

**ORDINANCE NO. 1231**

**AN ORDINANCE OF THE DRAPER CITY COUNCIL AMENDING SECTION 3-1-230 OF THE DRAPER CITY MUNICIPAL CODE REGARDING THE TREE COMMISSION**

**WHEREAS** on February 16, 1999, Draper City established the Draper Tree Commission whose purpose to act as an advisory board to the City Council and other City departments on matters relating to tree culture including the establishment, maintenance and upkeep of all trees, shrubs and other plant life located on City property;

**WHEREAS** the current membership language in Section 3-1-230(B)(1) allows up to 11 members;

**WHEREAS** the City Council desires to reduce the number of members of the Tree Commission to nine;

**WHEREAS** the City Council desires to clarify the duties and responsibilities of the Tree Commission as advisory and to include recommending standards and specifications for site plans; and

**WHEREAS** Section 3-1-230(C)(3) clarifies that the Tree Commission is subject to the Open and Public meetings Act.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:**

**Section 1.** Section 3-1-230 of the Draper City Municipal Code is hereby amended to read as shown in Exhibit "A" attached hereto and incorporated herein by reference.

**Section 2. Severability.** If any section, part, or provision of this Ordinance is held invalid, or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts, and provisions of this Ordinance shall be severable.

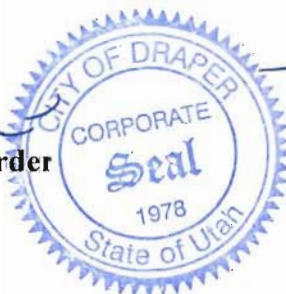
**Section 3. Effective Date.** This Ordinance shall become effective immediately upon publication or posting, or 30 days after final passage, whichever is closer to the date of final passage.

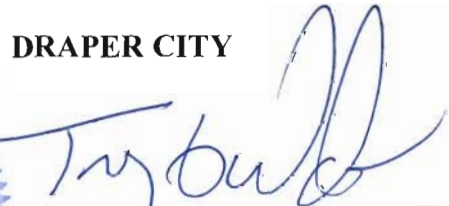
**PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THIS 4<sup>th</sup> DAY OF OCTOBER, 2016.**

**ATTEST:**

**DRAPER CITY**

  
Rachelle Conner, City Recorder



  
Mayor Troy K. Walker

## EXHIBIT A

### COMPLETE PROPOSED TEXT AMENDMENT

#### Section 3-1-230 Draper City Tree Commission

(a) Creation. There is hereby created the Draper City Tree Commission to act as an advisory board to the City Council and other City departments on ~~all~~ matters relating to tree culture including the establishment, maintenance and upkeep of all trees, shrubs and other plant life located on City property.

(b) Members.

(1) Number. The Commission shall be comprised of ~~up to 11~~ 9 members who shall be appointed by the Mayor with the advice and consent of the City Council. To the extent available in the community, members should have a variety of experience with specialized knowledge relating to forestry, landscaping, fund raising, or administration sufficient to contribute in an advisory capacity to the City regarding matters of policy and practice relating to trees, shrubs and other plant life located on City property.

(2) Term. Commission members shall be appointed to terms of four years. In order to provide for the proper staggering of terms so that all appointments do not expire at the same time and to provide appropriate opportunities for involvement by a variety of interested persons, two initial membership positions shall be for a term of two years, one initial membership position shall be for a term of three years and two initial membership positions shall be for a term of four years. Members may be appointed to successive terms as deemed appropriate by the Mayor and City Council. All members shall serve at the pleasure of the City and may be removed from ~~office~~ the Commission with or without cause by a majority vote of the City Council.

(3) Advisor. The City Manager shall designate a member of the City staff to serve as an advisor to the Commission. The designated staff member shall serve only to advise and act as a liaison to the City Administration and shall have no power to vote on matters coming before the Commission.

(c) Organization and Procedure.

