

City of Camilla

Mitchell County

Not located in a MSA.

2003 Population Estimate 5,609; -1.3% change from 2000 Census.

Tree City USA for 8 years.

**Tree committee with number of members not specified;
no meeting frequency required by ordinance.**

TREE ORDINANCE #8-2-72

First adopted 1972. Last revised 1995.

Addresses public and private property.

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8-2-72

Tree

27 Feb 95

AN ORDINANCE

WHEREAS, it is the purpose of this ordinance to provide standards for the preservation of trees as part of the land development and building construction process and the maintenance of existing improved properties: to protect, preserve and promote the aesthetic appeals, character, and value of the City and to promote public health and safety through the reduction of noise, stormwater runoff, air pollution and visual pollution.

NOW THEREFORE, be it ordained by the Mayor and Council of the City of Camilla and it is hereby enacted by authority of same as follows:

Section 1 - Definitions.

- a. Buildable Area - that portion of a site that development may or does occur.
- b. Caliper - the diameter or thickness of the main stem of a young tree or sapling as measured at six (6) inches above ground level. This measurement is used for nursery-grown trees.
- c. Clearing - the removal of a tree that has a diameter of four (4) inches or greater measured at a height of six (6) inches above the ground.
- d. Critical Root Zone - the ground area directly under a tree's crown drip line.
- e. Crown Drip Line - a vertical line extending from the outer surface of a tree's branch tips down to the ground.

f. DBH - diameter-at-breast height is a standard measurement of tree size and is a tree trunk diameter measured in inches at a height of fifty-four (54) inches above the ground. If a tree splits into multiple trunks below fifty-four (54) inches, the trunk is measured at its most narrow point beneath the split. Measurements of one-half inch or more are rounded to the higher DBH.

g. Exceptional Tree - any tree determined by the City Council, as provided for herein, to be of notable historic interest, high aesthetic value or of unique character because of species, type, age or size.

h. Re-vegetation/Planting - the replacement of trees and landscape plant materials to the minimum required.

i. Tree - any wooded plant that has a single trunk with a diameter of four (4) inches or greater when measured at a point six (6) inches above the ground and which normally obtains a height of at least ten (10) feet at maturity.

j. Tree Density Factor - a unit of measure used to prescribe and calculate required tree coverage on a site. Unit measurements are based upon tree size.

k. Tree Protection Zone - the area surrounding an existing or planted tree that is essential to the tree's health and survival such as the critical root zone.

Section 2 - Tree Committee Created.

*Charles Kelly stated
we had never done
Tree Committee? to*

a. There is hereby created the Camilla Tree Committee. The committee shall consist of a member of the City Council, a member of the Camilla Planning Commission, the City Manager, a member of the Board of Realtors and such additional

members as the City Council may designate, preferably one citizen from each district appointed by the district's council person. In making appointments, the Council shall seek to appoint individuals with expertise in landscape design, horticulture and related areas of knowledge.

b. The terms of the members of the Camilla Tree Committee shall be for one year. Members may be reappointed at the discretion of the City Council. Members shall serve without compensation. Each year the Committee shall elect a Chairman who shall be a voting member of the Committee. A meeting may be called by an elected Chairman or two committee members. One-half of the committee members in addition to the Chairman shall constitute a quorum.

Section 3 - Procedure for Land Clearing or Land Disturbance Permits.

Before any land clearing or land disturbance activities can begin on any parcel of land, the land owner or an authorized agent must make application and receive a permit from the City Building Department. A \$15.00 regulatory processing fee is required. This application must include a construction site plan describing the limits of the land disturbance, clearing, grading, trenching, location of underground utilities, exceptional trees, areas of re-vegetation and tree density calculation. (This plan can be part of the building construction plans.)

Section 4 - Tree Replacement and Removal.

All properties shall have a number of trees equivalent to fifteen (15) tree units per acre of development site. (Not including land area covered by buildings.)

Where the proposed construction area (the building and parking area) is so large that the number of trees equivalent to fifteen (15) tree units per acre of development site (not including land area covered by buildings) cannot be accommodated, the tree protection zone shall be established by removing parking spaces in excess of the minimum number required and placing additional planting islands within the development area. All properties less than one acre shall have a minimum number of trees equivalent to seven (7) units.

Tree protection devices are necessary to eliminate activities detrimental to trees including but not limited to:

- a. Soil compaction in the critical root zone resulting from heavy equipment, vehicular or excessive pedestrian traffic or storage of equipment or building materials.
- b. Root disturbance due to cuts, fills or trenching.
- c. Wounds to exposed roots, trunks or limbs by mechanical equipment.
- d. Other activities such as chemical storage, cement truck cleaning, fire, etc.

Pruning of trees will be in accordance with National Arborist Association Standards.

Section 5 - Significant Tree Criteria.

