

COMMISSIONERS ORDINANCE NO. O-2023-024

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE
CITY OF NEWPORT, KENTUCKY AMENDING SECTIONS 94.04
AND 94.07 OF THE CODE OF ORDINANCES REGARDING THE
ADMINISTRATION AND MAINTENANCE OF TREES**

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

SECTION I

That Section 94.04 of the Code of Ordinances shall be and is hereby amended to read as follows.

SECTION 94.04 ADMINISTRATION.

The provisions of this chapter shall be implemented by the Community Services Director, in ~~conjunction~~ consultation with the City Arborist, when necessary, who shall oversee regulation of the planting, removal and management of public trees, shrubs and other vegetation and areas of tree canopy, and shall enforce and administer the provisions hereof. The Director shall work closely with all other City departments, persons or entities to promote and ensure the maximum protection of trees, shrubs and other vegetation and the enhancement of the tree canopy through the ~~implementation~~ and administration of this chapter. The Director shall, in ~~conjunction~~ consultation with the City Arborist and the Tree Board review all policies, procedures and/or administrative regulations relating to public trees, shrubs and other vegetation and areas of tree canopy and make recommendations for any amendments to the City Manager.

SECTION II

That Section 94.07 of the Code of Ordinances shall be and is hereby amended to read as follows.

SECTION 94.07 PROHIBITIONS.

It shall be unlawful to undertake any of the following acts with respect to any tree, shrub or other vegetation covered in this chapter without prior permission of the City Arborist or Director Tree Board. However, in the event of an emergency, the Director may authorize any necessary act set forth herein.

- (A) Cut, prune, break, injure, alter or remove any tree, shrub or other vegetation;
- (B) Cut, unduly disturb or interfere, in any manner, with any root of a tree, shrub or other vegetation;
- (C) Fasten any object, rope, wire, insulator, signage or other device to any tree, shrub or other vegetation, excepting the posting of public notices by the City;
- (D) Install, remove or injure any guard or similar device placed to protect any tree, shrub or other vegetation; and/or
- (E) Close or obstruct any open spaces provided about the base of a tree, shrub or other vegetation so as to prevent the access of air, water and fertilizer to the roots of the same.

SECTION III

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