

**Ordinance No. 17 - 20**

By: Troy Markham

**An Ordinance to add Chapter 1026.40 in order to establish a designation for Heritage Trees.**

**Whereas;** The City of Bexley is officially designated as an arboretum; and

**Whereas;** The City of Bexley contains an enviable number of distinguished trees on both public and private property; and

**Whereas;** The presence of these majestic trees edifies the historic significance of a community; and

**Whereas;** This proposed ordinance has been created to provide a means of identifying, designating, and protecting stately trees that have a historic significance with the designation of "Heritage Trees" within the City of Bexley;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:**

**Section 1.**

That Section 1026.40 is hereby created to read as follows:

1026.40 Designation of Heritage Trees

In an effort to promote the protection of extraordinary examples of tree species within the Bexley Arboretum, the Heritage Tree Designation has been created.

- (a) For the purpose of this section, a "Heritage Tree" is defined as a tree with historic importance and/or possessing outstanding characteristics of its species, including size, shape, variety, coloration, and context.
- (b) Any tree within the municipal boundary of the city of Bexley may be nominated for designation as a Heritage Tree.
- (c) The designation of a new Heritage Tree may be made once per calendar year by the Tree and Public Gardens Commission.
- (d) In order to be considered for designation, the owner of the property upon which the prospective Heritage Tree is located must provide written consent to the nomination. The consent of the Service Director shall be provided in the instance of trees within the City's Public Right-of-Way under consideration.
- (e) The designation of a Heritage Tree will be marked with an official listing by the City and may be marked with a physical designation, such as a plaque or sign.

- (f) A tree that has been designated as a Heritage Tree shall have special protection from removal, excepting in the instance of the tree posing a threat to surrounding property, health, and human safety.

**Section 2.**

That this Ordinance shall go into effect and be in force from and after the earliest period allowed by law.

Passed \_\_\_\_\_, 2020

\_\_\_\_\_  
Lori Ann Feibel, President of Council

Attest: \_\_\_\_\_, 2020  
William Harvey, Clerk of Council

Approved: \_\_\_\_\_, 2020

\_\_\_\_\_  
Benjamin Kessler, Mayor

First Reading: 3-10-20  
Second Reading:  
Third Reading: