

ORDINANCE NO. 98- 2

AN ORDINANCE AMENDING ORDINANCE NO. 97-1, "AN ORDINANCE RELATING TO THE MAINTENANCE AND PROTECTION OF TREES ON PUBLIC PROPERTY WHICH SERVE THE PUBLIC INTEREST BY PROVIDING OXYGEN, STABILIZATION OF THE SOIL, PREVENTION OF EROSION, SHELTER FOR WILDLIFE, CONSERVATION OF ENERGY BY PROVIDING SHADE, FILTERING AIR, AND ADDING TO THE BEAUTY OF THE CITY OF RUSSELLVILLE"

WHEREAS, the City of Russellville has previously enacted Ordinance 97-1, "An Ordinance Relating to the Maintenance and Protection of Trees on Public Property Which Serve the Public Interest by Providing Oxygen, Stabilization of the Soil, Prevention of Erosion, Shelter for Wildlife, Conservation of Energy by Providing Shade, Filtering Air, and Adding to the Beauty of the City of Russellville",

AND WHEREAS, the City Council of the City of Russellville had determined that it is in the City's best interest to amend Sections 9 and 12 of said Ordinance;

NOW, THEREFORE, be it ordained by the City of Russellville, Ky:

1. Section 9 shall be amended to read as follows:

The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the three size classes listed in Section 7 of this ordinance, and no trees may be planted closer to any curb, street or sidewalk than the following: small trees, 2 feet; medium trees, ~~3~~ 4 feet; and large trees, ~~4~~ 8 feet. New or replacement trees may be planted closer to the curb or sidewalk than the above standard only after the City Tree Board has approved a written request after consideration of the specific circumstances of the application.

Section 12 shall be amended to read as follows:

It shall be unlawful as a normal practice for any person, firm or city department to top any street tree, park tree, or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes or certain trees under utility wires and other obstructions where alternative pruning practices are impractical may be exempt from this ordinance at the determination of the City Tree Board. The replacement of large disfigured trees with smaller trees is highly encouraged.

2. In the event any provision of this Ordinance is invalid for any reason, such invalidity shall not affect the validity of any other provision.

3. All portions of any section of any ordinance or rule or regulation in conflict herewith are hereby repealed to the extent of that conflict only.

4. This Ordinance shall be effective upon its passage and publication according to law.

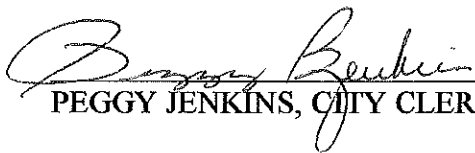
FIRST READING CONDUCTED on January 6, 1998.

SECOND READING AND PASSAGE by roll call vote this 20th day of Jan., 1998.

AYES:	NAYS:	ABSTAINING	ABSENT
<u>Willie Hampton</u>	<u>None</u>	<u>None</u>	<u>Ken Barrett</u>
<u>Ken Barrett</u>			
<u>Howard Wren</u>			
<u>Russell Jones</u>			
<u>Jean Hanks</u>			


KEN SMITH, MAYOR

ATTEST:


PEGGY JENKINS, CITY CLERK