

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF AMENDING	}	ORDINANCE NO. 1220-CS
TURLOCK MUNICIPAL CODE	}	
TITLE 7, CHAPTER 7 REGARDING	}	
MAINTENANCE OF STREET TREES	}	
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BE IT ORDAINED by the City Council of the City of Turlock as follows:

SECTION 1. AMENDMENT: Title 7, Chapter 7, Article 2, Section 06, is hereby amended to read as follows:

7-7-206 Duty to maintain.

It shall be the duty of every property owner and every person occupying property within the City to maintain street trees in the parkway or planting easement on or adjacent to his property.

(a) In conjunction with any sale or transfer of real property and using the Local Option Real Estate Transfer Disclosure Statement form set forth in Civil Code Section 1102.6a, the seller/transferor shall provide notice of the maintenance obligations set forth in this Article to the buyer/transferee. The Notice shall, at a minimum, include the following language:

Every property owner and every person occupying property within the City shall maintain street trees in the parkway or planting easement on or adjacent to his/her property.

(b) To provide all property owners and occupants with notice of his/her obligation to maintain street trees as set forth in this Article, the ordinance codified in this Chapter shall be recorded with the County Clerk of the County of Stanislaus.

SECTION 2. VALIDITY: If any section, subsection, sentence, clause, word, or phrase of this ordinance is held to be unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remainder of this ordinance. The Turlock City Council hereby declares that they would have passed this ordinance, and each section, subsection, sentence, clause, word, or phrase thereof, irrespective of the fact that one or more section, subsection, sentence, clause, word, or phrase be declared invalid or unconstitutional.

SECTION 3. ENACTMENT: Prior to the expiration of fifteen (15) days from the passage and adoption thereof, this ordinance shall be published in a newspaper of general circulation printed and published in the County of Stanislaus, State of California, together with names of the members of the City Council voting for and against the same.

SECTION 4. OPERATIVE DATE: The amendments set forth in this Ordinance, specifically Section 7-7-206 subsections (a) and (b), shall become operative on July 1, 2016.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 12th day of January, 2016, by the following vote:

AYES: Councilmembers DeHart, Nascimento, Bublak, Jacob and Mayor Soiseth

NOES: None

NOT PARTICIPATING: None

ABSENT: None

Signed and approved this 12th day of January, 2016.



GARY SOISETH, Mayor

ATTEST:



Kellie E. Weaver, City Clerk,
City of Turlock, County of Stanislaus,
State of California

The foregoing is a correct copy of the original on file in this office which has not been revoked and is now in full force and effect.



Kellie E. Weaver,
City Clerk of the City of Turlock,
County of Stanislaus, State of California

