

Resolution of the City of Franklin Common Council

RESOLUTION NO.: 2020-13

**A RESOLUTION AMENDING ORDINANCE 1989-05 REGARDING
DESIGNATION OF TREE BOARD**

WHEREAS, the planting, maintenance, removal, and overall care of trees, shrubs and hedges on public property and within public rights-of-way affect such diverse matters as drainage, air and water quality, pedestrian and vehicular safety, utility placement and maintenance, disease control, the general appearance of the City of Franklin and its streetscape, and the general quality of life for Franklin's citizens; and

WHEREAS, such matters are of city-wide concern and are regulated by Ordinance in the City of Franklin including Ordinance No. 18-09 protecting and preserving the City's tree resources and Ordinance No. 1989-05 which provides for the removal of dead or diseased trees; and

WHEREAS, Ordinance No. 18-09 duly adopted by the Common Council of the City of Franklin did create the Franklin Tree Advisory Committee which was established in lieu of the City of Franklin Tree Board; and

WHEREAS, Ordinance No. 1989-05 has not been repealed nor replaced and provides for the removal of dead or diseased trees and references the City of Franklin Tree Board; and

WHEREAS, for purposes of clarity, Ordinance No. 1989-05 should be amended to reference the Franklin Tree Advisory Committee as the designee of the City of Franklin for purposes of enforcement of Ordinance 1989-05.

NOW, THEREFORE, the Common Council for the City of Franklin, Indiana, ordains and enacts the following:

1. Amendment of Ordinance No. 1989-05: Ordinance No. 1989-05 is confirmed and remains in full force and effect with the exception that any reference within Ordinance No. 1989-05 that references the Tree Board shall be replaced with the term Tree Advisory Committee or its designee;
2. Ordinance No. 1989-05: Other than as amended herein Ordinance No. 1989-05 shall remain in full force and effect;
3. Ordinance No. 18-09: Ordinance No. 18-09 is not modified, amended, repealed or replaced in any form or substance;

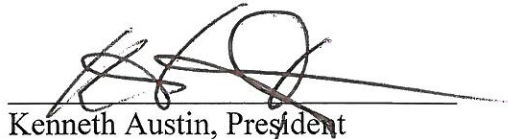
4. Severability of Provisions: If any part of this Resolution is held to be invalid, such part will be deemed severable and its invalidity will have no effect upon the remaining provisions of the Ordinances referenced above;
5. Duration and Effective Date: The provisions set forth in this Resolution become and will remain in full force and effect (until their repeal by Resolution or Ordinance) on day of the passage of this Resolution and signature of executive.

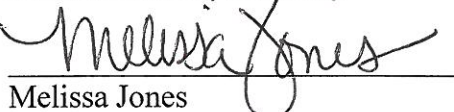
Introduced and Filed on the 15 day of June, 2020. A motion to consider same was made.

DULY PASSED on this 15 day of June, 2020 by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of 6 in Favor and 0 opposed.

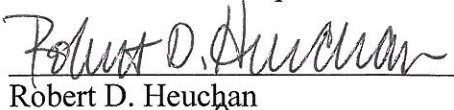
City of Franklin, Indiana, By its Common Council:

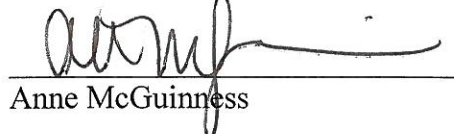
Voting Affirmative:


Kenneth Austin, President


Melissa Jones


Daniel J. Blankenship


Robert D. Heuchan


Anne McGuinness

Absent
Chris Rynerson


Shawn Taylor

Voting Opposed:

Kenneth Austin, President

Melissa Jones

Daniel J. Blankenship

Robert D. Heuchan

Anne McGuinness

Chris Rynerson

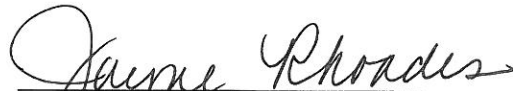
Shawn Taylor

Attest:



Jayne Rhoades
City Clerk-Treasurer

Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15, 16, this 15 day of June, 2020 at 6:20 o'clock a.m./p.m.



Jayne Rhoades,
City Clerk-Treasurer

This Resolution having been passed by the legislative body and presented to me [Approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2)], this 15 day of June, 2020 at 6:20 o'clock a.m./p.m.



Stephen Barnett
Mayor

Attest:



Jayne Rhoades,
City Clerk-Treasurer

Prepared by:
Lynnette Gray, City Attorney