

(2007-M-56: § 1; 1998-M-28: § 1; 1992-M-66: § 1; 1992-M-47: § 1; 1988-M-98: § 1; 1986-M-63: § 12.502; Prior code: § 12.503; 12.504; 12.505; 12.507; and 12.508)

12.20.040 – Natural Resources Tree Commission: establishment, composition, appointment of members

A. Establishment – The St. Charles Natural Resources Tree Commission

(hereinafter “NRC Tree Commission” {formerly the St. Charles Tree Commission}) is hereby established and replaces the former Tree Commission in function and duty. The NRC’s Its functions and duties are limited to those set forth in this chapter.

B. Composition – The NRC St. Charles Tree Commission shall be composed of eleven nine commissioners. All commissioners, upon recommendation from the Director of Public Works or his/her designee, shall be appointed by the Mayor with the approval of the City Council. All commissioners shall serve without pay. Subject to the exceptions in paragraph “Ce” immediately below, each commissioner shall serve for a term of four years.

C. Appointment of Members – Five Four of the eleven nine commissioners initially appointed to the NRC Tree Commission shall serve for a term of two years; six five of the eleven nine commissioners initially appointed shall serve for a term of four years. Terms shall start on May 1. Determination of the initial term length (two or four year) shall be by lot. The Chairperson of the NRC Tree Commission shall be elected by majority vote of the NRC Tree Commission and shall be subject to re-election annually on May 1. The NRC may also include one or more, not exceeding four, non-voting member(s) who shall be a high school student or college student resident having an interest in the duties and mission of the NRC. Student

members shall serve a maximum term of two years, but may be appointed to the NRC at the age of eighteen if a vacancy exists on the NRC.

D. Expiration or Vacation of Terms – Within thirty days following the expiration of the term of any appointed commissioner, a successor shall be appointed by the Mayor with the approval of the City Council, and the successor shall serve for a term of four years. Should any commissioner resign or be removed from the NRC Tree Commission, a successor shall be appointed by the Mayor with the approval of the City Council and shall serve for the unexpired period of the vacated term. A member of the NRC Tree Commission may be removed by the Mayor with the approval of a majority of the City Council.

E. Official Meetings – The NRC shall meet twelve times per year on the second Thursday of every calendar month.

(1998-M-32: § 1; 1998-M-28: § 1)

#### 12.20.050 – Natural Resources Tree Commission duties

A. Duties – The NRC Tree Commission shall perform the following duties:

1. Within a reasonable time after the appointment of the NRC Tree Commission, upon call of the Chairperson of the NRC Tree Commission, the NRC Tree Commission shall meet and adopt rules of procedure for regular and special meetings to fulfill the duties imposed upon it by this Chapter.

2. The NRC Tree Commission shall advise and consult the City's Government Services Committee on any matter pertaining to the matters covered in this Chapter and its enforcement. The topics under which this advice and consultation may be given may include, but are not limited to, any of the following:

a. Amendment to this Chapter and alteration or revisions of the Urban Forestry Management Plan;

- b. Policy concerning matters of City business as outlined in this Chapter selection, planting, maintenance, and removal of trees and shrubs within the City;
- c. Recommend investigation into practices of green infrastructure, sustainable business practices and programs, native species and ecological restorations and other matters of importance that may influence the City's environmental footprint. ~~allocation of funds and expenditures of funds by Department of Public Works for planting and maintenance of trees and shrubs on city owned property or right of way.~~
- d. Establishment of educational and informational programs including, but not limited to, natural resources conservation, environmental awareness, public health, an annual yearly Arbor Day celebration and the City's Tree City USA designation.
- e. Investigate and recommend to the City's Public Works Department and the City Council as it may consider appropriate to support:
  - i. Preservation, conservation, enhancement and protection of the environment, natural resources and environmental values of the City including the quality of land, air and water and the interrelationship that exists between them and all living things within the limits of the City.  
All recommendations by the NRC and information resulting from the NRC's activities shall be forwarded to the designated representative of the City's Public Works Department and the City Council.
  - f. Advise the City Council on such matters as may be requested.
  - g. Nothing in this section shall operate or be construed to authorize the regulation, direction or management of the St. Charles Park District natural resources assets.

(Ord. 2012-M-47 § 5.)

3. The NRC Tree Commission, with the assistance of the City's Public Works Department and City Arborist, shall develop, and each subsequent year, update the Urban Forestry Management Plan. The Urban Forestry Management Plan shall outline urban forestry program activities for a minimum of the next five years. The Urban Forestry Management Plan shall describe the urban forestry activities to be undertaken by the City, the reasons for those activities, the possible funding source(s), the means of accomplishing the activities, the alternatives available to the City to fund or accomplish the activity, the projected date of completion and the consequences if the activity is not completed. Activities may include, but are not limited to street tree inventory, planting, tree removal, beautification projects and educational projects.

4. The NRC Tree Commission, with the assistance of the City's Public Works Department and the City Arborist, shall develop and periodically review and revise, as necessary, the City's Trees and Shrub ordinance. This ordinance shall contain regulations and standards for the planting, maintenance and removal of trees and shrubs upon City-owned property and the City right-of-way.

(Ord. 2012-M-47 § 5.)

5. The NRC Tree Commission shall cause the Urban Forestry Management Plan and the Trees and Shrub Ordinance, and all revisions and amendments to it, to be published and promulgated and shall cause copies of the ordinance and all revisions and amendments to it, to be available for public inspection at the office of the City Clerk. The Trees and Shrub Ordinance and any revisions and additions thereto shall become effective upon the effective date of any ordinance approving the ordinance or revision or amendments thereto.

6. The NRC Tree Commission shall inform the public about the activities of the NRC Tree Commission.

7. The City shall issue such permits as are required by this Chapter and shall obtain as a condition precedent to the issuance of such permits the written agreement of each person who applies for such permits that he or she will comply with the requirement of this Chapter, the Urban Forestry Management Plan and with the regulations and standards of the Tree and Shrub Ordinance. The City's Public Works Department shall have the right to inspect all work performed pursuant to such permits. If the City's Public Works Department finds that the work performed is not in compliance with the requirements of this Chapter, the Urban Forestry Management Plan or with the regulations or standards of the Tree and Shrub Ordinance, the City's Public Works Department shall provide written notice of its his/her finding to the permit applicant. The notice shall contain a copy of Section 12.20 of this Chapter, and the permit shall be nullified and shall be void and the City's Public Works Department may issue a written order that the permit applicant cease and desist all work for which the permit was required. The permit applicant shall be subject to penalty under the terms of the Ordinance. The City's Public Works Department may take steps to correct the results of the non-complying work and the reasonable costs of such steps shall be charged to the permit applicant.

#### B. Public Utility Companies

Nothing in this section shall be construed to exempt public utility companies or their agents from any of the requirements of this Ordinance.