

ORDINANCE NO.02-02-15

**AN ORDINANCE ESTABLISHING A TREE BOARD FOR THE CITY OF
RAINSVILLE, ALABAMA**

BE IT ORDAINED BY THE CITY COUNCIL AND MAYOR OF THE CITY OF
RAINSVILLE, ALABAMA, as follows:

SECTION ONE: The City of Rainsville finds and determines as follows: That trees are recognized as a valid asset providing a more healthful and beautiful environment in which to live, they provide oxygen, shade, aesthetics, and a priceless psychological counterpoint to the man-made urban setting, and they are economically beneficial in attracting new industry, residents, and visitors; when the proper varieties are grown in the right place, they enhance the value and marketability of property and promote this stability of desirable neighborhoods; that valuable advice and guidance to the Mayor and City Council will result from the appointment of a Tree Board.

SECTION TWO: There is hereby established a City Tree Board for the City of Rainsville, Alabama 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 THREE: "Street 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 FOUR: Members of this Board shall serve without compensation.

SECTION FIVE: It shall be the responsibility of the Board to study, investigate, council 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 will 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 Rainsville, Alabama. The Board, when requested by the City Council, shall consider, investigate, making finding, report and recommend upon any special matter of question coming within the scope of its work.

SECTION SIX: 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 SEVEN: The following list constitutes the official Street Tree species for the City of Rainsville, Alabama

Small Trees	Medium Trees	Large Tree
Crabapple	Green Ash	Silver Maple
Bradford Pear	Hackberry	Sugar Maple
Redbud	Honeylocust (thornless)	Bur Oak
Soapberry	Red Mulberry(fruitless male)	Sycamore
Japanese Lilac Tree	Red Oak	Cottonwood(cottonless male)
Flowering Peach	Pecan	
Purpleleaf Plum	River Birch	
Serviceberry	Persimmon	
	White Poplar	
	Sassafras	

SECTION EIGHT: The spacing of Street Trees will be in accordance with the three species size classes listed in Section 7 of this ordinance, and not 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 by the city government.

SECTION NINE: This distance trees may be planted from curb to curb lines 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; and Large Trees, 4 feet.

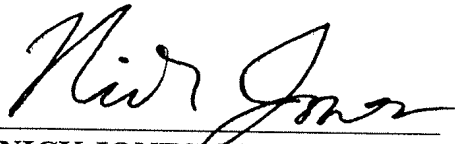
SECTION TEN: No Street Tree shall be planted closer than 35 feet of any street corner, measured from the point of the nearest intersecting curbs or curb lines. No Street Tree shall be planted closer than 10 feet of any fireplug.


SECTION ELEVEN: 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 TWELVE: The City shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds. The City Tree Board may remove or cause or order to be removed, any tree or part thereof, which is an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is affected with an injurious fungus, insect or other pest. This Section does not prohibit the planning of Street Trees by adjacent property owners providing that the selection and location of said trees is in accordance with Section 7 through 11 of this ordinance.

SECTION THIRTEEN: The City of Rainsville shall have the right to review the conduct, acts and decisions of the City Tree Board.


NICK JONES, Mayor

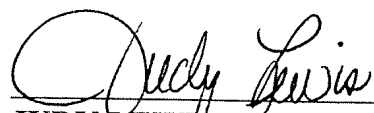

JUDY LEWIS, City Clerk

CLERK'S CERTIFICATE

I hereby certify that Ordinance No. 02-02-15 was published on the 5th day of February, 2015, by publication of the same.

in the *Mountain Valley News*, a newspaper of general circulation in the City of Rainsville, Alabama.

by posting at Rainsville City Hall, the Rainsville Public Library, the Rainsville Post Office, and Rainsville Fire Hall (on the _____ day of _____, 2015).


JUDY LEWIS, City Clerk