

COMMISSIONERS ORDINANCE NO. O-2019-012

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AMENDING CHAPTER 32 OF THE CODE OF ORDINANCES CONCERNING CITY BOARDS AND COMMISSIONS.

IT IS HEREBY ORDAINED BY THE CITY OF NEWPORT, KENTUCKY:

SECTION I

That Sections 32.150 through 32.162 of the Code of Ordinances is hereby repealed.

~~§ 32.150 ESTABLISHMENT~~

~~—There is hereby established a Board to be known as the Newport Tree Board, hereinafter referred to as “the Board”.~~

~~§ 32.151 POWERS AND DUTIES.~~

~~—(A) The Board shall have the powers, duties and authority granted it by the code of ordinances of the City.~~

~~—(B) The Board shall periodically review the Inventory and Management Plan concerning the condition of all trees and landscape located on all City rights-of-way, easements, property or parks, for recommendation and approval.~~

~~§ 32.152 RULES AND REGULATIONS.~~

~~—(A) The Board shall adopt bylaws for the transaction of business.~~

~~—(B) The Board shall have the authority to adopt all rules and regulations necessary to carry out its action under the provisions of this subchapter.~~

~~—(C) The bylaws and every rule and regulation promulgated by the Board shall be submitted to the Board of Commissioners for approval.~~

~~§ 32.153 COMPOSITION.~~

~~—The Board shall consist of 5 members, who shall be citizens and residents of the City, who shall be appointed by the Mayor subject to approval by the Board of Commissioners. It is recommended that the Board consist of, if possible, at least 1 horticulture professional or landscape professional, and a member from the City Planning and Zoning Commission.~~

~~§ 32.154 TERM.~~

~~—Each members of the Board shall be appointed for a term of 4 years or until the appointment of their successor.~~

~~**§ 32.155 COMPENSATION.**~~

~~—Members of the Board shall serve without compensation.~~

~~**§ 32.156 OATH.**~~

~~—All members of the Board shall, before entering upon their duties, qualify by taking the oath of office prescribed by the Constitution of the Commonwealth of Kentucky.~~

~~**§ 32.157 CONFLICTS OF INTEREST.**~~

~~—All Board members shall be subject to the provisions of the Code of Ethics and Conflicts of Interest section of this code.~~

~~**§ 32.158 OFFICERS.**~~

~~—(A) The Officers of the Board shall consist of a Chairperson as elected by the Board and any other officers it deems necessary. The Board may appoint a Secretary to serve as such.~~

~~—(1) *Chairperson.* The Chairperson shall preside at all meetings of the Board. He or she shall call meetings of the Board when required. The Chairperson shall act as spokesman for the Board and shall have such other duties as are normally conferred on such officer by parliamentary procedure.~~

~~**§ 32.159 FILLING OF VACANCIES.**~~

~~—(A) The appointment of new members, filling of vacancies and the terms of office shall be made by the Mayor subject to approval of the Board of Commissioners.~~

~~—(B) A vacancy in the office of the Chairperson shall be filled by the Board, as needed.~~

~~**§ 32.160 REMOVAL OF MEMBERS.**~~

~~—Any member of the Board may be removed by the Mayor, with the approval of the Board of Commissioners, for inefficiency, neglect of duty, malfeasance or conflict of interest. Any member so removed shall have the right of appeal to the Circuit Court, as provided by law.~~

~~**§ 32.161 MEETINGS.**~~

~~—(A) *Regular meetings.* The Board shall hold regular meetings as it deems necessary for the transaction of its business, based upon a schedule on file in~~

~~the Office of the City Clerk, but there shall be at least 1 meeting quarterly. All meetings of the Board shall be open to the public.~~

~~—(B) *Quorum.* A simple majority of the total membership of the Board shall constitute a quorum.~~

~~§ 32.162 RECORDS.~~

~~—(A) The Board shall keep minutes of its proceedings, including regulations, transactions, findings, and determinations, and the number of votes for and against each question, and if any member is absent or abstains from voting, indicating the fact, all of which shall, upon approval, be filed in the office of the Board.~~

~~—(B) (1) A copy of the minutes of the Board shall be provided if requested by a party, at the expense of the requesting party, and the minutes shall constitute the record.~~

~~—(2) The minutes shall be filed in the Office of the City Clerk and shall be a public record.~~

~~—(C) A transcript of the entire proceedings of the Board meeting shall be provided if requested by a party, at the expense of the requesting party, and the transcript shall constitute the record.]~~

SECTION II

That this Ordinance shall be signed by the Mayor, attested to by the City Clerk, recorded, published and effective upon publication.

PASSED: First reading June 10, 2019

PASSED: Second reading June 11, 2019

Jerry R. Peluso, Mayor

ATTEST:

Amy B. Able, City Clerk

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