

ORDINANCE NO. ____-2016
Series 2016

AN ORDINANCE OF THE TOWN OF ERIE, COLORADO, ADOPTING BY REFERENCE THE AMERICAN NATIONAL STANDARD FOR TREE CARE OPERATIONS – TREE, SHRUB, AND OTHER WOODY PLANT MANAGEMENT – STANDARD PRACTICES A300 (PART 1-2008) PRUNING, A300 (PART 2-2004) FERTILIZATION, A300 (PART 3-2006) SUPPLEMENTAL SUPPORT SYSTEMS, A300 (PART 4-2008) LIGHTNING PROTECTION SYSTEMS, AND AMERICAN NATIONAL STANDARD FOR ARBORICULTURAL OPERATIONS – Z133.1-2006 SAFETY REQUIREMENTS; AND, SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, It has been determined by the Board of Trustees of the Town of Erie, Colorado, that it is necessary and expedient to adopt, by reference, the American National Standard for Tree Care Operations – Tree, Shrub, and Other Woody Plant Management – Standard Practices A300 (Part 1-2008) Pruning, A300 (Part 2-2004) Fertilization, A300 (Part 3-2006) Supplemental Support Systems, A300 (Part 4-2008) Lightning Protection Systems, and American National Standard for Arboricultural Operations – Z133.1-2006 Safety Requirements, published by the American National Standards Institute, Inc., 1819 L Street, NW, Sixth Floor, Washington, DC 20036 (hereinafter together referred to as the “American National Standard for Tree Care Operations”), setting forth the specific rules and regulations required for tree maintenance and tree care in the Town of Erie; and,

WHEREAS, the Colorado state statutes provide that the American National Standard for Tree Care Operations, as referenced above, may be adopted by reference; and,

WHEREAS, after the introduction of this adopting Ordinance a public hearing was scheduled and held following notice of the public hearing published twice, once as least fifteen (15) days preceding the public hearing and once at least eight (8) days preceding the public hearing, as required by Colorado statute; and,

WHEREAS, three (3) copies of the American National Standard for Tree Care Operations were and are on file in the Town of Erie Clerk’s office and are available for public inspection; and,

WHEREAS, all penalty clauses, if any, contained in the American National Standard for Tree Care Operations are set forth in full herein and shall be published along with this adopting Ordinance in full upon adoption; and,

WHEREAS, it is deemed to be in the best interest of the public health, safety and welfare of the residents of the Town of Erie for the Town of Erie to adopt, by reference, the American National Standard for Tree Care Operations.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, AS FOLLOWS:

Section 1. The American National Standard for Tree Care Operations, three (3) copies of which are on file in the Town of Erie Clerk's office, are hereby adopted by reference.

Section 2. The American National Standard for Tree Care Operations adopted herein by reference contains the following penalty clause: none.

Section 3. All references to American National Standard for Tree Care Operations as contained in the Erie Municipal Code and elsewhere shall refer to the American National Standard for Tree Care Operations as adopted by reference herein.

Section 4. Severance Clause. If any article, section, paragraph, sentence, clause or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees of the Town of Erie, Colorado hereby declares that it would have passed this Ordinance and each part or parts thereof, irrespective of the fact that any one part of parts may be declared invalid or unconstitutional.

Section 5. Repeal. All other ordinances, or parts of any ordinances or other Code provisions in conflict herewith are hereby repealed. The repeal established herein shall not be construed to revive any ordinance Code provision or part thereof that had been previously repealed by any ordinance which is repealed by this Ordinance.

Section 6. Effective Date. This ordinance shall take effect thirty (30) days after publication following final passage.

INTRODUCED, PASSED, ADOPTED AND ORDER PUBLISHED IN FULL BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE THIS ____ DAY OF _____, 2016.

PUBLISHED IN FULL ON THE _____ DAY OF _____, 2016.

TOWN OF ERIE, COLORADO, a Colorado municipal corporation

By: _____
Tina Harris, Mayor

ATTEST:

By: _____
Nancy Parker, Town Clerk