



Legislation Text

File #: ORD-05:181, Version: 1

AN ORDINANCE TO CREATE THE JONESBORO URBAN FORESTRY COUNCIL AND SET OBJECTIVES FOR THE MAINTENANCE OF JONESBORO'S PUBLIC TREES (**NOTE: THIS ORDINANCE WAS AMENDED BY ORD-06:154 ON FEBRUARY 21, 2006; ORD-06:109 ON AUGUST 15, 2006**)

WHEREAS, it is the purpose of this ordinance to preserve and enhance the natural beauty of Jonesboro, to protect the health and safety of the residents of Jonesboro, and to protect the environment by providing the development of a Community Forest Management Plan for regulation of the planting, maintenance, removal and protection of trees on public property within the City of Jonesboro. Objectives that will fulfill this purpose are as follows:

- To create a desirable environment for Jonesboro residents and improve their quality of life;
- To moderate effects of sun, wind, and temperature changes;
- To reduce noise, glare, and visual pollution;
- To filter pollutants and airborne particulate matter from the air and generate oxygen;
- To decrease storm water runoff, flooding, and silt accumulation;
- To stabilize soil and prevent erosion;
- To provide habitat for wildlife;
- To increase property values and protect investment;
- To preserve desirable trees;
- To help preserve river and stream banks;
- To screen incompatible land uses;
- To encourage public education about trees and their value to the community;
- To promote the maintenance of trees based upon the American National Standards Institute practices;
- To promote energy conservation;
- To increase tree canopy cover within the City of Jonesboro.

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of Jonesboro, Arkansas:

SECTION 1: The City of Jonesboro has determined that a definite plan for the care, preservation, and disposition of the trees on public property is necessary; and that there is hereby established the Jonesboro Urban Forestry Council in order to carry out these objectives for the preservation of the public health, safety, and welfare.

SECTION 2: The following terms shall be defined for the purposes of this ordinance:

(A) Public Property. Areas owned, leased, or occupied by the City of Jonesboro.

(B) Tree. Any self-supporting woody perennial plant, usually having a main trunk(s) and many branches, and, at maturity, normally attaining a trunk diameter greater than six inches at breast height and height of over ten feet.

(C) Public Tree. Any tree as defined in subsection (b) growing on public property as defined in subsection (a).

SECTION 3: In order to develop a Community Forest Management Plan, the Jonesboro Urban Forestry Council (JUFC) will be established for the City of Jonesboro, Arkansas.

The JUFC shall consist of nine members, all citizens and residents of this city, who shall be appointed by the Mayor with the approval of the City Council. At least two members shall be members of the Jonesboro Regional Chamber of Commerce, at least one member shall be a business owner in the City of Jonesboro and at least one member shall be an employee of City Water and Light appointed by City Water and Light management. At least one member shall be a nurseryman, professional horticulturalist or landscape architect. No less than two City of Jonesboro employees shall serve on the JUFC. A member of the Arkansas Forestry Commission shall serve as a non-voting, ex-officio member of the JUFC, and one member shall be a citizen at large. Members of the JUFC shall serve without compensation.

The JUFC, when requested by the City Council, shall make reports and recommendations upon any special matter within the scope of its duties and responsibilities.

The JUFC, as it deems necessary for guidance, shall choose its own officers, establish its own rules and by-laws, and keep a record of its proceedings. A majority of the members shall be a quorum for the transaction of business.

The term of the persons to be appointed by the Mayor shall be three years with staggered terms. In the event that a vacancy shall occur during the term of any member, his or her successor shall be appointed for the unexpired portion of the term.

The JUFC shall assist the community and its officials in disseminating information about the protection, maintenance, and improvement of the City of Jonesboro's tree population.

The JUFC shall propose such legislation as may be necessary and practicable to pursue the ends for which the JUFC was created.

The JUFC shall develop tree-planting programs in conjunction with other public agencies, private agencies and with City Council approval.

The JUFC shall educate the public concerning tree maintenance and the benefits of trees.

The JUFC shall provide technical advice and assistance to developers, builders, contractors, etc. upon request in the selection and protection of naturally occurring trees, during the development of wooded areas.

The JUFC shall communicate with such professional and technical services as it may see fit, within the scope of this ordinance.

SECTION 4: In order to maintain trees on public property:

(1) Trees planted on public property shall become City of Jonesboro property.

(2) The City of Jonesboro and City Water and Light shall have the authority to prune, maintain and remove trees, plants and shrubs within the rights of way of all streets, alleys, avenues, lanes, squares and public grounds

as may be necessary to insure public safety or preserve or enhance the symmetry and beauty of such public grounds. The City of Jonesboro and City Water and Light shall follow American National Standards Institute pruning standards.

(3) The City of Jonesboro and City Water and Light may remove or cause or order to be removed, any public tree or part thereof which is in an unsafe condition of which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, phone lines, cable lines, underground drainage (piped or open) or other public improvements, or is affected with any injurious fungus, insect or other pest.

(4) Under disaster or emergency circumstances, the City of Jonesboro and City Water and Light may remove or prune any trees severely damaged by storms or other natural causes.

(5) By reasons of its nature and practicality, the City of Jonesboro and City Water and Light shall have the authority to prune, maintain, and remove trees, plants, and shrubs as necessary during any season or time of year.

(6) All supervisory personnel of City of Jonesboro and City Water and Light employees who may prune trees in a non-emergency situation shall participate in an educational course on basic tree science and proper techniques of pruning.

SECTION 5: The provisions of this ordinance are hereby declared to be separable and if any section, phrase, or provision shall be declared or held illegal, or invalid, such invalidity shall not affect the remainder of the sections, phrases, or provisions.

PASSED AND ADOPTED this 18th Day of October, 2005.