

**VILLAGE OF MARIEMONT
ORDINANCE NO. O-20-21**

**ORDINANCE TO AMEND O-9-21 ESTABLISHING A TREE ADVISORY BOARD
IN THE VILLAGE OF MARIEMONT AND CREATING NEW SECTION 37.06 OF THE MARIEMONT CODE OF
ORDINANCES; AND TO DECLARE EMERGENCY**

WHEREAS, the Village of Mariemont has had a somewhat informal Tree Advisory Board to assist the Village in an advisory capacity to the Mayor and Council; and

WHEREAS, the Rules and Law Committee believes it is in the best interest of the Village to establish a Tree Advisory Board to provide guidance as to how the Tree Advisory Board should work; and

WHEREAS, Council believes it is in the best interest of the Village of Mariemont to create a new Section 37.06 establishing a Tree Advisory Board.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
VILLAGE OF MARIEMONT, OHIO A MAJORITY OF THE MEMBERS
DULY ELECTED THERETO CONCURRING:**

SECTION I. A new Section 37.06 shall be created establishing a Tree Advisory Board as follows:

§ 37.06 TREE ADVISORY BOARD

- (a) **Membership.** There is hereby created and established a Village Tree Advisory Board which shall consist of five (5) voting and a maximum of nine (9) non-voting members that are recommended by the Mayor and approved by Village Council.
- (b) **Term of office / Compensation.**
- (i) The term of the five-person to nine-person Village of Mariemont Tree Advisory Board shall be two staggered terms. In the first year of the Tree Advisory Board, at least one-half of the Board will be appointed for a one-year term. The other members shall be appointed for a two-year term. If a vacancy shall occur during the term of any member, a successor shall be recommended by the Mayor and approved by Council.
 - (ii) Members of the board shall serve without compensation.
- (c) **Officers.** The Board shall annually select one of the members to serve as Chair, may appoint a second member to serve as Vice-Chair, and appoint a third member to serve as Secretary.
- (d) **Meetings.** The Board shall meet a minimum of six times each year. All meetings shall be open to the public. The Board chair may schedule additional meetings as needed. Minutes of all meetings shall be made available to the Mayor and all members of Village Council.
- (e) **Powers and Duties.** The Board shall act in an advisory capacity to the Mayor and shall:
- Assist in the development of a "Street Tree" Master Plan that:
 - Updates the schedule of recommended "Street Trees" for planting with adequate consideration given to the Nolen and Christie plans, and develop a list of prohibited species.
 - Provides an inventory and assessment of existing "Street Trees."
 - Assist in the development of a near-term plan (1 to 5 years) for the planting, pruning and/or removal of "Street Trees."

- Monitor Village spending on “Street Trees” and make recommendations for changes in annual spending levels as appropriate.
 - Assist Village obtaining grants or contributions for “Street Trees.”
 - Assist in the coordination and promotion of Arbor Day activities.
 - Review contractual agreements for “Street Trees” with the Village Maintenance Department and make recommendations for changes to Mayor, as needed.
 - Support public awareness and education programs relating to trees.
 - Review and address concerns, safety issues and other issues relating to “Street Trees” Safety issues requiring immediate attention may still be addressed by the Village Maintenance Department without review by the Board.
 - Assist Village Council in developing changes to sections of the Mariemont Code of Ordinances relating to “Street Trees.”
 - Development and maintenance of bylaws regarding the operation of the Board.
 - Assist with the annual application to renew the Tree City USA designation.
 - Other duties that may be assigned by Village Council.
- (f) **Education.** Members of the Board that lack specific relevant education or training in the management of Urban Trees will be expected to participate in some form of relevant formal education or training during their term on the Board.
- (g) **Operation of Board:** The Village Tree Advisory Board shall choose its own officers, make its own rules and regulations, and keep minutes of its proceedings. A majority for the members shall be a quorum for the transaction of its business.
- (h) **Interference with Board Prohibited.** It shall be unlawful for any person to prevent, delay, or interfere with the Village Tree Advisory Board, or any of its agents, while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any street trees, park trees, or trees on private grounds, as authorized in this chapter.
- (i) **Review by Village Council.** The Village Council shall have the right to review the conduct, acts, and decisions of the Village Tree Advisory Board. Any person may appeal from any ruling or order of the Board to the Village Council who may hear the matter and make a final decision.

SECTION II. That this Ordinance is hereby declared to be an emergency for the immediate preservation of the public peace, health and safety and should go into immediate effect upon passage. The reason for said emergency is to correct Section I (a) to include the words “voting” and “non-voting”.

Passed: March 22, 2021

William A. Brown, Mayor

ATTEST:

Anthony J. Borgerding, Fiscal Officer

I, Anthony J. Borgerding, Fiscal Officer of the Village of Mariemont, Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing Ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the Council, as follows: the Concourse, Miami Bluff and Flintpoint Way; the Tennis Court property, on the east side of Plainville Road between Maple and Chestnut Streets; the site of the Municipal Building. Wooster Pike and Crystal Springs Road; the northeast corner of the intersection of Rembold and Miami Road inside the enclosure; the northwest corner of the Old Town Center, intersection of Chestnut and Oak Streets; each for a period of fifteen days commencing on the 9^{23rd} day of March 2021.

Anthony J. Borgerding, Fiscal Officer