

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_ of 2009

(Enacting Chapter 2.94 of the City Code creating the Parks, Trails, and Urban Forestry Advisory Board, and amending Chapter 2.26 of the City Code which contains the Urban Forestry Ordinance)

WHEREAS, recent development proposals City owned parks have created concerns regarding the manner and process by which development can and should occur within City parks; and

WHEREAS, after having investigated this matter in community meetings and among City staff, it has been determined that the assistance of an advisory board for parks, trails and urban forestry would be useful to the City in evaluating proposals affecting such issues; and

WHEREAS, this ordinance would create such and advisory board; and

WHEREAS, the City Council has determined that this ordinance is in the best interest of the City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City Utah:

SECTION 1. Amending text of Salt Lake City Code heading Chapter 2.26. The heading to Chapter 2.26 of the Salt Lake City code shall be and hereby is amended to read as follows:

Chapter 2.26 Urban Forestry Ordinance

SECTION 2. Amending text of Salt Lake City Code Sections 2.26030 – 2.26.150. Sections 2.26.030 through Section 2.26.150 of the City Code shall be and hereby are deleted in their entirety.

SECTION 3. Chapter 2.94 of the City Code entitled “Parks, Trails and Urban Forestry Advisory Board,” shall be and hereby is enacted to read as follows:

**Chapter 2.94 Parks, Trails and Urban Forestry Advisory Board**

**Section 2.94.010. Purpose:**

The purposes of Parks, Trails and Urban Forestry Advisory Board shall be as follows:

- A. Provide and oversee strong stewardship of the City’s parks, trails and urban forest.
- B. Educate the public and advocate for the City’s parks, trails and urban forest policies.
- C. Encourage and facilitate public involvement and input, and the incorporation of that input into the City’s parks, trails and urban forest plans and policies.

**Section 2.94.020. Definitions:**

For the purposes of this chapter, the following terms, phrases, words, and their derivations shall have the meaning given in this section:

- A. “Parks” means the areas defined by the Parks Division in a list that is updated and provided to the Board no less than annually.
- B. “Urban Forestry” shall mean all public trees owned and/or managed by Salt Lake City as of or after the effective date of the ordinance codified in this chapter or its successor ordinances.
- C. “Trails” means marked or signed paths within City owned easements, maintained and used primarily for hiking, bicycling, or other non-motorized modes of transportation.

**Section 2.94.030. Creation of Board:**

- A. There is created the City Parks, Trails and Urban Forestry Advisory Board (Board). The Board shall be comprised of nine to eleven voting members. The members shall be appointed by the Mayor with the advice and consent of the City Council. Each member shall serve for a term of three years and may not serve more than two consecutive terms. The terms of the initial members shall be staggered for such periods from one to three years so as to provide that the terms of one third of the Board membership expire each year. One member of the Board shall be appointed from each City Council district. The remaining members of the Board shall be appointed as at large members. No more than three members may live outside of the Salt Lake City boundaries.
- B. Nominations to the Board should reflect diverse community interests by seeking to find members with geographic, professional, cultural and neighborhood/community diversity. It is recommended that some people with landscaping, architectural, financial, planning, historic preservation, and legal backgrounds be appointed. The Mayor is also encouraged to seek out individuals with interest or expertise in the following areas: bicycling, tennis, running, basketball, dogs, art, stewardship of the environment and other similar areas of interest. Parents of young children should also be considered.
- C. The Board shall also include the following ex-officio non voting members:
- i. The chair of the City Open Space Lands Advisory Board, or his/her designee;
  - ii. The Chair of the City's Transportation Advisory Board, or his/her designee;

- iii. The Chair of the Community Development and Capital; Improvements Board or his/her designee;
- iv. The Chair of the Planning Commission or his/her designee;
- v. The Chair of the Historic Landmark Commission or his/her designee; and
- vi. The Mayor or the Mayor's designees.

D. Members shall receive no compensation for serving on the Board but may be reimbursed for costs reasonably incurred.

E. The Board will be located and staffed in the department of Public Services and will have access to and assistance from the Parks Director, or his/her designee; the Urban Forester, or his/her designee; the Director of Transportation, or his/her designee; the Trails Coordinator, or his/her designee; the City Open Space Coordinator, or his/her designee; other City departments and/or divisions; and the City Attorney's Office as needed.

**Section 2.94.040. Vacancies:**

Vacancies occurring in the membership of the Board shall be filled in a manner preserving the designated representation by Mayoral appointment, with advice and consent of the City Council, for the unexpired term.

**Section 2.94.050. Removal from Office:**

Any Board member may be removed from office by the Mayor for cause, prior to the normal expiration for which this member was appointed. Any member failing to attend three Board meetings in one calendar year shall be subject to forfeiture membership on the Board.

