

City of Blakely

Early County

Not located in a MSA.

2003 Population Estimate 5,588; -1.8% change from 2000 Census.

Not a Tree City USA.

Tree Committee with 5 members; no meeting frequency required by ordinance.

Chapter 86 VEGETATION

Year first adopted or last revised unknown.

Addresses public and private property.

Includes buffer and landscape requirements.

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Survey and contact information not submitted.

Chapter 86 VEGETATION*

***Cross references:** Buildings and building regulations, ch. 14; cemeteries, ch. 26; environment, ch. 34; health and sanitation, ch. 42; planning, ch. 62; streets, sidewalks and other public places, ch. 70; subdivisions, app. A; zoning, app. B.

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ARTICLE II. TREES

DIVISION 1. GENERALLY

Sec. 86-26. Findings of fact.

It is hereby declared that trees on publicly and privately owned areas within the city are both an economic and aesthetic asset to the city. The fostering of positive public attitudes toward the value of trees and green space to the community warrants directed public education efforts. It is further declared that existing trees are in need of protection and qualified maintenance, and that measures to promote the planting of additional trees should be undertaken.

(Ord. of 12-1-92, § 1)

Sec. 86-27. Emergency powers--City departments.

Departments of the city are granted emergency powers with respect to cutting, trimming, or removing trees in order to restore the delivery of city services following service interruption caused by inclement weather.

(Ord. of 12-1-92, § 10)

Sec. 86-28. Same--Utility companies.

The city, Georgia Power Company, Blakely Cable Television, Three Notch EMC, Georgia Telephone Corp., and their agents, are exempt from the provisions of section 86-27 or other emergency situations with respect to the maintenance of utility right-of-way. However, these agencies shall be required to follow procedures and tree maintenance techniques established by the tree committee.

(Ord. of 12-1-92, § 11)

Sec. 86-29. Enforcement procedures.

(a) Whenever the city determines that a violation of this article exists, the city shall give written notice of the violation to the occupant, applicant, and the owner shown on the most recent tax roll of the city. Such written notice shall include, but not be limited to:

- (1) A description of the location of the property involved, either by street address or by legal description.
- (2) A statement indicating the nature of the violation.
- (3) A statement showing the time within which all necessary remedial action must be accomplished.
- (4) The name of the person upon whom the notice of violation is served.
- (5) A statement advising that upon failure to comply with the requirements of

the notice the city shall take such enforcement procedures as may be required under this article.

- (b) Written notice required above shall be served upon the person violating this article and the person owning this land by either personal delivery or certified mail.
- (c) If such notice is not complied with within the time specified in the notice, the city shall use all available means of enforcement in order to secure compliance with the provisions of this article.

(Ord. of 12-1-92, § 19)

Sec. 86-30. Penalties and violations.

- (a) Any person violating this article shall be punished as provided in section 1-7.
- (b) Any person failing to replace any dead plants after written notice as provided for in this article shall be subject, upon conviction, to a fine as provided in section 1-7. Each day that such party fails to replace such dead plant or plants shall constitute a separate offense. Any trees designated in the site development plan to be preserved that are destroyed during construction shall be replaced upon written notice to the applicant and property owner. Failure to replace such trees within the time specified shall subject such party, upon conviction, to a fine as provided in section 1-7. Each day the party fails to replace such trees after the notice required herein shall constitute a separate and distinct offense.

(Ord. of 12-1-92, § 20)

Sec. 86-31. Protection of trees; permission to cut, remove, etc.

- (a) Except as otherwise provided, no person shall cut, remove, trim or in any way damage any tree on any property owned by the city, or shall create any condition injurious to any such tree without having first made a written application so to do to the tree committee and having obtained advance written permission from the committee.
- (b) The committee shall take action on the application for permission under this section within ten days of its receipt. The form of application shall be established from time to time by the committee, and the committee may delegate to one or more of its members or officers the power to grant such permission in accordance with standards set by it.
- (c) The committee may in its discretion hold public hearings on any application and may approve all or any part of an application upon such terms and conditions as the committee may fix. In considering any application before it, the committee shall base its decision on whether the public and private benefit that will result from granting the application outweighs the public and private benefit that will result from denying it.

