

**AN ORDINANCE
AMENDING SECTION 544.14 OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF CHAGRIN FALLS
RELATING TO THE ESTABLISHMENT AND POWERS OF
THE SHADE TREE COMMISSION, REPEALING EXISTING
SECTION 544.14 OF THE CODIFIED ORDINANCES, AND
DECLARING AN EMERGENCY.**

WHEREAS, Section 544.14 of the Codified Ordinances establishes the Shade Tree Commission; and

WHEREAS, the Shade Tree Commission is composed of three (3) residents of the Village and one (1) Council person; and

WHEREAS, the Mayor and this Council desire to amend the composition of the Shade Tree Commission to provide for four (4) residents of the Village and one (1) Council person.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:

SECTION 1. That existing Section 544.14, Establishment and Powers of Shade Tree Commission, of the Codified Ordinances of the Village of Chagrin Falls be, and the same is hereby amended to read and provide, in its entirety, as follows:

“544.14 ESTABLISHMENT AND POWERS OF SHADE TREE COMMISSION.

(a) There is hereby created a commission to be known as the “Shade Tree Commission” composed of ~~three~~four residents of the Village, and one Council person. Resident members shall be appointed by the Mayor, and Council shall appoint their representative.

The terms of the ~~three~~ resident members ~~to be appointed of the Commission~~ shall be three years, provided that the term of one of the members appointed to the first Commission shall be for one year and the term of one of the members appointed to the first Commission shall be for two years. In the event that a vacancy occurs during the term of any member, his or her successor shall be appointed for the unexpired portion of the term.

Members of the Commission shall serve without compensation.

(b) The Shade Tree Commission shall have the power to study, investigate, plan, advise, report and recommend to Council and the Mayor any action, program, plan or legislation which the Commission finds or determines to be necessary or advisable for the care, selection, preservation, trimming, planting, replanting, removal or disposition of trees and shrubs in public ways, streets, alleys, highways and other public places; and it shall be the further purpose of the Commission to assist in securing the cooperation of the residents of the Village in a coordinated, planned program of tree protection and planting on public and private property.

The Commission shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business. All plans, findings, advice, reports and recommendations made by the Commission shall be in writing and designate by name those members of the Commission approving or concurring

therein, and members who do not so approve or concur therein shall have the right, as a part of such report, to state their reasons for refusing to approve or concur.

The Commission, when requested by Council, the Mayor or the Chief Administrative Officer, shall consider, investigate, make findings, report and recommend upon any special matter of question coming within the scope of its work.

The Commission shall survey and appraise the condition of all of the trees located on public property in the Village and shall, at least once each year, report to Council its recommendations for the protection, care, preservation, planting and replanting of such trees.”

SECTION 2. That the existing members of the Shade Tree Commission shall maintain their current terms of office, and a new member shall be appointed in January of 2012.

SECTION 3. That existing Section 544.14, Establishment and Powers of Shade Tree Commission, of the Codified Ordinances of the Village of Chagrin Falls, and any other ordinance in conflict herewith, be and the same is hereby repealed.

SECTION 4. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 5. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 6. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of this Village and for the further reason that this Ordinance must be immediately effective so that the Village may provide for the timely appointment of an additional resident to the Shade Tree Commission; wherefore, provided it receives the requisite number of affirmative votes of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage by this Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

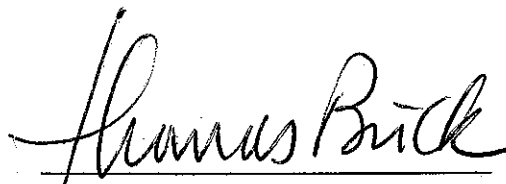
PASSED: November 14, 2011



Council President

Submitted to the Mayor for
his approval on this
15 day of November, 2011

Approved by the Mayor
November 15, 2011

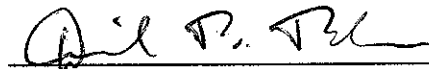


Mayor

ORDINANCE NO.: 2011- 71
INTRODUCED BY: MR. PATTON

#3

I hereby certify that Ordinance No. 2011- 71 was duly enacted on the 14 day of November, 2011, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.



Clerk of Council