

ORDINANCE NUMBER 72B

CITY OF TOWER, MINNESOTA

An ordinance creating a municipal forest board to administer municipal forest lands donated to or otherwise acquired by the City of Tower, and providing for operation of such board.

The City of Tower ordains:

Section 1. There is hereby created a board hereafter to be known as the Municipal Forest Board consisting of five members. The Mayor of the City shall act as one member. Four other members shall be appointed by the Mayor and approved by the City Council. Appointments on such board shall be one member for one year, a second member for two years, a third member for three years, a fourth member for four years, and as each member's term expires, appointments thereafter shall be for a full term of three years.

Section 2. It shall be the duty of this board to administer the affairs any municipal forest that may now or at any future period be acquired by gift or otherwise for municipal forest purposes. Such board shall administer such municipal forest in a conservative and economical manner having due regard for the perpetuation and conservation of such forest, and having due regard to the best interests of the City of Tower. Said board shall consult with the State Forester of the State of Minnesota and obtain therefrom proper information for the proper management of said municipal forest. Timber shall be cut from said municipal forest and sold only according to the best and usual custom and practice in the conservative management of forest lands.

Section 3. Such Board shall have authority to arrange for the sale of timber from said lands in such cases as wise and proper forest management requires that certain mature timber be cut for the best interests of said forest. Any sale of timber from said forest lands shall first be approved by four-fifths vote of the City Council and ratified by the City Mayor.

Section 4. All monies accruing from the sale of such timber shall be placed in the Municipal Forest Fund and used for proper City purposes as determined by four-fifths vote of the City Council and ratified by the Mayor. All disbursements of Municipal Forest Funds must be made directly from the Municipal Forest Fund and the specific purpose of such disbursement must be recorded in said motion.

Section 5. Such board members shall serve without compensation.

Section 6. Such Board may be authorized to negotiate exchanges or sales of lands and land yields with other governmental units or private parties, subject to four-fifths approval of the City Council, City of Tower, and ratified by the Mayor. Further, that the Board and the City of Tower be directed, through exchange and sales for fair market value, to consolidate land holdings for the public good through recreational and multiple-use policies.

Section 7. Ordinances of the City of Tower, numbered 30 and 30A, and any other ordinances in conflict and inconsistent herewith are hereby repealed.

Section 8. If any part, section, clause, or paragraph of this ordinance shall be declared, invalid or unconstitutional, the validity of any of the parts of this ordinance not invalid shall not be affected.

Section 9. This ordinance shall be in effect on its passage, adoption, and publication.

Introduced by Alderperson Olson, and given its first reading on November 17th, 1986.

Given second reading November 24th, 1986.

Moved by Alderperson Majerle, supported by Alderperson Trembath, that the ordinance be adopted.

Adopted December 9, 1986 by the following vote:

Ayes: Burgess, Trembath, Olson, Majerle, and Reichensperger.

Nays: None.

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Gary Burgess, Mayor

Timothy L Kotzian, City Clerk Treasurer