

COMMISSIONERS ORDINANCE NO. O-2023-023

**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 CREATING THE TREE BOARD AS A PART
THEREOF**

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

SECTION I

That Sections 32.300 through 32.312 of the Code of Ordinances shall be and are created to read as follows.

TREE BOARD

§ 32.300 ESTABLISHMENT

There is hereby established a Board to be known as the Newport Tree Board, hereinafter referred to as "the Board".

§ 32.301 POWERS AND DUTIES.

(A) The Board shall have the powers, duties and authority granted it by the code of ordinances of the City, in particular with regard to the provisions of Chapter 94 hereof and matters related to awarded grants concerning trees.

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

§ 32.302 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 City Manager for approval.

§ 32.303 COMPOSITION.

The Board shall consist of 5 members, who shall be citizens and residents of the City, who shall be appointed by the Mayor and ratified by the Board of

Commissioners. It is recommended that the Board consist of, if possible, at least 1 horticulture professional, arborist or landscape professional, and a member from the City Planning and Zoning Commission.

§ 32.304 TERM.

Each member of the Board shall be appointed for a term of 4 years or until the appointment of their successor. Three inaugural members shall be appointed to a two-year term and two shall be appointed to a four-year term.

§ 32.305 COMPENSATION.

Each member of the Board shall receive compensation in the sum not to exceed \$ 200 for every regular or special meeting attended.

§ 32.306 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.

§ 32.307 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.

§ 32.308 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.

§ 32.309 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 ratification by the Board of Commissioners.

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

§ 32.310 REMOVAL OF MEMBERS.

All members of the Board shall serve at the pleasure of the Mayor and may be removed at any time with or without cause.

§ 32.311 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.

§ 32.312 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 November 20, 2023

PASSED: Second reading December 11, 2023

Thomas L Guidugli Jr., Mayor

ATTEST:

Tiffany Myers, City Clerk

Not An Official Copy