

# Ordinance No. 870-2022

By Council Members Kazy and McCormack

**FOR PASSAGE**  
**September 12, 2022**

## AN EMERGENCY ORDINANCE

To Amend Section 163.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 702-2020, passed June 6, 2022, regarding the number of Urban Forestry Commission members serving initial appointments with staggered terms.

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That Section 163.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 702-2020, passed June 6, 2022 is amended to read as follows:

Section 163.02

Urban Forestry Commission, Composition, Terms and Compensation

- (a) There is hereby established the Cleveland Urban Forestry Commission, which shall consist of fifteen (15) members, eight (8) of whom shall be appointed by the Mayor, and seven (7) of whom shall be appointed by City Council.
- (b) The members of the Commission shall include the following:
  - (1) a representative from the Urban Forestry Section of the Division of Park Maintenance and Properties, Department of Public Works;
  - (2) a representative from the Department of City Planning;
  - (3) the Chief of the Office of Sustainability, or his or her designee;
  - (4) a representative from the Division of Engineering and Construction, Mayor's Office of Capital Projects;
  - (5) a representative from the Department of Public Utilities;
  - (6) Council Member or representative appointed by the Council President;
  - (7) a certified arborist;
  - (8) a representative from an electric company;
  - (9) a developer who has completed projects in the City;
  - (10) three resident representatives, one being a youth between the ages of 11 and 17 who has permission from his or her parent or legal guardian;
  - (11) a representative from an environmental justice organization; and
  - (12) two representatives from a non-profit or non-governmental organization whose mission is to advocate for preservation or enhancement of urban forests, wildlife habitat, or similar natural systems.

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(c) The Mayor shall appoint those members from the City Departments, the youth resident representative, the representative from an electric company, and the representative from an environmental justice organization. The Council shall appoint all other members.

(d) Other than the representatives of City Departments, the term of the members shall be three (3) years; provided that of the initial appointments, ~~four (4)~~ five (5) members shall serve three (3) years and ~~four (4)~~ five (5) members shall serve two (2) years. If a vacancy occurs during the term of any member, the Mayor or Council President, depending on who appointed the outgoing member, shall appoint a successor to serve the unexpired portion of that term.

(e) The members of the Commission shall serve without compensation.

Section 2. That the existing Section 163.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 702-2022, passed June 6, 2022 is repealed.

Section 3. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

/jho  
For: Council Members Kazy and McCormack  
9/12/2022

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REPORT  
after second Reading

By Council Members Kazy and McCormack

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READ FIRST, SECOND AND THIRD TIME

READ FIRST TIME

REPORTS

referred to

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME on SEPTEMBER 12, 2022

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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