

ARTICLE XIX  
**Urban Forestry Commission**

**Section 120.1040. City Forester and Urban Forestry Commission – Appointment, Authority and Supervision. [R.O. 2011 §12.08.030; Ord. No. 6670 §1 (part), 2006]**

A. *City Forester.*

1. Duties include, but are not limited to, the following:
  - a. *Implement this Chapter.* The City Forester is authorized to adopt and promulgate rules and regulations necessary to interpret and implement the provisions of this Chapter to secure the intent thereof and to promote the public health, safety and general welfare.
  - b. *Authorize permits and supervise permitted work.* The City Forester shall be authorized to issue and administer permits and supervise permitted work in accordance with this Chapter.
  - c. *Implement the community forestry plan.* It shall be the responsibility of the City Forester to study, investigate, develop and annually prepare an update of the community forestry plan for the care, replacement, maintenance, and removal or disposition of City trees and shrubs. Said update shall be presented to the Urban Forestry Commission for adoption and forwarded to Council for approval.
  - d. *Member of the Urban Forestry Commission.* The City Forester shall also be an ex officio non-voting member of the Urban Forestry Commission.

B. *Urban Forestry Commission.*

1. *Creation of Commission.* There is hereby established an Urban Forestry Commission. The Commission shall consist of the City Forester, and seven (7) members who shall be appointed by the City Council and who shall be and have been residents of the City for at least two (2) years immediately prior to their appointment. The terms of such members shall be staggered. Two (2) shall be designated to serve for a term of one (1) year, three (3) shall be designated to serve for a term of two (2) years, and two (2) shall be designated to serve for a term of three (3) years from the date of such initial appointment. Members subsequently appointed by the City

Council shall serve for a term of three (3) years. Such members shall receive no compensation for their services as such. The City Council shall appoint a Councilmember as an ex officio member of the Commission to act as liaison between Council and the Commission. The City Council may remove any member of the Commission for the misconduct or neglect of duty. Vacancies on the Commission occasioned by removal, resignation or for any other cause shall be filled for the remainder of the term in like manner as in the case of original appointment.

2. *Election of officers.* The Urban Forestry Commission shall, as soon as practical after original appointment of its members, meet and elect a President and such other officers as it may deem necessary. Thereafter, elections of officers shall be had annually in the month of January.
3. *Adoption of rules and regulations.* The Commission shall make and adopt such rules and regulations for its guidance and proceedings as may be expedient and necessary for the carrying out of its duties, and not inconsistent with the Charter, the provisions of this Code or other ordinances of the City.
4. *Performance of duties.* The Urban Forestry Commission shall upon advice and input from the City Council, City Forester, Director of Public Works and Parks, and the Director of Planning adopt and annually update a community forestry plan, and shall perform such other duties as may be provided by this Code or by other ordinance. Such plan shall, upon approval of City Council, constitute the official comprehensive community forestry plan for the City.
5. *Quorum for transaction of business.* A majority of the Commission members shall constitute a quorum for the transaction of business.
6. *Annual and regular meetings.* The annual meeting of the Commission shall be held in January for the purpose of electing a President and such other officers, and for the transaction of such other business as may come before the Commission. The Commission may fix the time and place for holding of additional regular meetings with notice of such meetings to be delivered or mailed to all Commission members. The Commission shall hold a minimum of six (6) regular meetings per calendar year. Additionally, the

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Commission shall meet within thirty (30) days of notice to act upon any appeal.

7. *Special meetings.* Special meetings of the Commission may be called or at the request of the President, or two (2) Commission members.
8. *Appeals.* Any person directly affected by an order, decision or determination of the City Forester shall have the right to appeal to the Urban Forestry Commission. All appeals shall be filed within ten (10) days after the order, decision or determination is rendered by the City Forester; provided however, that appeals of special assessments pursuant to Section 505.180(F) shall be filed within thirty (30) days after notice of the special assessment is mailed to the property owner. All appeals shall be in writing and filed with the Director of Parks, Recreation and Forestry and City Manager for placement on the Commission's agenda. An appeal shall be based on a claim that the true intent of this Chapter or the regulations or rules adopted thereunder have been incorrectly interpreted or applied, and shall specify the reasons. The Commission may reverse, affirm or modify the order, decision or determination of the City Forester. The Commission shall render its decision by majority vote after an appeal hearing.