

**RCW 35.92.390 Municipal utilities encouraged to provide customers with landscaping information and to request voluntary donations for urban forestry.** (1) Municipal utilities under this chapter are highly encouraged to provide information to their customers regarding landscaping that includes tree planting for energy conservation.

(2) (a) Municipal utilities under this chapter are highly encouraged to request voluntary donations from their customers for the purposes of urban forestry. The request may be in the form of a check-off on the billing statement or other form of request for a voluntary donation.

(b) Voluntary donations collected by municipal utilities under this section may be used by the municipal utility to:

(i) Support the development and implementation of urban forestry ordinances, as that term is defined in RCW 76.15.010, for cities, towns, or counties within their service areas;

(ii) Complete projects consistent with the urban forestry management plans and ordinances developed under RCW 76.15.090; or

(iii) Fund a tree planting program for energy conservation that accomplishes the goals established under RCW 35.92.355.

(c) Donations received under this section do not contribute to the gross income of a light and power business or gas distribution business under chapter 82.16 RCW. [2021 c 209 s 12; 2021 c 11 s 3; 2008 c 299 s 19; 1993 c 204 s 2.]

**Reviser's note:** This section was amended by 2021 c 11 s 3 and by 2021 c 209 s 12, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

**Findings—Intent—2021 c 209:** See note following RCW 76.15.005.

**Findings—Intent—2021 c 11:** See note following RCW 35.92.355.

**Short title—2008 c 299:** See note following RCW 76.15.020.

**Findings—1993 c 204:** "The legislature finds that large-scale reduction of tree cover increases the temperature of urban areas, known as the "heat island effect." Planting trees in urban areas for shading and cooling mitigates the urban heat island effect and reduces energy consumption. Tree planting also can benefit the environment by combating global climate change, reducing soil erosion, and improving air quality. Urban forestry programs can improve urban aesthetics that will improve public and private property values.

The legislature also finds that urban forestry programs should consider the relationship between urban forests and public service facilities such as water, sewer, natural gas, telephone, and electric power lines. Urban forestry programs should promote the use of appropriate tree species that will not interfere with or cause damage to such public service facilities." [1993 c 204 s 1.]