(Ord. of 12-1-92, § 9)

Sec. 86-32. Duties of landowner.

The landowner is responsible for maintaining all required planting materials and preserve trees in good health. Any dead or missing plants within 15 months of installation pursuant to a valid landscape permit must be replaced with new plants which meet the minimum installation dimensions.

(Ord. of 12-1-92, § 12(3))

Secs. 86-33–86-45. Reserved.

DIVISION 2. TREE COMMITTEE

Sec. 86-46. Created, composition.

There is hereby created the Blakely Tree Committee. The committee shall consist of five at-large residents of the city, however, it may have no more than one nonresident which will replace one city resident position.

(Ord. of 12-1-92, § 2)

Sec. 86-47. Terms.

The terms of the members of the tree committee shall be staggered terms of one year to five years. Members may be reappointed at the discretion of the city council.

(Ord. of 12-1-92, § 3)

Sec. 86-48. Compensation.

The members of the tree commission shall serve without compensation.

(Ord. of 12-1-92, § 4)

Sec. 86-49. Interdepartmental cooperation.

The tree committee shall cooperate with and coordinate activities with all departments of the city, and all departments of the city shall cooperate with the committee.

(Ord. of 12-1-92, § 5)

Sec. 86-50. Chairman.

Each year the tree committee shall elect a chairman who shall be a voting member of the tree committee.

(Ord. of 12-1-92, § 6)

Sec. 86-51. Calling of meetings.

A meeting of the tree committee may be called by an elected chairman or two committee members.

(Ord. of 12-1-92, § 7)

Sec. 86-52. Quorum.

One-half of the membership of the tree committee, in addition to the chairman, shall constitute a quorum for the transaction of business.

(Ord. of 12-1-92, § 8)

Secs. 86-53--86-65. Reserved.

DIVISION 3. STANDARDS AND GUIDELINES**Sec. 86-66. Compliance generally.**

To ensure the attainment of the objectives of this article, the design and installation of required landscaping shall be consistent with the following standards unless it can be demonstrated that alternative design and installation plans will meet the objectives of this article. The landscape development standards contained in this article shall apply wherever a landscape permit and plan are required.

(Ord. of 12-1-92, § 12)

Sec. 86-67. Line of sight protection.

Landscaping required by this article shall comply with the city's minimum line of sight standards and sight triangle for streets, intersections and driveways as provided in this division and in the city's zoning ordinance. Landscaping shall not obstruct or impede public pedestrian rights-of-way or routes.

(Ord. of 12-1-92, § 12(1))

Sec. 86-68. Stabilization of soil surface.

The soil surface of all planting areas shall be stabilized to prevent erosion by the use of live ground cover, mulches, live shrubs, permeable pedestrian paver blocks or a combination thereof.

(Ord. of 12-1-92, § 12(2))

Sec. 86-69. Guidelines generally.

Existing tree protection, cordoning areas, parking distance from trees, and replacement of dead trees shall meet the following guidelines:

- (1) Each tree or group of trees to be preserved in development shall be protected within the trees' drip line zone.
- (2) No construction within the tree's drip line will be allowed, unless protection measures to insure the survivability of the tree or trees are detailed in the site development plan.

(3) The location of overhead utility line shall be considered during the placement of required trees in accordance with the following standards:

a. *Small species.* Shall be used when located within 35 feet of either side of the nearest overhead utility line.

b. *Small, medium or large species.* May be used when located more than 35 feet on either side of the nearest overhead utility lines.

(4) A minimum five-foot radius shall be maintained around all fire protection equipment, including fire hydrants, which shall contain no plant materials or structural elements other than ground cover plants.

(Ord. of 12-1-92, § 12(4))

Sec. 86-70. Existing vehicular areas.

Any expansion of existing vehicular use areas shall have the same requirements as prescribed for interior and exterior street yard planting areas. The requirements shall pertain only to the expansion area; however, the minimum landscape standards as to trees and shrubs may be dispensed or disbursed evenly throughout the entire property if the applicant desires.

(Ord. of 12-1-92, § 15)

Sec. 86-71. Development of vehicular use areas.

