

**Town of Erie
Ordinance No. 12-2021**

**An Ordinance of the Board of Trustees of the Town of Erie
Amending Section 7-3-3 of the Erie Municipal Code to Allow for
Youth Participation on the Tree Board**

Whereas, the Erie Tree Board (the "Tree Board") was established in 2018 to advise the Board of Trustees regarding matters relating to trees, shrubs and woody plants throughout the Town;

Whereas, the Tree Board's duties include investigating any relevant grants, loans or funding opportunities, organizing and conducting an annual Arbor Day celebration, educating the community about forestry and organizing such educational opportunities and programming; and

Whereas, in furtherance of its duties, the Tree Board now desires to incorporate youth participation on the Tree Board.

Now Therefore be it Ordained by the Board of Trustees of the Town of Erie, Colorado, that:

Section 1. Sections 7-3-3(A) and 7-3-3(C) of the Erie Municipal Code are hereby repealed and reenacted to read as follows:

7-3-3. Tree Board.

A. *Board created; membership; appointment; qualifications.* There is hereby created a Tree Board for the Town. The Tree Board shall consist of seven members, one of whom may be an individual between sixteen (16) and twenty-one (21) years of age. All members shall be *bona fide* residents of the Town. If any member shall cease to reside in the Town, their membership on the Tree Board shall immediately terminate. All members shall serve without compensation.

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C. *Removal from office.* The Board of Trustees may, by majority vote of those present, remove any member of the Tree Board for the following reasons, after providing notice to the member and an opportunity to be heard: a conflict of interest violation; any violation of law, regulation, or police; nonattendance to duty; failure to attend three (3) consecutive regularly-scheduled meetings without an approved leave of absence; or participating in a lawsuit against the Town. If the proposed removal

involves a youth member of the Tree Board, the youth member is entitled to representation by a parent or guardian at any removal proceeding.

Section 2. Severability. 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 hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 3. Safety. The Board of Trustees finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

Section 4. Effective Date. This Ordinance shall take effect 30 days after publication following adoption.

Introduced, read, passed and ordered published this ____ day of May, 2021.

Jennifer Carroll, Mayor

Attest:

Heidi Leatherwood, Town Clerk