

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 13-123

INTRODUCED BY: Petrusky, Antoskiewicz, Nickell
Marnecheck, Kasaris

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TEN STREETS, UTILITIES AND PUBLIC SERVICES CODE, CHAPTER 1026 TREES AND SHRUBS, SECTION 1026.02 REMOVAL AND REPLACEMENT OF TREES; PERMIT REQUIRED, PARAGRAPH (b), AND DECLARING AN EMERGENCY

WHEREAS: It has been determined necessary to amend Part Ten Streets, Utilities and Public Services Code, Chapter 1026 Trees and Shrubs, Section 1026.02 Removal and Replacement of Trees; Permit Required, Paragraph (b) of the Codified Ordinances of the City of North Royalton in order to clarify and update language contained in these sections; and

WHEREAS: Council desires to provide for this amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Part Ten Streets, Utilities and Public Services Code, Chapter 1026 Trees and Shrubs, Section 1026.02 Removal and Replacement of Trees; Permit Required, Paragraph (b) of the Codified Ordinances of the City of North Royalton is hereby amended to hereinafter read as follows:

1026.02 REMOVAL AND REPLACEMENT OF TREES; PERMIT REQUIRED.

(b) A permit shall not be required to remove any tree or part thereof which, by reason of damage by fire, windstorm, or other natural calamity *or disease*, creates a danger to the public health, safety and welfare or which obstructs any public right of way. ***In the event the tree is removed, the stump must be removed and the tree lawn restored to its original condition. Resident may replace the tree from a selection of approved trees as determined by the Service Director.***

Section 2. Chapter 1026, Section 1026.02, Paragraph (b) of the Codified Ordinances of the City of North Royalton is hereby amended as provided for herein and all other provisions of Chapter 1026 shall remain in full force and effect.

Section 3. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to amend the Codified Ordinances of the City of North Royalton, Part Ten Streets, Utilities and Public Services Code, Chapter 1026 Trees and Shrubs, Section 1026.02 Removal and Replacement of Trees; Permit Required, Paragraph (b) in order to clarify and update language contained in these sections.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Larry Antoskiewicz
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik
MAYOR

DATE PASSED: October 1, 2013

DATE APPROVED: October 1, 2013

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading October 1, 2013

YEAS: Antoskiewicz, Nickell, Petrusky,
Langshaw, Marnecheck, Muller, Kasaris

NAYS: none