RESOLUTION #2011-162

A RESOLUTION TO DECLARE AN EMERGENCY REGARDING
THE MOUNTAIN PINE BEETLE INVASION WITHIN THE CITY OF RAPID CITY

WHEREAS, the City of Rapid City has adopted regulations pertaining to the planting, removal, and maintenance of trees within the City of Rapid City; and

WHEREAS, the City of Rapid City is aware of the invasion and continuing proliferation of the mountain pine beetle in the City of Rapid City; and

WHEREAS, the Rapid City Common Council finds it would be in the best interest of the City of Rapid City to implement proactive measures in order to attempt to reduce the proliferation of the mountain pine beetle in the City of Rapid City, including but not limited to the removal and destruction of trees identified within the jurisdiction of the City of Rapid City as being infested with the mountain pine beetle; and

WHEREAS, the City of Rapid City finds the proliferation the mountain pine beetle to not only be a public nuisance, but also an imminent threat to the City's health, safety, and welfare; and

WHEREAS, the City of Rapid City finds proactive mountain pine beetle reduction measures would protect and increase property rights and values; enhance and conserve the City's aesthetic environment and physical characteristics of the land; and generally protect and enhance the quality of life and general welfare of the City.

NOW, THEREFORE, BE IT RESOLVED, by the City of Rapid City that there is hereby declared a state of emergency regarding the mountain pine beetle invasion in the City of Rapid City. This emergency shall be in effect for one hundred eighty (180) days from the date this resolution is approved, or until such time as the Council acts to lift this declaration, whichever is shorter.

BE IT FURTHER RESOLVED, by the City of Rapid City that there is hereby established a Mountain Pine Beetle Incident Command Committee ("Committee"), to be operated under the authority of the Director of Parks and Recreation or his or her designee, and to be made-up of City employees designated by the Director of Parks and Recreation. The Committee shall operate and be effective for one hundred eighty (180) days from the date this resolution is approved, or until such time as the Council acts to lift this declaration, whichever is shorter.

BE IT FURTHER RESOLED, by the City of Rapid City that the Committee is hereby authorized to implement proactive measures in order to attempt to reduce the proliferation of the mountain pine beetle in the City of Rapid City. Proactive measures include but are not limited to the removal and destruction of trees identified as being infested with the mountain pine beetle within the corporate limits of the City of Rapid City, or within one mile of the corporate limits of the City not within another municipality. The Committee shall meet from time-to-time, as deemed necessary by the Director of Parks and Recreation, and shall determine the course of action to be taken.

BE IT FURTHER RESOLVED, by the City of Rapid City that it hereby designates One Hundred Fifty Thousand 00/100 Dollars ($150,000.00) for the implementation of proactive mountain pine beetle eradication measures to be carried out under the direction of the Committee.

BE IT FURTHER RESOLVED, by the City of Rapid City that this resolution is necessary for the immediate preservation of the public peace, health, safety, and support of the municipal government and its existing public institutions, and this resolution takes effect immediately upon execution.

DATED this _____ day of December, 2011.

CITY OF RAPID CITY

_____
Mayor

ATTEST:

_____
Finance Officer

(SEAL)