

ORDINANCE 2009 –2

ESTABLISHING A TREE BOARD

WHEREAS, the Town of Poncha Springs has determined that trees have a positive economic effect on the Town by enhancing property values and making the Town a more attractive place to visit and do business; and

WHEREAS, trees have a positive environmental effect on the Town by reducing air pollution, abating noise and glare, mitigating drainage and erosion problems, providing wildlife habitat; and

WHEREAS, trees generally enhance the quality of life for residents of the Town.

WHEREAS, the Board of Trustees of the Town of Poncha Springs, Colorado, has determined that it is appropriate to enact an ordinance setting forth the policy of the Town of Poncha Springs regarding trees;

BE IT THEREFORE ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PONCHA SPRINGS, COLORADO that a Town Tree Policy, is hereby enacted as follows:

Purpose.

It is the purpose of this ordinance to provide generally for the protection of trees within the Town, to ensure proper planting and maintenance of trees in the public right-of-way and in Town parks, and to provide for the abatement of nuisance trees on public private property.

Definitions.

- A. **Park Trees.** Trees, shrubs, bushes, and all other woody vegetation located on private property.
- B. **Private Trees.** Trees, shrubs, bushes, and all other woody vegetation located on private property.
- C. **Public Trees.** Street and park trees.
- D. **Street Trees.** Trees, shrubs, bushes, and all other woody vegetation on land lying within the public right-of-way on either side of all street, avenues, or ways within the Town.

Applicability

This ordinance provides the Tree Board with the ability to assist the Town staff with the planning, acquisition, care and maintenance of all trees, plants and shrubs located within street right-of-ways, parks and public places of the Town, and to assist homeowners with requested guidance on what, how, where and when to plant, how to care for, maintain and remove trees, plants and shrubs located on private property.

Establishment of a Town Tree Board

There is hereby created and established a Tree Board which shall consist of one Board member, one Planning Commissioner, appointed Town staff, and volunteers from the Town of Poncha Springs community. The Board shall rely on Town staff members, the Colorado State Forest Service, and other qualified and interested citizens, known as the Tree Committee; for recommendations, work program preparation, and implementation. The Tree Board is established to benefit the community by providing community forestry education and information necessary for the health, safety, and welfare of the citizens of the Town, and for the beautification of the Town.

Duties and Responsibilities

- A. The Town has the primary responsibility to plant, trim, spray, preserve, remove and replace park and street trees as may be necessary to ensure safety or to preserve the symmetry and beauty of such public grounds.
- B. The Town may remove or cause to be removed any Public trees, Street Trees and Park trees or part thereof which constitutes a hazard to life and property, is injurious to sewers, electric power lines, gas lines, water lines or other public improvements, or harbors insects or disease which constitute a potential threat to other trees within the Town. If a private tree is determined to be a safety hazard, the Town shall notify the owner of such tree(s) in writing.
- C. It shall be the responsibility of the Tree Board, Staff and Public Works department to study, investigate, counsel, and develop and/or update as needed, and administer a written plan for the care, preservation, pruning, planting, replanting, removal, or disposition of trees and shrubs in parks, along streets and in other public areas. Such plan will be presented as needed to the Town Board and upon approval shall constitute the official Town Tree Plan.

Street Tree Species to be Planted

The Tree Board will create and maintain a list of recommended species for the Poncha Springs area as a handout for the community. In an effort to provide a variety of landscape species within the Town, the public is encouraged to plant any of the trees listed.

Tree Care and Maintenance

The Tree Board will create a Tree Care and Maintenance brochure that provides guidance for the care and maintenance of trees, and shrubs relative to the local climate as a handout for community.

Arbor Day

The Town will adopt an annual Tree City USA Proclamation in support of the Arbor Day celebration. The Tree Board will host an annual Arbor Day celebration for community awareness and education, and to celebrate the many benefits of trees

Funding Tree Projects

The Tree Board will work with Town staff to acquire via grants and donations, funding for purchasing, planting, pruning, maintaining, and providing tree related programs, etc. for the Town.

PASSED AND APPROVED THIS 12th DAY OF January 2009, BY THE BOARD OF TRUSTEES OF THE TOWN OF PONCHA SPRINGS, COLORADO.

/s/ _____

Mark F. Thonhoff, Mayor

Attest:

/s/ _____

Diana K. Heeney
CMC/Treasurer