

## Responsibility for the Maintenance of Street Trees\*

Digest by the Ballot Simplification Committee

**Status:** Final Digest

**On:** Thursday, August 11, 2016

**Members:** Packard, Anderson, Fasick, Fraps, Jorgensen

**Deadline to Request Reconsideration:** 9:45 a.m. on Friday, August 12

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**The Way It Is Now:** City law generally requires property owners to maintain trees in the public sidewalk area next to their property as well as the sidewalk around those trees.

A property owner is usually liable for injuries and property damage other people may suffer resulting from the owner's failure to maintain those trees and sidewalks damaged by those trees.

The San Francisco Unified School District (School District) is responsible for maintaining trees on its property.

**The Proposal:** Proposition \_\_\_ is a Charter amendment that would transfer responsibility from property owners to the City for maintaining trees and sidewalks damaged by the trees. The City would then be liable for injuries and property damage resulting from failure to maintain the trees and to repair sidewalks damaged by the trees.

The City would pay for maintaining these trees and sidewalks by setting aside \$19 million per year from the City's General Fund, adjusted annually based on the City's revenue.

The City could give up to \$500,000 per year from the set-aside to the School District to help pay for the cost of maintaining trees on public school property.

Until January 1, 2017, the Mayor would have the authority to terminate the fund and the set-aside, based on the Mayor's review of the City's financial condition.

**A "YES" Vote Means:** If you vote "yes," you want to amend the Charter to transfer responsibility from property owners to the City for maintaining trees on sidewalks around their property as well as sidewalks damaged by the trees. The City would pay for this by setting aside \$19 million per year from its General Fund, adjusted annually based on City revenues.

**A "NO" Vote Means:** If you vote "no," you do not want to make these changes.

*\*Working title, for identification only. The Director of Elections determines the title of each local ballot measure; measure titles are not considered during Ballot Simplification Committee meetings.*