
MEMORANDUM

To: Common Council

From: Andrew Cibor, City Engineer; Karina Pazos, Long Range Planner; Aleksandrina Pratt, Assistant City Attorney; Ryan Robling, Planning Services Manager; Haskell Smith, Urban Forester; Tim Street, Interim Director of Park and Recreation

Date: February 2, 2024

Re: Proposed Ordinance # 2024-01, to make various amendments to Title 12

City staff from the Engineering, Legal, Parks and Recreation, and Planning and Transportation departments have compiled a number of recommendations for changes to Title 12, the streets, sidewalks and storm sewers section of the Bloomington Municipal Code. Proposed ordinance #2024-01 would make these changes.

The proposed changes will address issues that have come to staff's attention through public requests, commissions' recommendations, or departmental changes.

The ordinance includes the following changes:

- **Section 1** (*12.04 General Regulations, 12.06 Sidewalk Seating and Merchandising Encroachments, 12.08 Use of the Right-of-Way, 12.10 Enforcement and Penalties, and 12.12 Utilities in the Right-of-Way*):
 - Deletes "transportation and traffic engineer," adds "city engineer"
 - The change updates the text to reflect the most accurate title for the director of the Engineering Department.
 - Deletes "his or her," and adds "their"
 - The change updates the text to be consistent.
 - Deletes "planning and transportation department," and adds "department that issued the citation (NOV)"
 - The change updates the text to reflect the separation of departments, because this text refers to when the Engineering Department and Planning and Transportation Department were one department.
 - Capitalizes names
 - The change capitalizes department names (i.e. Department of Public Works), board and commission names (i.e. Board of Public Works), and legal document names (i.e. Comprehensive Plan, Transportation Plan, etc.).

- **Section 2** (*12.20 Thoroughfare Plan*):
 - Deletes “thoroughfare plan” and “thoroughfares,” and adds “transportation plan” and “transportation facilities”
 - The change updates the text to refer to the most recent transportation plan.
 - Deletes “his or her,” and adds “their”
 - The change updates the text to be consistent.
 - Capitalizes names
 - The change capitalizes department names (i.e. Department of Public Works), board and commission names (i.e. Board of Public Works), and legal document names (i.e. Comprehensive Plan, Transportation Plan, etc.).

- **Section 3** (*12.24 Trees and Flora*):
 - Capitalizes names
 - The change capitalizes department names (i.e. Department of Public Works), board and commission names (i.e. Board of Public Works), and legal document names (i.e. Comprehensive Plan, Transportation Plan, etc.).
 - Deletes “his or her,” and adds “their”
 - The change updates the text to be consistent.
 - Corrects outdated language and references
 - The change updates the text to refer to Title 20 for permitted species list of tree species instead of “Tree Work Manual;” updates “Tree Work Manual” to “Tree Care Manual.”
 - Adds section detailing tree protection measures
 - The change adds section 12.24.075, standards for appropriate tree protection, with relevant definitions also added.
 - Clarifies need for tree work permit and its process
 - The change exempts directional boring; clarifies some language around the tree work permit process in relation to other Commissions and Common Council.