

**ORDINANCE NO. 5778**

**AN ORDINANCE TO ADD A TIME FOR REMOVAL OF MOUNTAIN PINE BEETLE INFESTED TREES BY ADDING SECTION 12.40.105 TO THE RAPID CITY MUNICIPAL CODE.**

WHEREAS, the City of Rapid City has adopted an ordinance relating to trees in the City of Rapid City and creating an Urban Forestry Board to make recommendations on city tree plans developed, created or approved by the city's Planning Department and/or the City's Parks Department; and

WHEREAS, the Board, when requested by the Common Council or the City's Parks Department, shall consider, investigate and make findings, reports and recommendations upon any special matter or question coming within the scope of its work; and

WHEREAS, the Council finds it is in the best interest of the public to amend the language in Chapter 12.40 to include a timeframe for the removal of Mountain Pine Beetle infested trees.

NOW THEREFORE BE IT ORDAINED by the City of Rapid City that Section 12.40.105 of the Rapid City Municipal Code be added to read as follows:

**12.40.105 Requirement for Removal of Mountain Pine Beetle Infested Trees.**

Mountain Pine Beetle infested trees must be removed by the property owner within sixty (60) days after notification. Upon written request, the Director of Parks and Recreation or his designee may provide an extension not to exceed an additional thirty (30) days. Failure by the property owner to remove the tree(s) will result in action being taken by the City's code enforcement office to remove the tree(s). The City may defray the cost of the work, including administrative costs, by special assessment against the property. Any person violating this provision shall be subject to the general penalty provision as set forth in § 1.12.010 of the Code.

CITY OF RAPID CITY

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Finance Officer

(SEAL)

First Reading:  
Second Reading:  
Published:  
Effective: