

ORDINANCE NO. 05-02

AN ORDINANCE AMENDING CHAPTER 2.21, ENTITLED "TREE BOARD," OF THE MUNICIPAL CODE OF NORTH LIBERTY BY REPEALING CHAPTER 2.21 AND ADOPTING IN LIEU THEREOF A NEW CHAPTER 2.21, TO BE ENTITLED "TREE AND STORM WATER ADVISORY BOARD," AND TO ADD STORM WATER ADVISORY DUTIES TO THE RESPONSIBILITIES OF THE BOARD.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LIBERTY, IOWA:

SECTION 1. The purpose of this Ordinance is to add storm water advisory duties to the duties of the Tree Board and to change the name of the board to Tree and Storm Water Advisory Board. Chapter 2.21 will hereby read as follows:

Chapter 2.21

TREE AND STORM WATER ADVISORY BOARD

Sections:

- 2.21.010 Purpose
- 2.21.020 Board Established
- 2.21.030 Members – Appointments and Terms.
- 2.21.040 Duties
- 2.21.050 Compensation
- 2.21.060 Election of Officers
- 2.21.070 Meetings
- 2.21.080 Annual Report

2.21.010 Purpose. The purpose of this chapter is to establish a tree and storm water advisory board and to authorize the board to study, investigate, plan, advise, report and recommend any action, program, purchase, plan or legislation which the board finds or determines necessary or advisable for:

- A. The care, preservation, pruning, planting, replanting, removal or disposition of trees, plants, foliage or other landscaping in public parks, along streets, and in other public areas.
- B. The establishment of public education and outreach program about the impacts of storm water discharges and measures which residents can implement to reduce pollutants in storm water runoff.

2.21.020 Established. There is a tree and storm water advisory board for the city.

2.21.030 Members – Appointments and Terms. The tree and storm water advisory board shall consist of five members who are citizens and residents of the city, appointed by the city council. In addition, the board may, for good cause shown, appoint ex-officio members to the board. Ex-officio board members shall not be entitled to vote on any matter before the board.

The five members appointed to the board shall be appointed for staggered terms with no more than two members have their appointment terms end in a single year. All appointments shall be for three year terms. In the event of death or resignation or other vacancy of any member, a successor shall be appointed to fill the unexpired term for which such former member was originally appointed.

2.21.040 Duties. The board shall have and exercise the following powers and duties:

- A. Advise the city Parks Director and other city officials in the development of plans relating to, or in matters regarding the care, preservation, pruning, planting, replanting, removal or disposition of trees, shrubs, or other foliage in city parks, along streets, and in other public areas.
- B. Develop standards for tree maintenance and other specifications to foster the city's tree population.
- C. Assist in distributing and disseminating information about the protection, maintenance and improvement of the city's tree population.
- D. Provide technical advice and assistance to developers, builders, contractors and others in the selection and protection of trees during the development of property within the city, including the development of wooded areas.
- E. Develop and implement a public education program and make recommendations to the residents and city officials regarding the impacts of storm water discharges and measures that residents and city officials can implement to reduce pollutants in storm water runoff, as set forth in the North Liberty Municipal Separate Storm Sewer System Permit.
- F. Sponsor an annual creek cleanup program in which debris in the waterways located in the city shall be removed.
- G. Promote integration of the city's tree and storm water programs with other governmental agencies and commissions, including but not limited to the school districts, Johnson County, and other surrounding municipalities.
- H. When requested by the city council, make a study and report findings and recommendations on any special question coming within the scope of the boards work.
- I. Propose such legislation to the city council as may be necessary and practical to pursue the ends for which the board was created.
- J. Monitor and initiate action regarding the enforcement of applicable ordinances.
- K. Review and update annually the North Liberty Tree ordinance and Tree and Storm Water Advisory Board Ordinance and submit recommendations to the city council for approval.

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2.21.050 Compensation. Members of the board, including ex-officio members, shall serve without compensation.

2.21.060 Election of Officers. The board shall elect from its own membership at its regular January meeting its chairperson, vice-chair, and secretary, each to serve a term of one year.

2.21.070 Meetings.

- A. The board shall hold at least one regular meeting during each calendar month, the time and place to be determined by its rules.

- B. The chairperson, vice-chair or any three members of the board may call a special meeting in accordance with the open meeting laws of the State of Iowa. The call for special meetings shall include an agenda and only matters included in that agenda may be discussed at the meeting.
- C. A quorum of the board shall consist of three members and the chairperson shall vote as a member of the board. Passage of any recommendation or other measure requires an affirmative vote of not less than three board members.
- D. The board may adopt, amend, or rescind such rules as it may deem necessary for the conducting of business and to carry out its duties and purpose.
- E. The board shall submit approved minutes of any meeting to the city clerk.

2.21.080 Annual Report ~~The report for the NPDES permit and the report of the Building and Grounds Superintendent shall be reviewed by the Tree and Storm Water Advisory Board annually.~~ The Building and Grounds report shall contain statements of the condition of the board, the number of trees and plants purchased and planted, the amount of money collected and the amount of money expended in the purchase and planting of trees, shrubs, foliage and other plants and other related expenditures, and grants received, together with such further information as may be required by the city council.

Deleted: The board shall review the NPDES permit and the report of the Building and Grounds Superintendent annually.

SECTION 3. REPEALER. All Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. SEVERABILITY. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be in effect after its final passage, approval and publication as required by law.

PASSED AND APPROVED this 8th day of February, 2005.

CITY OF NORTH LIBERTY, IOWA

By: Clair Mekota, Mayor

ATTEST: Mary K. Mitchell, City Clerk