

ORDINANCE TO CREATE AND ESTABLISH A CITY TREE BOARD FOR THE CITY OF FORDYCE,
ARKANSAS.

As it ordained by the City Council of Fordyce, State of Arkansas:

Section 1: Definitions

Street trees: "Street trees" are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the City.

Park trees: "Park trees" are herein defined as trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the city, or to which the public has free access as a park.

Section 2: Creation and Establishment of a City Tree Board

There is hereby created and established a City Tree Board for the City of Fordyce, Arkansas, which shall consist of five members, citizens and residents of this city, who shall be appointed by the mayor with the approval of the council.

Section 3: Term of Office

The term of the five persons to be appointed by the mayor shall be three years. In the event that a vacancy shall occur during the term of any member, his successor shall be appointed for the unexpired portion of the term.

Section 4: Compensation

Members of the Board shall serve without compensation.

Section 4: Duties and Responsibilities

It shall be the responsibility of the Board to study, investigate, ^{see} counsel, and develop and/or update annually, 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 shall be presented annually to the City Council and upon their acceptance and approval shall constitute the official comprehensive city tree plan for the City of Fordyce, Arkansas. The Board, when requested by the City Council, shall consider, investigate, make finding, report and recommend upon any special matter of question coming within the scope of its work.

Section 6: Operation

The Board 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.

Section 7: Street Tree Species to be Planted

The attached list constitutes the official street species for Fordyce, Arkansas. (see attached list of tree species). These trees grow best in this area and will be recommended to residents who seek information on species to plant.

Section 8: Spacing

The spacing of Street Trees will be in accordance with the three species size classes listed in Section 7 of this ordinance, and no trees may be planted closer together than the following: Small Trees, 30 feet; Medium Trees, 40 feet; and Large Trees, 50 feet; except in special plantings designed or approved by a landscape architect or the Tree Board.

Section 9: Distance from Curb and Sidewalk

The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the three species size classes listed in Section 7 of this ordinance, and no trees may be planted closer to any curb or sidewalk than the following: Small Trees, 2 feet; Medium Trees, 3 feet; and Large Trees, 4 feet.

Section 10: Distance from Street Corners and Fireplugs

No Street Tree shall be planted closer than 35 feet of any street corner, measured from the point of nearest intersecting curbs or curblines. No Street Trees shall be planted closer than 10 feet of any fireplug.

Section 11: Utilities

No Street Trees other than those species listed as Small Trees in Section 7 of this ordinance may be planted under or within 10 lateral feet of any overhead, utility wire, or over or within 5 lateral feet of any underground water line, sewer line, transmission line, or other utility.

Section 12: Pruning, Corner Clearance

Every owner of any tree overhanging any street or right-of-way within the City shall prune the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of eight feet (8') above the surface of the street or sidewalk. Said owners will remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public.

Section 13: Dead or Diseased Tree Removal on Private Property

The City shall have the right to cause the removal of any dead or diseased trees on private property within the City, when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the City. The City Tree Board will notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within sixty days after the date of service of notice. In the event of failure of owners to comply with such provisions, the City shall have the authority to remove such trees and charge the cost of removal on the owners property tax notice.

Section 14: Removal of Stumps

All stumps of street and park trees shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground.

Section 15: Review by City Council

The City Council shall have the right to review the acts and decisions of the City Tree Board. Any person may appeal from any ruling or order of the City Tree Board to the City Council, who may hear the matter and make a final decision.

DATED: February 19th, 1985.

APPROVED: Tom Wynn
Tom Wynn III, Mayor

ATTEST: Martha Morgan
Martha Morgan, City Clerk