

ORDINANCE NO. 19-23

**AN ORDINANCE TO AMEND SECTION 3 OF ORDINANCE NO. 90-21
TO ESTABLISH A NEW DATE FOR ARBOR DAY
AND DECLARING AN EMERGENCY**

WHEREAS, interested citizens petitioned City Council for the creation of a city Tree Commission; and

WHEREAS, Council, passed Ordinance No 70-21 on September 13, 2021 to establish the City's Tree Commission; and

WHEREAS, the Tree Commission, at their initial meeting, set out to have the City of Avon designated as a "Tree City USA"; and

WHEREAS, one of the many steps along the way to achieving this designation was to establish an Arbor Day within the City; and

WHEREAS, Section 3 of Ordinance No. 90-21 established that the first Saturday in November of every year would be declared Arbor Day for the City of Avon; and

WHEREAS, the first Arbor Day celebration which was held on November 5, 2022 was very successful and had great weather; and

WHEREAS, the Tree Commission believes that by moving Arbor Day to the first Saturday of October it would increase the chances of milder weather which would result in greater attendance, increased participation and more activities; and

WHEREAS, the Tree Commission met on January 11, 2023 and by a vote of four (4) to zero (0) voted to change the date of the Arbor Day celebration; and

WHEREAS, Council, in considering the recommendations of the Tree Commission, finds that amending Section 3 of Ordinance No. 90-21 would be in the best interests of the health, safety and welfare of the citizens of Avon.

NOW, THEREFORE, BE IT ORDAINED BY COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That Ordinance 90-21, Section 3 which currently reads as follows:

"Section 3 - That the first Saturday in November of every year is hereby declared to be Arbor Day for the City of Avon."

Shall be amended as follows: (New language in bold print)

"Section 3 - That the first Saturday in **October** of every year is hereby declared to be Arbor Day for the City of Avon."

Section 2 – That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the City of Avon, the immediate emergency being the necessity of amending Ordinance No. 90-21, Section 3 to change the date of the annual Arbor Day; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: February 27, 2023 DATE SIGNED: February 27, 2023

By: Brian Fischer
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: February 28, 2023

Bryan K. Jensen
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior
John A. Gasior, Law Director

ATTEST:

Barbara J. Brooks
Barbara J. Brooks, Clerk of Council

POSTED: March 1, 2023
Electronically and at City Hall
As Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 19-23, passed by the Council of said City on February 27, 2023.

IN WITNESS WHEREOF, I have on this 28th day of February, 2023, affixed my signature and official seal.

Barbara J. Brooks
Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio