân biệt đối xử bao gồm Nhân Quyền Khoản IV và ADA Khoản II. Để yêu cầu chuyển ngữ, phiên dịch, trợ giúp thực tiễn, thay đổi, hoặc thêm thông tin, xin hãy liên lạc với 503-823-4437, hoặc sử dụng TTY của Thành Phố 503-823-6868, hoặc Oregon Relay Service: 711.

波特兰市遵从包含民权法案标题 6 及美国残疾人法案 (ADA) 标题 2 在内之所有无歧视民权法例。如需要翻译、传译、便利设施、修订或其它额外信息, 请拨打 503-823-4437 联系, 或使用市府电传打字机 (TTY) 503-823-6868, 或俄勒冈州中继服务: 711。

