

Bobbie Walthall

To: Barry Walthall
Subject: RE: Please support fruit tree harvesting

From: Andrea Repinsky [mailto:adheron@yahoo.com]

Sent: Monday, June 20, 2011 11:17 PM

To: aroncromwell@gmail.com; schummfoods@gmail.com; mdever@sunflower.com; hughcarter@sunflower.com; mikeamyx515@hotmail.com

Cc: Barry Walthall

Subject: Please support fruit tree harvesting

Dear Commissioners,

Thank you for considering appropriate picking of fruit on City property. Please direct City staff to edit the City Code to make this possible. Allowing the public to pick public fruit, and encouraging the planting of fruit trees in City parks and other areas, is an excellent way to further establish the City of Lawrence as a leader in sustainability. Access to fresh, healthy local food is an important element of a sustainable city. Also, the City's fruit trees can provide examples of productive and beautiful options for residential landscaping. Fruit on City property could be available to anyone to enjoy or to donate to food pantries. Of course, fruit tree planting on City property should be carefully planned to ensure safety and success. I support Mr. Corliss' suggestion to identify specific locations to plant fruit trees on City property with appropriate signage, regulation, and oversight. This would present a wonderful educational and recreational opportunity, but of course changes to the City Code are necessary to make this happen.

I think it is unnecessary to consider specific code edits at this time. Lawrence City staff are correct that the planting and harvesting of fruit on public land present a few challenges. I am confident that City staff can easily address these challenges with appropriate code language, at your direction, and with assistance from the Lawrence Fruit Tree Project.

Again, thank you for making the City of Lawrence a more sustainable community.

Andrea Repinsky
1222 Almira, 66044

Bobbie Walthall

From: Byron Wiley [bwiley@sbcglobal.net]
Sent: Saturday, June 18, 2011 9:58 PM
To: aroncromwell@gmail.com; schummfoods@gmail.com; mdever@sunflower.com; hughcarter@sunflower.com; mikeamyx515@hotmail.com
Cc: Bobbie Walthall; bwiley@sbcglobal.net
Subject: Fruit Tree ordinance

To whom it may concern,

Due to a long planned out of town trip, I will not be able to attend the upcoming commission meeting that discusses city ordinance 14-303, Criminal Damage to Property; Harming Plants, but I wanted you to know my thoughts on this issue. I strongly support modification of this important code to allow citizens to pick ripe fruit from trees planted on city property without risk of criminal prosecution.

I support this change because fruit trees are such an important part of a community. They are an attractive part of our landscape with their beautiful blooms, foliage and fruit, and having them in the community can provide a renewable and annual source of delicious fresh fruit and nuts which can improve nutrition and health of people eating them. Having fruit trees in the community connect folks and their agrarian roots. Fruit trees connect people to place. Eating locally creates direct, lasting bonds between people and their urban environment. Plus, it feels *really good* to walk by a fruit tree and pick a ripe fruit.

Maintenance and basic care of fruit trees is just about the same as any other tree. Watering newly planted trees and pruning is required on most trees. Planting disease resistant varieties greatly reduces maintenance.

Please consider the proposed draft language change that we, the Lawrence Fruit Tree Project has proposed for approval, to allow citizens to pick ripe fruit from trees planted on city property without risk of criminal prosecution.

Sincerely yours,

Byron Wiley

Project Coordinator, webmaster and technical advisor for the Lawrence Fruit Tree Project

1200 Almira Ave

Lawrence, KS 66044

785-841-2829

To: Lawrence City Commissioners
From: Douglas County Food Policy Council

Dear Mayor Amyx and Commissioners,

The Food Policy Council of Douglas County was formed in part to improve the community's access to a local and nutritious food supply. With this goal in mind, we would like to support the amendment of city ordinance 14-303 by the addition of the phrase indicated in italics below.

Removing barriers to the use of fruit from trees on land owned by the city is a positive step toward creating stronger food security in our community and encouraging local consumption.

14-303 CRIMINAL DAMAGE TO PROPERTY; HARMING PLANTS.

No person shall willfully injure or destroy any plant, tree, vine or flower, the property of another, standing on or attached to the land of another, or shall pick, destroy or carry away therefrom or in any way interfere with any part of the flowers or fruit thereof, *except that this section shall not prohibit the picking or carrying away of the ripe fruit of any tree, plant, or vine on any property owned by the City of Lawrence.*

(Code 1979, 14-302; Ord. 5516, Art. 3)

Thank you for your consideration on this matter,

Daniel Poull, Chairperson
Douglas County Food Policy Council

Bobbie Walthall

From: Theresa Martin [ttilleymartin@sbcglobal.net]
Sent: Thursday, June 16, 2011 3:45 PM
To: aroncromwell@gmail.com; schummfoods@gmail.com; mdever@sunflower.com; hughcarter@sunflower.com; mikeamyx515@hotmail.com
Cc: Bobbie Walthall
Subject: Fruit picking ordinance for June 21 agenda

To the Lawrence City Commission,

I am writing to you to request that you strike from the city code the clause about people not being allowed to pick fruit from city-owned trees. Fruit trees make fruit, and fruit is meant to be eaten, and in order to eat the fruit, people must pick it. There are already a number of fruit trees on city property, and it's ridiculous that it is against the law for people to pick that fruit. Fruit trees are a marvelous resource for a community.

I know that some people fear that if people were allowed to pick fruit from city-owned trees that they would be more likely climb the trees and to damage them. There is already an ordinance against both climbing and damaging trees, which would continue to be on the books. Allowing people to pick fruit is not the same thing as allowing people to climb and/or damage trees.

The impression I get about the opposition to striking this clause is that it would open the door to the city actually planting fruit trees, and the accompanying concerns, all of which could easily be alleviated. Mess from fallen fruit could be handled by not planting fruit trees next to sidewalks, or heavily trafficked and/or play areas. Actually, by allowing people to pick the fruit, most the fruit would be picked by citizens eager for it and there would be no mess. Maintenance of fruit trees is no greater than maintenance of any other tree, as they require no more watering or pruning in the early years than any tree. Choosing disease-resistant cultivars would ensure good fruit crops for decades to come, and fruit trees flower more beautifully in the spring than any other kind of tree.

Forbidding residents from picking fruit reminds me of feudal times, when the peasants weren't allowed to hunt in the royal forests (which was all of the forests). We ask people to walk past the apple tree at the park on Walnut Street along the river to shove their hands in their pockets, and turn their heads away, when the tree is loaded with great apples, just going to waste. It seems to me that Lawrence should be a town that embraces both its fruit trees and its citizens who would love to eat that fruit. It is a step towards connecting people with their food supply, in the simple act of allowing a person to pick an apple from a city-owned tree as he walks through his neighborhood.

Please do the generous and sane thing of removing from city code the clause about people not being allowed to pick fruit trees from city-owned trees.

Thank you.

Sincerely,

Theresa Martin
645 Maine Street
Lawrence, KS 66044
ttilleymartin@sbcglobal.net