

AN ORDINANCE REPEALING AND REENACTING WITH AMENDMENTS
ORDINANCE NO. 156 CONCERNING THE CREATION OF A TOWN
TREE BOARD FOR THE CARE, PRESERVATION, TRIMMING,
PLANTING, REPEALING, REMOVAL OR DISPOSITION OF TREES
AND SHRUBS IN PUBLIC WAYS, STREETS, ALLEYS, AND UPON
PRIVATE PROPERTY.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN
OF SWINK, COLORADO:

SECTION 1. Creation and Establishment.

There is hereby created and established a Town Tree Board for
the Town of Swink, Colorado, which shall consist of five members,
citizens and residents of this Town, who shall be appointed by
the Mayor with the approval of the Board of Trustees.

SECTION 2. Term of Office.

The term of the five persons to be appointed by the Mayor
shall be three years except that the term of three of the members
appointed to the first board shall be for only one year and the
term of two members of the first board shall be for two years.
In the event that a vacancy shall occur during the term of any
member, his successor shall be appointed for the unexpired portion
of the term.

SECTION 3. Compensation.

Members of the Board shall serve without compensation.

SECTION 4. Duties and Responsibilities.

It shall be the responsibility of the Board to study, investigate,
counsel, and develop and/or up-date annually a written plan for the
care, preservation, trimming, planting, replanting, removal or
disposition of trees and shrubs in public ways, streets, and alleys.
Such plan will be presented annually to the Board of Trustees and upon
their acceptance and approval shall constitute the official comprehensive
Town tree plan for the Town of Swink, Colorado.
The Board, when requested by the Board of Trustees, shall consider,
investigate, make findings, report, and recommend upon any special
matter or question coming within the scope of its work.

The Board, when requested by the Board of Trustees or the Town
supervisor shall advise the Town supervisor as to the health and con-
dition of any trees and shrubs located upon private property within
the Town.

SECTION 5. Duty of Land Owners.

If the Town supervisor shall find that any tree or shrub located
upon private property within the Town is diseased, dead, or otherwise
presents a hazard to the residents of the Town, the person owning
the land upon which such tree or shrub is located shall remove the
same within thirty days after receiving notice of such condition
from the Board of Trustees, the Town supervisor or the Town attorney.

SECTION 6. Violation.

Violation of any of the provisions of this Ordinance or
failure to comply with the conditions thereof shall constitute
a misdemeanor and upon conviction thereof shall be punishable

(SEAL)

W. Claire Brown, Town Clerk

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Swink this _____ day of _____, 1977.

I, W. CLAIRE BROWN, Town Clerk of the Town of Swink, Colorado, do hereby certify the above and foregoing Ordinance was introduced, read in full and passed on first reading at a regular meeting of the Board of Trustees held on the 12th day of July, 1977, and posted by me in three (3) public places in the Town of Swink, to-wit: U. S. Post Office, Swink Grocery, and Hanagan Hardware, and was finally passed, adopted, and approved at the regular meeting of the Board of Trustees of the Town of Swink held on the _____ day of August, 1977, and ordered posted at U. S. Post Office, Swink Grocery, and Hanagan Hardware, being three (3) public places in the Town of Swink as Ordinance No. 160 of the Town of Swink, County of Otero, State of Colorado.

STATE OF COLORADO
County of Otero)ss.
Town of Swink)

(SEAL)

W. Claire Brown, Town Clerk

Art O'Neal, Mayor

Passed first reading this 12 day of July, 1977.
Passed second and third readings on the _____ day of August, 1977.

The Board shall choose its own officers, shall make its own rules and regulations which shall become effective upon adoption by the Board of Trustees and shall keep a journal of its proceedings. A majority of members shall be a quorum for the transaction of business.

SECTION 7. Operation.

by a fine not exceeding \$300.00. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable hereunder.

2.08.010 Creation and establishment.
 2.08.020 Term of office.
 2.08.030 Compensation.
 2.08.040 Duties and responsibilities.
 2.08.050 Operation.
 2.08.060 Duty of landowners.
 2.08.070 Violation--Penalty.

Sections:

TREE BOARD

Chapter 2.08

2.04.030 Election of trustees. At the election held on April 4, 1978, the three trustees receiving the greatest number of votes shall be deemed elected to a term of four years and the remaining three trustees to a term of two years. Thereafter, every two years three trustees shall be elected. (Ord. 165 S3, 1978)

2.04.020 Mayor. The term of office of the mayor shall be two years and a mayor shall be elected every two years. (Ord. 165 S2, 1978)

2.04.010 Trustees. The term of office of each of the trustees of the town of Swink shall be four years or until a successor takes office. (Ord. 165 S1, 1978)

2.04.010 Trustees.
 2.04.020 Mayor.
 2.04.030 Election of trustees.

Sections:

TERMS OF OFFICE

Chapter 2.04

2.04 Terms of Office
2.08 Tree Board

Chapters:

ADMINISTRATION AND PERSONNEL

Title 2

Swink

2.08.010 Creation and establishment. There is created and established a town tree board for the town of Swink, Colorado, which shall consist of five members, citizens and residents of this town, who shall be appointed by the mayor with the approval of the board of trustees. (Ord. 160 \$1, 1977)

2.08.020 Term of office. The term of the five persons to be appointed by the mayor shall be three years except that the term of three of the members appointed to the first board shall be for only one year and the term of two members of the first board shall be for two years. In the event that a vacancy occurs during the term of any member, his successor shall be appointed for the unexpired portion of the term. (Ord. 160 \$2, 1977)

2.08.030 Compensation. Members of the board shall serve without compensation. (Ord. 160 \$3, 1977)

2.08.040 Duties and responsibilities. A. It shall be the responsibility of the board to study, investigate, counsel and develop and/or update annually a written plan for the care, preservation, trimming, planting, replanting, removal or disposition of trees and shrubs in public ways, streets and alleys. Such plan will be presented annually to the board of trustees and upon their acceptance and approval shall constitute the official comprehensive town tree plan for the town of Swink, Colorado. B. The board, when requested by the board of trustees, shall consider, investigate, make findings, report, and recommend upon any special matter or question coming within the scope of its work. C. The board, when requested by the board of trustees or the town supervisor, shall advise the town supervisor as to the health and condition of any trees and shrubs located upon private property within the town. (Ord. 160 \$4, 1977)

2.08.050 Operation. The board shall choose its own officers, shall make its own rules and regulations which shall become effective upon adoption by the board of trustees and shall keep a journal of its proceedings. A majority of members shall be a quorum for the transaction of business. (Ord. 160 \$7, 1977)

2.08.060 Duty of landowners. If the town supervisor finds that any tree or shrub located upon private property within the town is diseased, dead, or otherwise presents a hazard to the residents of the town, the person owning the land upon which such tree or shrub is located shall remove the same within thirty days after receiving notice of such condition from the board of trustees, the town supervisor or the town attorney. (Ord. 160 \$5, 1977)

2.08.070 Violation--Penalty. Violation of any of the provisions of this chapter or failure to comply with the conditions thereof shall constitute a misdemeanor and, upon conviction thereof, shall be punishable by a fine not exceeding three hundred dollars. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable under this chapter. (Ord. 160 §6, 1977)