**Section 2.94.060. Board Members Ethics:**

Members shall be subject to and bound by the provision of Chapter 2.44, “Conflict of Interest,” of this title or its successor. Any violations of the provisions of said chapter, or its successor, shall be grounds for removal from office. Members shall recuse themselves from participating on any decision to which they are a party or which vote may constitute a violation of the City’s conflict of interest ordinance.

**Section 2.94.070. Meetings of the Board:**

- A. The Board shall meet on an as needed basis, but at least twice per quarter~~not less than monthly~~. All meetings shall be subject to the Utah Open and Public Meetings Act, and unless closed pursuant to that act, such meetings shall be open to the public. Meetings may be convened by the call of the Chair of the Board, a majority of the Board, or the Mayor.
- B. A majority of the voting members of the Board shall constitute a quorum for the purpose of conducting the business of the Board. The Board may act at any meeting at which a quorum is present, by an affirmative vote of a majority of the voting members present.
- C. The Board shall create a written record of its proceedings, except for any executive sessions, which shall be available for public inspection. The Board shall record the yea and nay votes of any action by it. The department of Public Services shall make available a secretary to the Board when required.
- D. The Board shall adopt policies and procedures under which its meetings are to be held. The Board may suspend the rules and procedures by unanimous vote of the voting members present at the meeting. The Board shall not suspend the rules of procedure beyond the duration of the meeting at which suspension of

the rules occurred. Any matter not addressed in the Board's policies and procedures shall be handled pursuant to Robert's Rules of Order.

- E. The Chairperson of the Board, in consultation with other Board members, the department of Public Services, Parks Divisions, Urban Forestry Division, Trails Division, and other City departments will develop the agenda for each meeting.

**Section 2.94.080. Election of Officers:**

Each year the Board, at its first regular meeting of each calendar year, shall select one of its members as Chairperson and another of its members as Vice Chairperson, who shall perform the duties of the Chairperson during the absence or disability of the Chairperson. The Chair and Vice Chair shall serve for a one year term. No member shall serve more than two consecutive terms as Chairperson.

**Section 2.94.090. Powers and Duties:**

The Board shall have the following powers and duties:

- A. Review and advise the Parks, Transportation and Urban Forestry Divisions with respect to the annual budget as it relates to the City's parks, trails, and urban forestry.
- B. Review, rank, prioritize, and make recommendations on Capital Improvement Program funding applications and construction designs pertaining to the Parks, Transportation, and Urban Forestry Divisions as they relate to the City's parks, trails, and urban forestry. Recommendations are to be submitted to the Department of Community & Economic Development and Capital Improvement Programs Board for their consideration prior to their review of such project applications.

- C. Review any proposed expenditure of \$ ?? or more for maintenance or physical changes within City parks.
- D. Review and hold a public hearing ~~Advise and provide input~~ regarding master planning of the City's parks, trails, and urban forestry and the establishment of new parks or trails or the removal of existing parks or trails and forward a recommendation to the City Planning Commission, City Council or other Board or Commission, as appropriate. The Board can also make broad recommendations pertaining to user groups, types of foliage, access, tree genera and/or species, etc.
- E. Review operation policies related to park use, vendors, special events, facilities, maintenance, landscaping standards, trail standards and protection, renewal and sustainability of the city's Urban Forestry requirements.
- F. Advise and provide input on broad policy, management, and development standards related activities, specific goals and direction of the Parks, Transportation, and Urban Forestry Divisions, as they relate to parks, trails, and urban forestry related issues.
- G. Provide advice and expertise to other boards, such as the Historic Landmarks Commission, Planning Commission, Open Space Lands Advisory Board and Transportation Advisory Board, as requested or deemed appropriate.
- H. Draft and submit an annual report relating to the Board's activities, including information on major items and issues occurring in connection with the City's parks, trails, and urban forestry, to the Mayor and City Council.

- I. Within the first six months of the establishment of the Board, identify the types of issues for which the Board proposes to receive reports and/or hold public hearings.
- J. Within the first eight months of the establishment of the Board, identify the types of public processes recommended for various topics associated with the Board.

**Section 2.94.100. Review of Action & Powers of Mayor:**

All actions taken by the Board are advisory and shall constitute recommendations to the Mayor, City Council, Director of Public Services, Parks Director, Transportation Director, Urban Forester, and other City commissions and boards and shall not constitute official action. Division Directors, Department Directors, and/or the Mayor shall have power to review, ratify, modify, reject, or disregard any recommendation submitted by the Board, and the Mayor may refer the matter to the City Council if appropriate.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

Transmitted to the Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2008.

Published: \_\_\_\_\_.