BILL 2019-66

Second & Final Reading

AGENDA ITEM

TO: Mayor and City Council
FROM: Drew Bontrager, Public Works Director
DATE: December 16, 2019
RE: **Tree Ordinance**

PURPOSE: The attached bill would rescind Article II Trees and Shrubs, of Chapter 8 Offenses-Miscellaneous; and establish a new Article V Trees in Chapter 9 Streets, Sidewalks and Other Public Property.

BACKGROUND: Cameron's urban forest and its tree canopy represent a significant public infrastructure asset that warrants consideration and protection for the benefit of the entire community. The City's Comprehensive Plan 2030 identifies the role of the urban forest in providing important social, economic, and environmental benefits vital to the creation of a sustainable and adaptive city with a high quality of life. These rolls are enhanced by the city becoming a Tree City USA. One of the requirements for a Tree City USA designation is a tree ordinance meeting certain pre-established guidelines.

DISCUSSION: The intent of this ordinance is to preserve, maintain, enhance, and increase the urban tree canopy to promote the public health, safety, morals, and general welfare of the City of Cameron as well as to:

A. Protect public investments in city infrastructure assets such as the tree canopy, stormwater systems, and streets;
B. Create a healthy, resilient environment that insures a livable habitat for people and wildlife with clean water and air, flood reduction, and shade;
C. Improve psychological health through the aesthetic restorative qualities of natural, scenic settings that provide visual relief to the built environment;
D. Guard community residents from personal injury and property damage caused or threatened by improper planting, pruning, maintenance or removal of trees located within the community;
E. Protect and enhance property values, quality of life, and the character of residential neighborhoods;
F. Maintain and enhance the attractiveness and economic vitality of business and commercial areas;
G. Encourage environmentally responsible development practices;
H. Reduce infrastructure systems impacts resulting from erosion, flood control, hot temperatures, surface and groundwater impairment, air pollution, light pollution, and energy consumption.
I. Allow for and advance innovation in urban forest preservation and growth;
J. Protect the City's urban forest and other public property from damage caused or threatened by improper planting, pruning, maintenance or removal of trees located within the community;
K. Accommodate growth and development that complies with the previously stated purposes.

Some of the noteworthy changes in this bill are updates to the requirements previously outlined in Article II Trees and Shrubs, of Chapter 8 Offenses-Miscellaneous. The addition and creation of a Tree Board, which the Park Board will assume the additional duties of this Board, and also the development of a comprehensive tree plan, types and location of trees permitted in public places, along with the requirement for replacement of trees removed.

RECOMMENDATION

City Staff recommends recession of Article II Trees and Shrubs, of Chapter 8 Offenses-Miscellaneous; and establishes a new Article V Trees in Chapter 9 Streets, Sidewalks and Other Public Property.

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AN ORDINANCE RESCINDING ARTICLE II, TREES & SHRUBS, OF CHAPTER 8 OFFENSES- MISCELLANEOUS AND ESTABLISHING A NEW ARTICLE V, TREES, IN CHAPTER 9, STREETS, SIDEWALKS AND OTHER PUBLIC PROPERTY

WHEREAS, the City of Cameron Tree Board/Park Board and the Cameron City Council have determined that it is in the best interest of the health, safety, and general welfare of the citizens to enact a new tree ordinance which provides for the regulation of the planting, protection, maintenance, and removal of trees, shrubs, and other plants within the City of Cameron; and

WHEREAS, Chapter 8, Article II, Sections 8-76 through 8-125 of the City of Cameron Code shall be repealed; and

WHEREAS, a new tree ordinance is hereby enacted as set forth in the attached Exhibit "A" and shall be codified in Chapter 9, Article V, Sections 250 through 300 of the City of Cameron Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMERON, MISSOURI AS FOLLOWS:

Section 1. Article II, Trees and Shrubs, of Chapter 8, Offenses-Miscellaneous is hereby repealed. Article II and its associated Sections shall be renamed as follows:

Article II. Reserved.

Sec. 8-76 – 8-125. Reserved.

Section 2. All Ordinances or parts of ordinances therefore enacted which are in conflict with this Ordinance are hereby repealed.

Section 3. The Mayor is hereby authorized to sign this Ordinance approving it on behalf of the City of Cameron, Missouri.

Section 4. The City Manager is hereby authorized to sign any ancillary documents as necessary.

Section 5. The City Clerk is directed to attest to the Mayor's signature.

Section 6. This ordinance shall be in full force and effect from and after the date of its passage and approval.

SECOND & FINAL

Passed and approved on 1st reading this 2nd day of December 2019.

Passed and approved on 2nd and final reading this 16th day of December 2019.

_____
Mayor Darlene Breckenridge

ATTEST:

_____
City Clerk

SECOND & FINAL