

Ordinance Number 119

AN ORDINANCE CREATING AN INDEPENDENT TREE BOARD; PROVIDING FOR APPOINTMENT OF MEMBERS AND DEFINING TERMS OF OFFICE; OUTLINING THE DUTIES AND RESPONSIBILITY OF SAID BOARD; PROVIDING JURISDICTIONAL OVERSIGHT OF ALL MATTERS RELATED TO TREES, WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN OF ARRIBA, COLORADO; AND PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE.

WHEREAS, the Town of Arriba, in the County of Lincoln and the State of Colorado, is the body corporate operating as a town pursuant to the general statutes of the State of Colorado; and

WHEREAS, it appears desirable to establish an independent board to be concerned with trees and shrubs located within the parks, utility right-of-ways, municipal properties, and elsewhere within the Town of Arriba, Colorado; and

WHEREAS, by the establishment of such a board it is deemed possible to obtain technical advice from the District Forester of the Colorado State Forest Service;

BE IT ORDAINED by the Board of Trustees of the Town of Arriba, Colorado as follows:

SECTION 1. TOWN OF ARRIBA TREE BOARD

- 1.1 There is hereby created an independent board to be known as the Arriba Tree Board.
- 1.2 The Arriba Tree Board shall consist of a minimum of five members who are residents of the Town of Arriba, Colorado.
- 1.3 The members of the Arriba Tree Board shall be appointed by the Mayor subject to approval by the Board of Trustees of the Town of Arriba.
- 1.4 Members of the Arriba Tree Board will serve without compensation for a term of three years. Reasonable expenses incurred by them may be reimbursed by approval of the Board of Trustees of the Town of Arriba.
- 1.5 The Arriba Tree Board shall provide for it's own organization, by-laws, and rules of procedure and shall elect a chairman and secretary and other officers as necessary to facilitate the orderly conduct of the duties and responsibilities of the Arriba Tree Board.

SECTION 2. DUTIES AND RESPONSIBILITIES OF THE TREE BOARD

- 2.1 The Arriba Tree Board shall have such duties and responsibilities as may be assigned by the Board of Trustees of the Town of Arriba and shall include the responsibility to develop a comprehensive and integrated plan for the care, preservation, trimming, planting, re-planting, removal, and final disposition of all trees and shrubs in the public parks and public ways within the municipal boundaries of the Town of Arriba.
- 2.2 Upon completion, this Plan shall be submitted to the Board of Trustees of the Town of Arriba and upon approval, will constitute the official policy, with respect to trees and shrubs, of the Town of Arriba.
- 2.3 The Arriba Tree Board, when requested by the Board of Trustees of the Town of Arriba, shall consider, investigate, make findings, report and recommend upon any special matter or question within the scope of responsibilities given in Sec. 2.1 of this Ordinance.
- 2.4 The Arriba Tree Board shall present a report each month to the Board of Trustees of the Town of Arriba at the regular monthly meeting.

SECTION 3. INTERFERENCE WITH THE ARRIBA TREE BOARD

- 3.1 It shall be unlawful for any person to delay, interfere, prevent, or impede the Arriba Tree Board or any of its agents, while performing the duties as given in Section 2 of this Ordinance.

SECTION 4. PENALTY

- 4.1 Any person violating Section 3 of this Ordinance shall be, upon conviction in municipal court or by a plea of guilty, subject to a fine not to exceed THREE HUNDRED DOLLARS.

SECTION 5. SEVERABILITY. If any one or more of the sections or subsections of this Ordinance shall be adjudged unenforceable or invalid, such judgement shall not affect, impair, or invalidate the remaining provisions of this Ordinance, it being the intent that the various provisions hereof are severable.

SECTION 6. REPEALER. All acts, orders, resolutions, ordinances, or parts thereof, of the Town of Arriba, Colorado that are inconsistent or in conflict with this Ordinance are

hereby repealed to the extent only of such inconsistency or conflict.

IT IS THE OPINION OF THE BOARD OF TRUSTEES OF THE TOWN OF ARRIBA, COLORADO THAT THIS ORDINANCE IS necessary for the immediate protection and preservation of the public health, safety, and welfare and it is enacted for that purpose and shall be in full force and effect after final passage and publication.

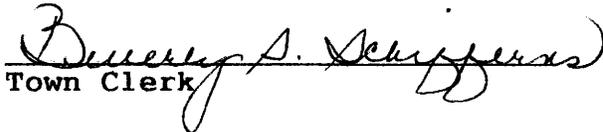
Approved, adopted, and ordered published on first reading by the Board of Trustees of the Town of Arriba, Colorado on this

2nd day of May, 1994

Published: 5/12/94


Mayor

ATTEST:


Town Clerk