

AN ORDINANCE AMENDING EACH AND EVERY SECTION OF ARTICLE 163 OF THE ADMINISTRATIVE CODE OF THE CITY OF MORGANTOWN; THEREBY, RENAMING THE CITY'S BEAUTIFICATION COMMISSION AS THE URBAN LANDSCAPE COMMISSION AND ALSO CLARIFYING MATTERS SUCH AS PURPOSE, MEMBERSHIP, TERMS, VACANCIES, OFFICERS, MEETINGS, FUNDS, AND ANNUAL REPORTS.

163.01 ESTABLISHED.

There is hereby established a ~~Beautification~~ Urban Landscape Commission for the City, the official name of which shall be the "Morgantown ~~Beautification~~ Urban Landscape Commission".

163.02 PURPOSE.

The purpose of the Urban Landscape Commission shall be to advise and recommend to the City Manager and/or City Council such plans, programs and projects which in the opinion of the Commission would improve the natural, aesthetic, and environmental quality of life within the City. The Commission shall review and make timely recommendations on all landscape plans accompanying new or reconstructed city buildings, parks, parking lots, trails and other City-owned realty. The Commission shall also appoint a Tree Board, which shall serve in an advisory capacity to the City Manager, when called upon by him/her, in administering the City's Tree and Shrub Ordinance (Article 917). The Commission shall also serve as a resource for the review of private sector projects as requested by the City Manager and/or the Planning Commission.

~~163.02~~ **163.03 MEMBERSHIP.**

The ~~Beautification~~ Urban Landscape Commission shall consist of thirteen members, consisting of the following: one from each ward of the City, one having expertise in Landscape Architecture one having expertise as an Urban Forester, one having expertise as a Botanist or equivalent expertise, one being a member of the Board of Parks and Recreation Commission, one being a member of the Chamber of Commerce, and one being a member of City Council. All persons shall be residents of the City. The City Manager shall appoint a member of the City Administration to serve as an ex-officio member of the Commission. The seven Commission members, who represent wards, shall be nominated by the City Manager upon the recommendation of their ward council person and confirmed by City Council. The remaining members shall be nominated by individual councilpersons and confirmed by City Council.

~~163.03~~ **163.04 TERM.**

~~The Beautification Commission members shall be elected for the following terms: Two members shall serve for terms expiring July 1, 1975; two members until July 1, 1976; and three members until July 1, 1977. The Mayor shall decide the terms to be served by such members. Upon expiration of the terms specified herein, all subsequent appointments shall be for a term of three years each.~~

All non-ward members of the Urban Landscape Commission shall serve three year terms as previously established by City Council. Whereas, it is the intent of City Council to stagger the terms of ward Urban Landscape Commission members so that no more than three of the seven ward terms shall expire in the same year, the terms of current ward members shall be as follows:

<u>1st Ward</u>	<u>7/01/09 to 7/01/12</u>
<u>2nd Ward</u>	<u>7/01/10 to 7/01/12</u>
<u>3rd Ward</u>	<u>7/01/09 to 7/01/12</u>
<u>4th Ward</u>	<u>7/01/10 to 7/01/13</u>
<u>5th Ward</u>	<u>7/01/10 to 7/01/13</u>
<u>6th Ward</u>	<u>7/01/10 to 7/01/13</u>
<u>7th Ward</u>	<u>7/01/10 to 7/01/11</u>

All subsequent appointments of ward members shall be for a term of three years each.

~~163.04~~ 163.05 VACANCIES.

~~Vacancies shall be filled in the same manner as original appointments and for the unexpired term only. The office of a member of the Beautification Commission shall become vacant upon his death, resignation, removal from office or failure to attend three consecutive, regular meetings without being excused by the Commission either before or after such failure of attendance. All members shall serve without compensation.~~

Vacancies shall be filled subject to the conditions set forth in Section 163.03 of this Article and for the unexpired term only. The office of a member of the Urban Landscape Commission shall become vacant upon the member's death, resignation, or removal from office. Should a member fail to attend more than one half of the meetings of the Commission in a consecutive twelve month period, the Chairperson shall confer with the member so as to assess the ability of the member to continue serving as a member of the Commission. All members shall serve without compensation.

~~163.05~~ 163.06 OFFICERS.

~~At the first Commission meeting of July in each year, the Beautification Urban Landscape Commission shall select from its own membership a chairperson, vice-chairperson, and secretary.~~

~~163.06~~ 163.07 MEETINGS.

~~The Beautification Urban Landscapes Commission shall meet as often as it may deem necessary by its members, upon call of the chairperson. The Commission shall adopt its own by-laws or rules subject only to the action of Council.~~

~~163.07~~ BEAUTIFICATION PROGRAMS AND PROJECTS.

~~It shall be the duty of the Beautification Commission to advise and recommend to the City Manager and/or Council such programs or projects which in the opinion of the Commission would improve the beauty and general welfare of the City. In its advisory~~

~~capacity, the Commission shall review and make recommendations, on or before a date set by Council, on all City landscaping projects to be considered by Council, and on all landscape plans accompanying new public buildings and parking lots. The Beautification Commission shall also appoint a Tree Committee, which shall serve in an advisory capacity to the City Manager, when called upon by him/her, in administering the City's Tree and Shrub Ordinance.~~

163.08 APPROPRIATION OF FUNDS.

Council may appropriate any funds that it deems necessary to carry out any of the proposals set forth by the ~~Beautification~~ Urban Landscapes Commission. The Commission, with the approval of City Council, may apply for federal and state financial aid in grants or other forms of financial assistance through the City Administration to assist in carrying out any of such proposals or projects. The Commission may also seek financial assistance from organizations or individuals for such purposes in consultation with the City Administration. All Commission funding shall be received and managed by the office of the City Manager.

163.09 ANNUAL REPORT.

Council may request a yearly report from the ~~Beautification~~ Urban Landscape Commission regarding its ~~financial condition including receipts and disbursements, together with such statistics, information, and suggestions as may be deemed of general interest.~~ services provided throughout the previous year. This report may include information, statistics and recommendations which may be deemed of general interest.

This Ordinance shall be effective upon date of adoption.

FIRST READING: 8/4/2009

ADOPTED: 8/18/2009

FILED: 8/19/2009

RECORDED: 8/19/2009


MAYOR


CITY CLERK