

ORDINANCE NO. 08-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA, ADDING CHAPTER 7.04 (TREE CITY USA DESIGNATION) TO TITLE 7 (RECREATION, PARKS AND FACILITIES) OF THE RANCHO SANTA MARGARITA MUNICIPAL CODE PERTAINING TO TREE POLICIES

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, the City of Rancho Santa Margarita, recognizes the last Friday of every April as Arbor Day in the City of Rancho Santa Margarita; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees in the City of Rancho Santa Margarita increase property values, enhance the economic vitality of business areas and beautify our community; and

WHEREAS, the Tree City USA designation demonstrates compliance with the City's General Plan with respect to the goals and policies established within the Land Use Element and the Conservation/Open Space Element; and

WHEREAS, the City Council of the City of Rancho Santa Margarita has considered information presented on the proposed Ordinance by City Staff, the public and other interested parties at a Public Hearing held on January 9, 2008.

THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Chapter 7.04 (Tree City USA Designation) is hereby added to Title 7 (Recreation, Parks and Facilities) of the Rancho Santa Margarita Municipal Code to read as follows:

Chapter 7.04 Tree City USA Designation

Sec. 7.04.010.Purpose.

The purpose of this Chapter is to encourage and support the development and continuance of a tree maintenance program by the community associations within the City; to promote thoughtful and planned urban forestation of parks and public rights of way and other areas which may be appropriate for urban forestation; to support the designation of the City as an official Tree City USA; and to further the mission of Tree City USA.

Sec. 7.04.020. Definitions.

Association Tree Policy shall be defined as a document prepared by each Participating Association regulating the planting, maintenance, protection, and removal of trees and shrubs on property located within its Association property.

Participating Association shall be defined as any homeowner association or commercial maintenance association that participates as an active member of the Community Associations of Rancho.

Tree City USA shall be defined as the community improvement project sponsored by The National Arbor Day Foundation.

Work Plan shall be defined as an annual community forestry plan that outlines all resources used to implement the Association Tree Policy. The Work Plan should demonstrate a Participating Association's ability to meet the requirements of Tree City USA.

Sec. 7.04.030. Tree Board.

(a) There is hereby created the Tree Board for the City of Rancho Santa Margarita. The Tree Board shall consist of one representative from each Participating Association in the City, as appointed by each Participating Association, to be ratified by the City Council.

(b) The Tree Board is formed for the primary purpose of obtaining and maintaining the Tree City USA designation. The Tree Board shall continue in existence for so long as the Tree City Designation exists. The Tree Board shall be responsible for the following:

(1) Developing a Work Plan.

(2) Preparing and submitting all materials required for certification and recertification of the Tree City USA designation.

Sec. 7.04.040. Tree Maintenance.

Each Participating Association shall develop and adopt policies, guidelines and procedures for planting, maintaining and removing trees within its respective jurisdiction as defined in its governing documents. This document shall also be referred to as the Association Tree Policy.

SECTION 2. This Ordinance shall take effect thirty (30) days after its adoption. The City Clerk or his or her duly appointed deputy shall certify to the adoption of this Ordinance and shall cause this Ordinance to be published as required by law.

PASSED, APPROVED AND ADOPTED this 23rd day of January, 2008, by vote as follows:

AYES: 5 COUNCIL MEMBERS: Beall, Holloway, Thor, Mayor Pro Tempore Thompson, and Mayor Blais
NOES: 0 COUNCIL MEMBERS: None
ABSENT: 0 COUNCIL MEMBERS: None


NEIL C. BLAIS, Mayor

ATTEST:


MOLLY MCLAUGHLIN, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF RANCHO SANTA MARGARITA)

I, Molly McLaughlin, City Clerk of the City of Rancho Santa Margarita, California, DO HEREBY CERTIFY that the foregoing Ordinance No. 08-01 was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the 9th day of January, 2008, and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 23rd day of January, 2008.


MOLLY MCLAUGHLIN, CITY CLERK