

**TOWN OF HAMDEN
LEGISLATIVE COUNCIL**

**ORDINANCES ESTABLISHING THE
TREE COMMISSION**

Whereas, pursuant to section 7-4 of the Hamden Charter, the Legislative Council may establish by Ordinance, such additional boards and commissions as are necessary to effectuate the powers and purposes of the Town as enumerated in the General Statutes, Special Acts and the Charter, and

Whereas, the Town, having the custody and control of all shrubs, ornamental or shade trees (hereinafter "trees") on public lands and in the public rights-of-way, may plant, remove, maintain and protect such shade trees; and

Whereas, to assist the Town in its duties and responsibilities of shrubs, ornamental or shade trees on public lands and in the public rights-of-way for the benefit of present and future generations, the Town of Hamden wishes to establish a Tree Commission.

Now therefore be it ordained that the following shall be added to the Hamden Code of Ordinances as hereinafter set forth.

§33.140. ESTABLISHMENT OF TREE COMMISSION.

A. There shall be established a Tree Commission to consist of five (5) members recommended by the Mayor, subject to approval of the Legislative Council, who shall reside in the town. Commission members shall serve without compensation. The Director of Public Works or his/her designee shall be a non-voting ex officio member of the Commission.

B. The initial terms of office shall be 3 years for 2 members; 2 years for 2 members; and 1 year for 1 member. Thereafter, at the expiration of the initial term of each member, a successor shall be appointed for a term of 3 years. In the event of a vacancy, a successor shall be appointed by the Mayor subject to approval of the Legislative Council to serve the unexpired term of the vacating member. Any member may be removed from the Commission as set forth in section 7-1: H of the Charter.

§33.141. DUTIES AND RESPONSIBILITIES.

A. The responsibility of the Tree Commission shall pertain to trees located on public property and in the public rights-of-way and not on private property.

B. The Tree Commission is charged with:

- (1) Developing and from time to time updating an Urban Forest Master Plan;
- (2) Developing and maintaining a Town tree inventory;
- (3) Developing community educational programs regarding trees and the understanding of the benefits of appropriate tree planting and care.
- (4) Developing policies, giving recommendations, and providing advice to all concerned Town departments and agencies as to species selection, planting, spacing, fertilization, bracing, pruning, transplanting, maintenance, preservation, protection or removal of trees on all public lands and public rights of way.

- (5) Acting in an advisory capacity to the Planning and Zoning Commission with respect to landscape design, and principles, locally suitable botanic species and protection of natural resources.

§33.142. TREE FUND.

There shall be established within the Finance Department a "Commemorative Tree Fund", comprised of contributions from interested persons and other entities, for the purpose of maintaining the wooded character of the streets and lands within the Town. The Tree Commission may recommend expenditures from the Commemorative Tree Fund to the Administration but shall have no other fiscal authority.

§33.143. RULES AND REGULATIONS.

The Commission shall have the right to establish the rules and regulations pertaining thereto with the consent and advice of the Mayor. It is the responsibility of the Tree Warden and/or the Director of Public Works or his/her designee to enforce the regulations of the Commission.

Approved by the Legislative Council at its meeting held on _____ 2014.

APPROVED AS TO FORM:

Susan Gruen
Town Attorney

James Pascarella,
President, Legislative Council

Scott Jackson
Mayor

Kim Renta
Clerk, Legislative Council

Date _____

Ordinance:
Newspaper:
Published:
Effective Date: