

ORDINANCE 21-012

CHAPTER 22 - BOARDS, COMMISSIONS, AUTHORITIES AND COMMITTEES
ARTICLE XIV - TREE ADVISORY COMMISSION

An Ordinance to amend Chapter 22, Boards, Commissions, Authorities and Committees to add Article XIV, Tree Advisory Commission, of the Code of the City of Monroe.

THE CITY OF MONROE ORDAINS

SECTION 1: Article XIV of Chapter 22, Boards, Commissions, Authorities and Committees -Tree Advisory Commission is hereby adopted as follows:

ARTICLE XIV - Tree Advisory Commission

§22-71. Title

This article shall be known, identified and cited as "Tree Advisory Commission."

§22-72. Purpose.

The purpose of this article is to promote and protect the public health, safety, and general welfare by providing for the regulation of planting, maintenance, and removal of trees within the City of Monroe.

§22-73. Authority.

- A. There is hereby created and established a Tree Advisory Commission for the City of Monroe, which shall consist of five Commissioners who shall be appointed by the Mayor and confirmed by a majority vote of City Council as follows: One member for one year, two members for two years, and two members for three years. Thereafter, each member shall serve for three years or until a successor has been appointed. In the event that a vacancy shall occur during the term of any Commissioner, his or her successor shall be appointed by the Mayor and confirmed by a majority vote of City Council for the unexpired portion of the term. At least three member of the Tree Advisory Commission shall be residents of the City of Monroe.
- B. The Tree Advisory Commission shall be a public body, and shall be subject to the Open Meetings Act, Act 267 of the Public Acts of 1976, as amended, and its records shall be

subject to disclosure under the Freedom of Information Act, Act 442 of the Public Acts of 1976, as amended.

- C. The Tree Advisory Commission shall provide advice and make recommendations to the Mayor, City Council, and City Manager in regard to planting, maintenance, and removal of trees on public property within the City of Monroe.

§22-74 Functions.

- A. The Tree Advisory Commission shall develop a master plan for the reforestation of the City of Monroe and forward the same to City Council for approval and adoption as policy of the City of Monroe.
- B. The Tree Advisory Commission shall prepare an annual planting plan and forward same to City Council for approval and adoption as policy of the City of Monroe.
- C. The Tree Advisory Commission shall review the City's Capital Improvements Program projects for potential impacts on the City's trees and make recommendations regarding the projects as it relates to trees and forward the same to City Council for approval and adoption as policy of the City of Monroe.
- D. The Tree Advisory Commission shall develop bylaws for the operation and governance of the Commission and shall forward the same to City Council for approval, and adoption as policy of the City of Monroe.
- E. The Tree Advisory Commission shall develop any other specific goals and objectives consistent with its purposes and authority as described herein which it intends to pursue and achieve and shall forward the same to City Council for approval and adoption as a policy of the City of Monroe.

§22-75 Applicability.

This article applies to all trees located within public rights-of-way, parks and other public places of the City of Monroe including portions of limbs and branches of trees that extend over private property that constitute a public nuisance or hazard. The Tree Advisory Commission shall also have the authority to identify and suggest action to City Council concerning any trees with diseases that may spread to other trees within the City of Monroe.

§22-76 Tree planting, maintenance, protection and removal regulations for rights of way.

- A. Tree species: A reference list of preferred trees and sizes (small, medium, and large) will be developed by the Tree Advisory Commission to be used as a guide for planting in the right-of-way. The list shall be provided to City Council to consider for approval. The preferred tree list is incorporated herein by reference and shall be made available on the city's website.
- B. Spacing: A reference list of appropriate spacing of trees by size and general location will be developed by the Tree Advisory Commission to be used as a guide for planting locations. The list shall take into account the size and type of trees that will be appropriate for planting within proximity of overhead utility wires or underground water, sewer, or transmission lines or other utility services. The list shall be provided to City Council to consider for approval.
- C. Public Services: It shall be the responsibility of a City staff member designated by the City Manager to oversee the removal or trimming of trees in rights-of-way, parks and other public places. To the extent not inconsistent with any franchise, right, or interest previously granted by the city, a utility company, and its contractors or sub-contractors shall contact the department of public works prior to starting any trimming, cutting, removal or other work on trees in the rights-of-way to describe the proposed work, extent, duration and location. It is the intent of this article that the work of public services be timed and the methods used controlled so as to avoid or minimize spreading any tree disease.
- D. Upon discovery of any destructive or communicable disease or other pestilence affecting trees located on private property which endangers the growth or health of other trees, or threatens to spread disease or insect infestations, the City staff member designated by the City Manager with the advice of the Tree Advisory Commission shall notify the owner of the property where the tree is situated and suggest means to address such conditions.

SECTION 2. SAVINGS CLAUSE.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they are/were commenced.

SECTION 3. EFFECTIVE DATE.

This Ordinance shall be in full force and effect Twenty (20) days after final passage and publication.

First Reading	November 01, 2021
Public Hearing	November 15, 2021
Second Reading	November 15, 2021
Adoption	November 15, 2021
Publication	November 18, 2021

Michelle J. LaVoy
City Clerk-Treasurer

Robert E. Clark
Mayor