(1) Chairperson. The Mayor shall appoint a member of the Commission to serve as Chair to oversee the proceedings and activities of the Commission. ~~The Commission may elect other officers as it deems necessary.~~

(2) Rules. The Commission shall abide by the requirements of Title 19, Ethics, shall sign a conflict of interest disclosure agreement, and shall disclose any conflict of interest per the requirements of Title 19, Chapter 2. The Commission may propose reasonable bylaws, rules and regulations in accordance with this section to regulate the conduct of its meetings in accordance with established City Policies and Procedures, which bylaws, rules and regulations must be approved and adopted by resolution of the City Council before becoming effective.

(3) Meetings. The Commission may hold meetings monthly. Meetings of the Commission may be called by the chairperson, a majority of the members of the Commission, the mayor, or the

city manager. Meetings shall be conducted in accordance with properly approved rules and regulations of the Commission.

(4) Open Meetings: Meetings of the commission shall be conducted in accordance with the Utah Open and Public Meetings Act, including public notification of meeting place, time, and agenda items. The commission shall keep a public record of its proceedings, and all minutes of the meetings and decisions of the commission shall be filed in the office of the city recorder as public records.~~The Commission may hold meetings at such times as the Commission determines are necessary and as properly called with notices duly provided to each Commission member and as required by law.~~

(d) Duties. The duties of the ~~Tree~~ Commission are advisory only. The Commission may recommend ~~and shall extend to all~~ policies of tree culture related to trees and shrubs ~~now~~ currently planted and growing or hereafter to be planted and grown upon any and all City-owned properties and places in the City. The Commission duties ~~and~~ shall include the following ~~duties~~ as well as any other which may be assigned to it from time to time by the City Council:

(1) recommend goals and policies to the Planning Commission regarding tree culture ~~prepare a draft Master Tree Plan for submission to the Planning Commission for addition to~~ for the General Plan in the manner prescribed by State law and City ordinance. The Plan ~~shall~~ may include an inventory of existing trees, plans for various public areas such as the entrances to the City, city parks, main transportation corridors and others, policies in regards to the planting of trees for beautification, noise dampening, visual screening, weather protection, erosion control and other factors;

(2) make recommendations to assist the City Council ~~by making recommendations~~ on public relations matters, including but not limited to, programs such as Arbor Day, clean-up days, home beautification contests and other tree-related City activities;

(3) prepare and ~~forward~~ recommend for approval by the City Council, an official Street Tree Guide ~~tree planting list~~ which shall designate which species may be planted in park strips and which trees are recommended for other public places;

(4) make recommendations on arboricultural specifications and standards of practices for all trees and shrubs on City property, and recommend standards and specifications for the work of any person or organization engaged in the business of working on trees within the City;

(5) make recommendations on the ~~use of~~ grounds immediately surrounding the trees and shrubs on public property, as far as it is necessary to assure the proper growth, care and protection of said trees and shrubs;

(6) make recommendations on the care and treatment of trees and shrubbery, including planting, maintenance, pruning, spraying and removal of ~~said~~ trees and shrubs on City property; ~~in conformity with the Master Tree Plan~~;

~~(7) make recommendations on qualifications for persons desiring to become licensed to engage in the business of trimming, pruning, topping, treating or removing trees and shrubs in the City;~~

(87) make recommendations on the identification, marking and preservation of historic or notable trees;

(98) *develop standards and specifications regarding the planting of trees* ~~review landscape and tree plans~~ for new *developments, including site plans and* subdivisions and make recommendations to the Planning Commission and City Council regarding the same; and

(109) develop standards and specifications regarding the planting of trees on public property, including size, location and approved species *and make recommendations* for adoption in the Draper City Municipal Code.

**Affidavit of Posting**

**SALT LAKE/UTAH COUNTY, STATE OF UTAH**

I, the City Recorder of Draper City, by my signature below, certify that copies of **Ordinance No. 1231** for the **City of Draper**, which **Passed and Adopted by the City Council of Draper City, State of Utah on the 4<sup>th</sup> day of October, 2016**, was posted at the following places: Draper City Bulletin Board, Salt Lake County Library, Draper Crescent Senior Citizens Center, within the municipality.

**Posted:** October 17, 2016 through November 5, 2016

City Seal



A handwritten signature in blue ink, appearing to read "Rachelle Conner", is written over a horizontal line. The signature is fluid and cursive.

Rachelle Conner, MMC  
City Recorder  
Draper City, State of Utah