

INTRODUCED: September 28, 2009

AN ORDINANCE No. 2009-**174**

To amend and reordain ch. 26 of the City Code by adding therein a new art. XIII, div. 1, consisting of a new § 26-650, for the purpose of establishing an Urban Forestry Commission.

Patron – Mr. Hilbert

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: **OCT 26 2009** AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That Chapter 26 of the Code of the City of Richmond (2004) be and is hereby amended and reordained by adding therein a new Article XIII, consisting of a new Division 1 consisting of a new section numbered 26-650, as follows:

ARTICLE XIII.

MAINTENANCE AND REMOVAL OF TREES ON CITY-OWNED PROPERTY

DIVISION 1.

URBAN FORESTRY COMMISSION

Sec. 26-650. Urban Forestry Commission.

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

(a) *Established.* There is hereby created and established an Urban Forestry Commission for the purpose of improving the City's urban forestry resources through policy development, advice, education and fundraising.

(b) *Composition; terms of office.* The Commission shall consist of two non-voting members and nine voting members. The two non-voting members shall be the Director of Public Works and the Director of Community Development, or their designees. Of the nine voting members, three members shall be appointed by the Mayor and six members shall be appointed by the City Council. The members of the Commission shall represent a range of expertise necessary to fulfill the purpose and duties of the Commission. One member shall be a certified arborist, and one member shall be a registered certified landscape architect. Except for the certified arborist, all voting members shall be residents of the city. No voting member shall be an officer or employee of the City, and no member shall hold any contract with the City, or subcontract thereof, to provide goods or services relating to City-owned trees. The members of the Commission shall serve for terms of three years, except for the initial nine voting members, of whom three shall be appointed to one-year terms, three shall be appointed to two-year terms, and three shall be appointed to three-year terms, to facilitate the staggering of member terms. However, upon the expiration of a term of office, the member holding that office may continue to serve until a successor is appointed and qualified. Any vacancy shall be filled for the unexpired term in the same manner as provided in this subsection. Members may be reappointed after three years from the last date on which they were members. All other aspects of the Commission and its membership not addressed in this division shall be governed by Chapter 2, Article V, Division 1 of this Code.

(c) *Responsibilities and duties.* The Commission shall fulfill the following responsibilities and duties:

(1) Advise the Director of Public Works regarding rules, regulations and policies promulgated under the City's Municipal Tree Policy and any revisions thereof.

(2) Recommend to the Council any legislation, plans, policies and programs complementary to the intent and purpose of the City's Municipal Tree Policy.

(3) Facilitate the development and adoption of a tree maintenance and management plan for City-owned trees.

(4) Assist with public relations and education programs to increase public understanding of urban forestry issues, including programs developed by the Department of Public Works, the Tree Stewards, the Friends of Urban Forestry and civic associations.

(5) Work with interested private organizations to raise money for projects involving City-owned trees and programs developed by the Department of Public Works.

(6) Prepare and submit an annual report to the Council and make presentations on an annual basis and as requested by the Council.

(7) Ensure the continuation of the Commission's purpose by annually providing a list of qualified candidates for expiring terms, if any, for consideration by the Mayor and the Council by May 30 of each year.

(8) Develop and assist with the adoption of a more comprehensive Municipal Tree Policy and present progress reports on its efforts in this regard to the Council's Land Use, Housing and Transportation Standing Committee upon the Committee's request.

(d) *Rules of procedure.* The Commission may adopt rules of procedure or by-laws not inconsistent with this division to govern the conduct of its meetings and operations. The

Commission may elect a chairman and such other officers in accordance with the Commission's rules of procedure or by-laws.

(e) *Committees of the Commission.* Only members of the Commission shall be permitted to serve as members of any committee of the Commission.

(f) *Meetings.* The Urban Forestry Commission shall hold regular monthly meetings and other meetings as needed.

(g) *Administrative support.* The Department of Community Development shall provide staff support and an employee to serve as secretary to the Commission.

§ 2. This ordinance shall be in force and effect upon adoption.



Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

Daisy E. Weaver
Council Chief of Staff

Ordinance Request

TO Norman Sales, Richmond City Attorney

THROUGH Daisy E. Weaver, Council Chief of Staff *D.E.W.*

FROM Steven Taylor, Council Policy Analyst *S.T.*
Office of the Council Chief of Staff

COPY Chris Hilbert, Councilmember

DATE September 23, 2009

PAGE/s 1 of 2

TITLE Establish and Urban Forestry Commission

RECEIVED
SEP 23 2009

OFFICE OF CITY ATTORNEY

This is a request for the drafting of an **Ordinance** **Resolution**

REQUESTING COUNCILMEMBER/PATRON

SUGGESTED STANDING COMMITTEE

Chris Hilbert

LUHT Standing Committee

ORDINANCE/RESOLUTION SUMMARY

Establishment of a Urban Forestry Commission to provide advice to the City government, public education about urban forestry, and fundraising.

The Commission shall consist of two non-voting members and nine voting members. The two non-voting members shall be the Director of Public Works and the Director of Community Development, or their designees. Of the nine voting members, three members shall be appointed by the Mayor and six members shall be appointed by the City Council. The members of the Commission shall represent a range of expertise necessary to fulfill the purpose and duties of the Commission. One member shall be a certified arborist, and one member shall be a registered certified landscape architect (the certified arborist need not reside in the City). No voting member shall be an officer or employee of the City, and no member shall hold any contract with the City, or subcontract thereof, to provide goods or services relating to City-owned trees. The members of the Commission shall serve for terms of three years, except for the initial nine voting members, of whom three shall be appointed to one-year terms, three shall be appointed to two-year terms, and three shall be appointed to three-year terms, to facilitate the staggering of member terms. However, upon the expiration of a term of office, the member holding that office may continue to serve until a successor is appointed and qualified. Any vacancy shall be filled in the same manner as provided in this

subsection. Members may be reappointed after three years from the last date on which they were members.

The Commission shall fulfill the following responsibilities and duties:

- (1) Advise the Director regarding rules, regulations and policies promulgated under the City's Municipal Tree Policy and any revisions thereof.
- (2) Recommend to the Council any legislation, plans, policies and programs complementary to the intent and purpose of the City's Municipal Tree Policy.
- (3) Facilitate the development and adoption of a tree maintenance and management plan for City-owned trees.
- (4) Assist with public relations and education programs to increase public understanding of urban forestry issues, including programs developed by the Division, the Tree Stewards, the Friends of Urban Forestry and civic associations.
- (5) Work with interested private organizations to raise money for projects involving City-owned trees and Division programs.
- (6) Prepare and submit an annual report to the Council and make presentations on an annual basis and as requested by the Council.
- (7) Ensure the continuation of the Commission's purpose by annually providing a list of qualified candidates for expiring terms, if any, for consideration by the Mayor and the Council by May 30 of each year.
- (8) Develop and assist with the adoption of a more comprehensive Municipal Tree Policy and present progress reports on its efforts in this regard to the Land Use, Housing and Transportation Standing Committee upon the Committee's request.

The Commission may adopt rules of procedure or by-laws not inconsistent with this division to govern the conduct of its meetings and operations. The Commission may elect a chairman and such other officers in accordance with the Commission's rules of procedure or by-laws. Only members of the Commission shall be permitted to serve as members of any committee of the Commission. The Urban Forestry Commission shall hold regular monthly meetings and other meetings as needed. The Department of Community Development shall provide staff support and an employee to serve as secretary to the Commission.

BACKGROUND

Ordinance requested assist the City in improving, maintaining the City's Urban Forestry and implement/revise urban tree commission.

FISCAL IMPACT STATEMENT

| | | |
|--|------------------------------|--|
| Fiscal Impact | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Budget Amendment Required | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Estimated Cost or Revenue Impact | \$ 0 | |
| Fiscal Summary: N/A. Staffing needs of the City Boards and Commissions is usually provided by existing City Staff. | | |

Attachment/s Yes No

Richmond City Council Ordinance/Resolution Request Form/updated 12.22.08/srs