The following landscaping standards shall be met in all vehicular use areas on development or redevelopment:

(1) In vehicular use areas that equal or exceed two acres in size (87,120 square feet), the minimum landscape requirements are one tree and eight shrubs every 2,800 square feet or greater fraction thereof. In areas less than two acres in size, the minimum landscaping requirements are one tree and 12 shrubs for every 1,400 square feet or greater fraction thereof. The tree and shrub plantings may be spaced in any pattern.

(2) All trees to be planted must be at least two inches at basal caliper and at least eight feet in height at the time of planting. Shrubs included in interior planting areas must be a minimum of 18 inches in height at installation and expected to reach a minimum height of 36 inches within three years of planting. Shrubs shall be locally adapted species which retain their foliage to within six inches above groundline and shall be spaced no more than 18 inches edge to edge. Not more than 30 percent of the shrubs shall be deciduous species. All planting shall conform to accepted horticultural practices to insure maximum survivability.

(Ord. of 12-1-92, § 13(a), (b))

Sec. 86-72. Preservation of existing trees.

The city desires to preserve all existing trees wherever possible in development. Preserved trees may be credited toward and count in the minimum landscape requirements. To be deemed a preserved tree and count in the minimum landscape requirements, the existing tree must be at least two inches in basal caliper and at least eight feet in height. In order to encourage the preservation of large mature trees, preserved trees will be substituted for trees

required to be planted under the minimum landscape standards on a two-to-one ratio (one preserved tree shall equal two proposed planted trees).

(Ord. of 12-1-92, § 13(c))

Sec. 86-73. Maintenance of preserved trees.

Preserved trees shall be protected during construction as required under this article. Maintenance is the sole responsibility of the owner and any dead trees shall be replaced.

(Ord. of 12-1-92, § 13(d))

Sec. 86-74. Landscaped street yards.

A landscaped street yard shall be required on all vehicular surface areas located adjacent to a street right-of-way. A street yard must have a minimum width of 12 feet which may include a three-foot buffer zone and shall be parallel to the street right-of-way. A minimum of two trees and ten shrubs shall be required in every 75 lineal feet or greater fraction thereof of street yard. Under no circumstances will the street yard contain less than two trees. Trees and shrubs planted in street yard areas must conform to the specifications stated in section 86-50.

(Ord. of 12-1-92, § 14(a))

Sec. 86-75. Pedestrian walkways.

Street yard areas may not be used for any purpose other than pedestrian walkways. If pedestrian walkways are constructed of impervious material, the walkways shall not exceed 15 percent of the total surface area of the street yard. Any walkway constructed of impervious material shall not be within six feet on any existing tree if it can be so routed without endangering the safety of pedestrians.

(Ord. of 12-1-92, § 14(b))

Sec. 86-76. Screening of outdoor storage areas.

Any outdoor storage area with a lineal dimension of 15 feet or greater, or any dumpster type refuse container with a lineal dimension of five feet or greater which is not screened by a building or other structure shall be screened from view from any street right-of-way for its entire length, except for necessary access. Screening shall be as follows:

- (1) A fence or wall of a minimum height of six feet, opaque and constructed of masonry, stone or wood material.
- (2) Natural evergreen plant materials of a minimum height of six feet at planting, spaced five feet apart on center and planted in staggered double rows.

(Ord. of 12-1-92, § 16)

Sec. 86-77. Screening of utility service areas.

- (a) All utility service areas having vertical dimensions exceeding three feet or horizontal dimensions exceeding five feet and located within 100 yards of any street

right-of-way shall be screened. Screening shall be done by planting of locally adapted evergreen species or construction of an opaque fence or wall.

(1) Planting shall have a minimum installation height of 18 inches, spaced edge to edge and be expected to reach a mature height equal to or greater than the utility service structure to be screened.

(2) Fences or walls shall be constructed of opaque material of masonry, stone or wood and of a height and width equal to or greater than the utility service structure to be screened.

(b) No screening shall be installed which would impair the safe operation, maintenance or function of the utility equipment.

(Ord. of 12-1-92, § 17)

Sec. 86-78. Replacement of dead plants, trees.

The party to whom a landscape permit is granted shall be required for a period of one year after completion of planting to replace all dead plants or trees planted in accordance with the landscape plan.

(Ord. of 12-1-92, § 18)