



Pete Panepinto
Mayor

October 3, 2023

Veto Statement for Ordinance No. 23-5721 C.S.
An ordinance directing the clearing of right-of-ways.

To the Council:

I have vetoed this ordinance because it encourages the removal of healthy, green trees. This language was modified from its original version, but it continues to be muddled as to whether this applies to trees that are healthy and green or to trees that are damaged or dying. As it is written, the ordinance allows the removal of healthy green trees if the property owner requests this removal. There is no provision for an expert to inspect the tree, such as the city arborist, so the individual property owner becomes the final decider on all trees in the right-of-way. Why should we eliminate trees that provide shade for sidewalks, trees maintained by homeowners' associations, and trees that reduce flooding and runoff?

More importantly, the 1986 tree ordinance comprehensively addresses trees in the right-of-way, ensuring that those posing an "imminent health and/or safety hazard" shall be removed. It also explains how public trees may be impacted by construction, driveway installation, or utilities. It establishes a city arborist and urban forestry committee to guide efforts for planting and maintaining public trees. Let that ordinance stand as the tree ordinance.

I urge you to uphold my veto of this ordinance.

Sincerely,

Mayor Pete Panepinto



**CITY OF HAMMOND
ORDINANCE No. 23-5721**

AN ORDINANCE DIRECTING THE CLEARING OF RIGHT-OF-WAYS.

WHEREAS, the City Council has determined based upon the experiences of residents of the City that trees located in City right of ways may a danger to people, electricity lines, access, and structures, specifically including, but not limited to during emergency situations such as following hurricanes, ice storms, streets, and other sever weather occurrences; and

WHEREAS, the City Council recognizes that following Hurricane Ida emergency responses were delayed due to the necessity of extensive tree clearing and removal required to obtain access; and

WHEREAS, the City Council recognizes that trees fallen into creeks, canals, ditches, and other drainage is slowing drainage and increasing the risk of flooding within the City; and

WHEREAS, the City Council recognizes that following Hurricane Ida some residents ability to evacuate was delayed due to the necessity of extensive tree clearing and removal required to exit; and

WHEREAS, the City Council recognizes that following Hurricane Ida fallen trees increased power outages, delayed restoration of power, and increased the costs passed on to residents of restoring power within the City; and

WHEREAS, the City Council recognizes clearing trees from public right of ways prior to emergency situations reduces the costs of tree clearing and removal, decreases the potential for power outages, access obstructions, and damage and expense to property; and

WHEREAS, the City Council recognizes that it is in the public interest to clear trees from right of ways prior to emergency situations for public health, safety, and preservation of life and property.

THEREFORE, BE IT ORDAINED:

1. That the City shall remove any and all trees within any public right of way when requested by the property owner.


2. That to facilitate the efficient implementation of this Ordinance the City shall create an email address rightofwayclearing@hammond.org which shall be listed on the City website and forward emails to the Director of the Streets Department and Administrative Assistant thereof.
3. To further facilitate the efficient implementation of this Ordinance the City shall maintain a current and up to date list of pending requests available for inspection at all times during normal City business hours at the front desk of the Streets Department.
4. This ordinance shall not supersede any existing ordinance relating to removal of live oak trees and storm water management.

The above and foregoing ordinance having being duly submitted to the Hammond City Council in writing; introduced at a public meeting on September 12, 2023 of the Hammond City Council and discussed at a public meeting held on September 26, 2023; after motion and second was submitted to the official vote of the Hammond City Council.


On motion by Councilman DiVittorio and Second by Councilman Wells foregoing Ordinance was hereby declared adopted on September 26, 2023 by the following roll call vote:

Votes: Kip Andrews (Y), Carlee White Gonzales (N), Sam DiVittorio (Y), Steve Leon (N), Devon Wells (Y) Motion Approved 3-2

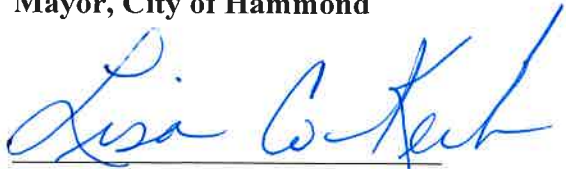
WHEREFORE the above and foregoing ordinance was declared duly adopted on this 26th **Day of September in the year 2023**, at Hammond, Tangipahoa Parish, Louisiana.



 Kip Andrews
 President, Hammond City Council



 Honorable Pete Panepinto
 Mayor, City of Hammond



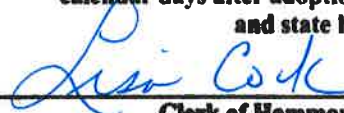
 Lisa Cockerham, Clerk
 Hammond City Council

Recordation of Receipt Received from the
 Mayor of the City of Hammond on
 the _____ day of _____ in the year _____
 at _____ o'clock _____ m., in accordance with
 Home Rule Charter Article II, Section 2-12 (B).

 Clerk of Hammond City Council

CERTIFICATE OF DELIVERY
 In accordance with Home Rule Charter Article II,
 Section 2-12 (A), the above Ordinance was delivered to
 the Mayor of the City of Hammond on the
28th day of September, in the year 2023
 at 8 o'clock a.m. said delivery being within three (3)
 calendar days after adoption, exclusive of weekends
 and state holidays.

Page 2 of 2



 Clerk of Hammond City Council

