

ORDINANCE NO. 02-2023

**AN ORDINANCE AMENDING SECTION 145 OF THE CODIFIED ORDINANCES
THE VILLAGE OF PLAIN CITY TREE COMMISSION**

WHEREAS, the Village of Plain City Council previously adopted Ordinance 22-02 establishing the Village of Plain City Tree Commission; and,

WHEREAS, the Tree Commission was established to gather information for presentation to Council on matters regarding trees located within the right-of-way and public grounds within the Village; and,

WHEREAS, Section 145 of the Village of Plain City Codified Ordinances regulates the Tree Commission; and,

WHEREAS, the Village has determined the need to amend Section 145, in accordance with Exhibit A, which is attached hereto and incorporated herein.

NOW THEREFORE BE IT ORDAINED by the Council of the Village of Plain City, Ohio, a majority of the members elected or appointed thereto concurring, as follows:

Section 1. Council hereby amends Codified Ordinance Section 145, as presented, which said amendment is attached hereto and incorporated herein as Exhibit A; the language being removed is ~~struck~~ and language being added is in red and underlined.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

Section 3. This Ordinance shall be effective from and after the earliest period provided by law.

Passed: February 27, 2023.

Attest: *Austin Davis*
Clerk of Council

Jody Carney
Mayor

First reading: February 13, 2023. Vote: ___ yea ___ nay ___ abstain

Second reading: February 27, 2023. Vote: 6 yea ___ nay ___ abstain

Certificate of Publication

The undersigned, being Clerk of Council of the Village of Plain City, hereby certifies that the foregoing was published by posting for 15 days as required by law and in accordance with Section 4.15 of the Codified Ordinances. The posting was done from February 28, 2023 to March 15, 2023 at the Office of the Clerk of Council located at 800 Village Boulevard; all being in the Village of Plain City, Ohio and the Village of Plain City Website at www.plain-city.com.

Date: February 28, 2023

Austin Erickson
Clerk of Council

EXHIBIT A

CHAPTER 145

Tree Commission

145.01 Established.

145.02 Appointment; terms.

145.03 Authority.

145.01 ESTABLISHED.

The Village of Plain City Tree Commission is hereby established. The Commission shall be composed of three five residents of the Village appointed by Council. The Commission shall serve at the pleasure of Council, and any member or members may be removed at any time, with or without cause, by a majority vote of Council. Members of the Commission shall be volunteers and shall receive no compensation or benefits for such service.

(Ord. 22-02. Passed 11-14-02.)

145.02 APPOINTMENT; TERMS.

Subject to the provisions of Section 145.01, members of the Commission will be appointed for a term of three years. Initial appointments shall be made in such a manner that ~~one-third of the members shall be appointed for a one-year term, one-third of the members for a term of two years and one-third of the members for a term of three years~~ one-fifth of the members shall be appointed for a one-year term, two-fifths of the members for a term of two years, and two-fifths of the members for a term of three years. Thereafter, all appointments shall be for the provided term of three years.

(Ord. 22-02. Passed 11-14-02.)

145.03 AUTHORITY.

The Commission shall have no legislative, executive, administrative or judicial authority, and shall exist to gather information for presentation to Council and the mayor regarding trees located within the public right-of-way and upon public grounds owned by the Village. ~~All projects of the Commission, and any expenditure of public money by it, shall be approved in advance by a motion approved by a majority of Council following a full written presentation of all aspects of the desired activity or expense.~~

(Ord. 22-02. Passed 11-14-02.)