

TREE ORDINANCE

NO. 94-c 1

CITY OF BLAIRSVILLE
COUNTY OF UNION
STATE OF GEORGIA

Section 1.

IT IS THE PURPOSE OF THIS ORDINANCE TO PROMOTE AND PROTECT THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE BY PROVIDING FOR THE REGULATION OF THE PLANTING, MAINTENANCE, AND REMOVAL OF TREES, SHRUBS AND OTHER PLANTS WITHIN THE CITY OF BLAIRSVILLE.

Section 2.

There is hereby created and established a City Tree Board for the City of Blairsville which shall consist of three (3) members. All members shall be appointed by the Mayor and approved by the City Council. **Members of the board shall serve without compensation.**

The three (3) members of the board shall be as follows: one (1) Council Member, One (1) city resident, and the Director of Public Works for the City.

Section 3.

The term of the members shall be as follows: Director of Public Works, three (3) years, City Council Member, two (2) years, city resident, one (1) year. In the event that a vacancy shall occur during the term of any member, his or her successor shall be appointed for the unexpired portion of the term.

Upon appointment of the board of the City officials, the City Council Member will chair the Board, and will elect one of its members to be secretary. The Board shall then provide for the rules and procedures for the holding of meetings.

Section 4.

The Board herein created shall have the power and authority.

- (a) To study and determine the problems and needs of the City of Blairsville for the planting of trees and shrubberies in public places:
- (b) To recommend to the Mayor and City Council of Blairsville, the types and kinds of trees and shrubs to be planted upon right-of-way of Highway 129, municipal streets, public parks and public places of the city:
- (c) To recommend to the Mayor and City Council the removal of trees, shrubs and plants located on private property that constitute a hazard or threat to the public safety or public health:
- (d) To assist the City in a program to protect and maintain existing trees, shrubs and green areas on all City-owned property.

Section 5. Definitions

Street Trees: evergreen or deciduous trees or shrubs located on the public right-of-way lying between the paved areas and private property lines on either side of the streets, avenues, or ways within the City.
Park Trees: evergreen or deciduous trees or shrubs on land designated as public park land, owned by the City or land to which the public has free access as a park.
Shade Trees: any self-supporting woody plant of a species that is well shaped, well branched and well foliated.
Crown Spread: the distance measured across the greatest diameter of a plant.
Small Trees: Ornamental trees that would not grow more than 30 feet (i.e. crepe myrtle, Bradford pear, cherry, dogwood, etc.)

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Section 6. Distance from the Street Corners and Fireplugs

No street tree shall be planted closer than 35 feet from any street corner, measured from the point of nearest intersection curbs or curb lines. However, shrubs maintained less than 3 feet in height are acceptable.

Section 7. Utilities

No tree, other than those small trees in this ordinance may be planted under or within 10 lateral feet of any overhead utility wire.

Section 8. Public Tree Care

The City shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the right-of-way, alleys, avenues, lanes, squares, and public grounds, as may be necessary to insure public safety and to preserve or enhance the symmetry and beauty of such public grounds.

The City shall have the right to remove or cause or order to be removed, any street tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, streets, electrical power lines, gas lines, or other public improvements, or is affected with any injurious fungus, insect or other pest.

Section 9. Pruning, Corner Clearance

Every owner of any tree overhanging any street or right-of-way within the City shall prune the branches so that such branches shall not obstruct the view of any street intersection. Said owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs with constitute a menace to the safety of the public. The City shall have the right to prune any tree or shrubs on private property when it endangers vehicular traffic or interferes with the visibility of any traffic control device or sign.

Section 10. Removal of Stumps.

All stumps of street and park streets shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground, the remains removed and any resulting hole filled with topsoil and properly grassed.

The Mayor and Council Members of the City of Blairsville has the right to review and act on the recommendations of the Tree Board. All final decisions will be made by the City Officials of Blairsville.

If any provision of this ordinance shall be held invalid, such invalidity shall not affect any of the other provisions of sections of this ordinance.

1st Reading 12/6/93

CITY OF BLAIRSVILLE TREE BOARD

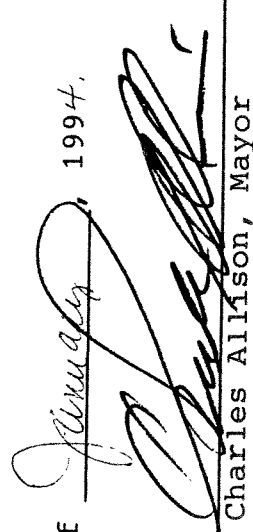
Michael Mashburn, Councilmember

Ottis Franklin, Water&sewer superintendent

Valarie Cook, Resident

Passed and adopted this 4th day of January, 1994.


Janice Kelley, City Clerk


Charles Allison, Mayor