

**ORDINANCE # 2021 – 02**

**CITY OF DEXTER  
AMENDMENT TO THE GENERAL CODE OF ORDINANCES  
CHAPTER 30 – PARKS AND RECREATION,  
AND CHAPTER 62 - TREES**

At a regular meeting of the City Council of the City of Dexter, County of Washtenaw, State of Michigan, held on the 12<sup>th</sup> day of April, 2021, 6:00 PM Eastern Time via a virtual conference call permitted by State law.

MEMBERS PRESENT: Cousins, Fisher, Griffin, Hubbard, Michels, and Keough  
MEMBERS ABSENT: None

The following Ordinance Amendment was offered by Council Member Fisher and supported by Council Member Griffin.

The City of Dexter Ordains:

Chapter 30 and Chapter 62 of the Code of Ordinances, City of Dexter, Washtenaw County, Michigan, is hereby amended as follows:

*Chapter 30 – Parks and Recreation*

Sec. 30-31. - Organization.

Pursuant to MCL 117.4e, 117.4j and 123.51 et seq., there is hereby created and established a commission, to be known as the city parks and recreation commission. The city parks and recreation commission shall consist of nine members, to be appointed by the mayor and affirmed by city council. One member shall also be a member of the city council to be selected by resolution of the city council to serve as a member ex officio and shall be selected during the city council's resolution of organizational matters. At least six members of the parks and recreation commission shall be residents of the City of Dexter, but three members so appointed may be residents of Dexter, Webster, Scio, and Lima townships. The city parks and recreation commission shall actively recruit members when vacancies occur, screen potential commissioners and forward recommendations to the mayor.

(Ord. eff. 6-30-1996, § 2; Ord. No. 2002-05, § 1, eff. 8-2-2002; Ord. No. 13-2003, § 1, 6-23-2003; Ord. No. 33-2005, 11-14-2005; Ord. No. 2-2008, eff. 10-19-2008)

Sec. 30-34. - Quorums.

A quorum shall consist of five members. An affirmative vote of the majority of current appointed members shall be necessary to pass any motion.

(Ord. eff. 6-30-1996, § 5; Ord. No. 2002-05, § 4, eff. 8-2-2002; Ord. No. 13-2003, § 4, 6-23-2003; Ord. No. 2-2008, eff. 10-19-2008)

Sec. 30-38. - Functions and duties.

The parks and recreation commission shall carry out the following functions and perform the following duties:

- (1) Prepare, update and maintain the Dexter City Parks Master Plan, ensuring that the plan is kept current and is reflected in the city master plan;
- (2) Advise and assist the city council on matters pertaining to city parks, trees, and recreational matters, subject to the guidance of the council. Specifically advise the city council regarding the acceptance of gifts and applying for grants related to parks, trees and recreational facilities;
- (3) Advise the city council on all rules and regulations deemed appropriate or necessary for the use, development and operation of city parks and recreational facilities;
- (4) Advise and assist the city council on matters pertaining to trees located on city-owned property, including trees located in the city's rights-of-way;
- (5) Undertake other duties identified as the Commission's responsibility in general code Section 62, Article II – Trees.
- (6) The parks and recreation commission shall not obligate itself or the city in any financial undertaking. It is not empowered to spend any funds of the city for any purpose unless first provided for by a specific appropriation by the city council;
- (7) Coordinate the acquisition of parks equipment or services, excluding maintenance, funded by the city council; and
- (8) Report to the city council. Such reports shall inform the city council on updates to the parks master plan, budget requests for the upcoming fiscal year, condition of the parks, condition of trees on city property, and input from city residents concerning the parks, and other matters deemed appropriate.

(Ord. eff. 6-30-1996, § 9; Ord. No. 2002-05, § 8, eff. 8-2-2002; Ord. No. 13-2003, § 8, 6-23-2003; Ord. No. 2-2008, eff. 10-19-2008)

*Chapter 62 – Trees*

Sec. 62-35. - Authority.

- (a) The Parks and Recreation Commission will assist in the development of a comprehensive plan for the City of Dexter Michigan, including planning, tree planting, and maintenance programs for all public trees. The Commission will promote the goals of the tree program.
- (b) The city manager or his/her designee shall have the following general powers and duties:
  - (1) To direct, manage, supervise, and control the city street program to include all planting, removal, maintenance, and protection of all trees and shrubs on city areas;
  - (2) To guard all trees and shrubs within the city to prevent the spread of disease or pests and to eliminate dangerous conditions that may effect the life, health, or safety of persons or property; and
  - (3) To regulate the planting, maintenance, and removal of trees on streets and other publicly owned property to ensure safety or preserve or enhance the aesthetics of such public sites

- (4) To supervise or inspect all work done under a permit issued in accordance with terms of this article.
- (5) To formulate and publish a master tree plan with the advice, hearing, and approval of the tree board.
- (6) Such other powers and duties as are provided by ordinance of the city and the Dexter City Council.

(Ord. No. 15-2005, 4-28-2005)

Sec. 62-36. - Permits.

- (a) No person shall plant, fertilize, prune, remove, cut above or below ground, or otherwise disturb any tree on any street or municipal-owned property without first filing an application and procuring a permit the City of Dexter or otherwise specified municipal authority. The person receiving the permit shall abide by the arboricultural specifications and standards of practice adopted by the Parks and Recreation Commission.
- (b) The City of Dexter shall have the authority to require posting of a bond adequate to fully repay the City of Dexter for any and all costs attendant to the completion of the work under the permit. In addition, the contractor is required to show adequate insurance coverage from potential damages during the execution of the work. All permittees are required to call MISS DIG 72 hours prior to any work.

(Ord. No. 5-2005, 4-28-2005)

Sec. 62-38. - Species, cultivars, and varieties.

The Parks and Recreation Commission develops and maintains a list of desirable trees for planting along streets in three size classes: small, medium, and large. A list of tree species not suitable for planting as street trees will also be created and enforced by the Parks and Recreation Commission, or as otherwise noted in city ordinances.

(Ord. No. 15-2005, 4-28-2005)

Effective Date: This Ordinance shall become effective upon publication, in accordance with the City Charter.

Consistency and Repeal: All existing Ordinances or part of Ordinances are to be interpreted as consistent with this Ordinance and State Law. Any Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Geographic area: This Ordinance shall have effect in all geographic areas of the City of Dexter to the fullest extent allowed by law.

YEAS: Griffin, Michels, Fisher, Hubbard, and Keough

NAYS:

ABSENT: Cousins

**ORDINANCE AMENDMENT DECLARED ADOPTED THIS 12<sup>th</sup> DAY OF APRIL, 2021.**

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Shawn W. Keough, Mayor

**CERTIFICATION**

I, Justin Breyer, City Clerk for the City of Dexter, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an ordinance adopted at a regular meeting of the City of Dexter City Council held on April 12, 2021.

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Justin Breyer, City Clerk