

Expedited Bill No. 45-06  
Concerning: Forest Conservation -  
Protection of Champion Trees  
Revised: 10-17-06 Draft No. 3  
Introduced: October 3, 2006  
Enacted: October 17, 2006  
Executive: October 26, 2006  
Effective: October 26, 2006  
Sunset Date: None  
Ch. 35, Laws of Mont. Co. 2006

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

By: Councilmembers Denis and Praisner

**AN EXPEDITED ACT to:**

- (1) apply the forest conservation law to certain champion trees; and
- (2) generally amend the forest conservation law.

By amending

Montgomery County Code  
Chapter 22A, Forest Conservation - Trees  
Sections 22A-3, 22A-4, and 22A-12

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*



27 [(e)] (f) a public utility not exempt under subsections 22A-5(g), (o)(1) and (2),  
28 or (p).

29 Any person who expects to cut, clear, or grade more than 5000 square feet of  
30 forest or any champion tree, and who believes that the cutting, clearing, or grading is  
31 exempt under Section 22A-5, 22A-6, 22A-7, or 22A-8, must notify the Planning  
32 Director in writing before performing any cutting, clearing, or grading and seek  
33 confirmation from the Director that the cutting, clearing, or grading is in fact exempt  
34 from Article II. Failing to notify the Director as required by this Section, or  
35 performing any cutting, clearing, or grading before the Director confirms that an  
36 exemption applies, is a violation of this Chapter.

37 The Planning Director must notify the Department of Permitting Services if  
38 this Chapter would apply to any cutting, clearing, or grading of which the  
39 Department would otherwise not be notified.

40 **22A-12. Retention, afforestation, and reforestation requirements.**

41 \* \* \*

42 (b) Retention.

43 \* \* \*

44 (2) In general, areas protected under this subsection include:

45 (A) floodplains, stream buffers, steep slopes, and critical  
46 habitats;

47 (B) contiguous forests;

48 (C) rare, threatened, and endangered species;

49 (D) trees connected to an historic site;

50 (E) champion trees and other exceptionally large trees; and

51 (F) areas designated as priority save areas in a master plan or  
52 functional plan.

53 \* \* \*