Exceptional Tree - any tree in fair or better condition that is capable of delivering at least seventy-five (75) percent of foliage to the scaffolding branches that equals or exceeds the following diameter sizes:

Large trees forty (40) feet or more in height at maturity, e.g. trees, oaks, hickories, yellow poplars, sweetgums, etc., twenty (20) DBH.

Small trees 10-25 feet in height at maturity, such as red bud, dogwood, crabapple tree, etc. six (6) DBH.

Exceptional Tree Stands - a contiguous grouping of trees which are in fair or better condition that is capable of delivering at least seventy-five (75) percent of foliage to the scaffolding branches based on the following criteria:

- a. A stand with purity of species composition or of a rare or unusual nature.
- b. A stand of historical significance.
- c. A stand with exceptional aesthetic quality.

Before any exceptional tree stand can be removed, an application must be filed with and approved in writing by the Building Inspector.

A less size tree can be considered exceptional if it is rare or unusual species or of exceptional quality or of historical significance.

Section 6 - Replacement Trees.

Where trees must be added to achieve the required fifteen (15) tree units per acre of development site one species may not comprise more than twenty-five (25) percent of the required units.

Where existing pines already comprise fifty (50) percent or more of the required units any additional pines planted will not be credited toward the required tree units per acre.

Example: A twenty-seven (27) inch DBH exceptional tree has a tree density equaled to four units. Eight (8) two (2) inch caliper replacement trees at .5 per tree would also equal four (4) tree density units. Therefore, an exceptional tree that has a DBH of twenty-seven (27) inches DBH would be replaced with eight (8) replacement trees that have a two (2) inch caliper.

Section 7 - Maintenance and Replacement.

All required plant material shall be maintained in good condition at all times.

Replacement - Dead plant material and trees shall be replaced in accordance with the provisions of this article and within a time period appropriate to the growing season of the species in question.

Replacement trees must last at least two years.

Section 8 - Variances.

A person aggrieved by a final decision of the Camilla Building Inspector may appeal the decision by filing an application with the Camilla Tree Committee. The application shall be accompanied by a \$50.00 fee to partially defray the public expense in the processing of the application.

The Tree Committee may grant a variance from any requirement of this article using the following criteria:

a. Where granting of the variance will not impair the attainment of the objectives of this article; and

b. Where literal enforcement of this article would result in unnecessary and undue hardship.

Applications for variances shall be filed with the Building Inspector not less than ten (10) calendar days prior to the meeting at which time the application will be heard designating the reason for the variance. The application shall be considered at the next scheduled Tree Committee meeting.

Section 9 - Exemptions.

Legitimate agricultural activities and timber harvesting conducted as part of a timber management plan are excluded from the terms and provisions of this ordinance.

Pecan trees shall not be considered exceptional trees.

Single and two-family residential properties are exempted from this ordinance, however subdivision development will be governed by this ordinance.

Trees may be removed for emergency reasons. Emergency examples include but are not limited to removal of wind-downed trees, trees in or on power lines or removal of diseased trees to prevent damage to real property.

Section 10 - Enforcement.

Whenever the City determines that a violation of this ordinance exists, the City shall give written notice of the violation to the occupant and the owner shown on the most recent tax digest of the city. A copy of such written notice shall be transmitted to the city attorney.

a. Content - the notice shall include but not 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, which time may not be less than ten (10) days nor more than ninety (90) days from the date of such written notice;
4. The name of the person upon whom the notice of violation is served;
5. A statement advising that upon the failure to comply with the requirements of the notice, the City shall take such enforcement procedures as may be required under this ordinance.

b. Service - The written notice required above shall be served upon the person violating this article and the person owning the land by either personal delivery or certified mail.

c. Enforcement - If such notice is not complied with within the time

specified in the notice, then the City shall use all available means of enforcement in order to secure compliance with the provisions of this article.

Section 11 - Existing Trees to Remain.

Conversion from DBH to density factor for trees to remain on site. (Measured at 54 inches) 15 tree units per acre are required.

DBH	UNITS	DBH	UNITS	DBH	UNITS
1-4	.1	22	2.6	37	7.5
5-7	.3	23	2.9	38	7.9
8-9	.5	24	3.1	39	8.3
10	.6	25	3.4	40	8.7
11	.7	26	3.7	41	9.2
12	.8	27	4.0	42	9.6
13	.9	28	4.3	43	10.0
14	1.1	29	4.6	44	10.6
15	1.2	30	4.9	45	11.0
16	1.4	31	5.2	46	11.5
17	1.6	32	5.6	47	12.0
18	1.8	33	5.9	48	12.6
19	2.0	34	6.3	49	13.1
20	2.2	35	6.7	50	13.6
21	2.4	36	7.1		

Conversion from caliper to density factor units for replacement trees. (Nursery Plants measured at 6 inches)

CALIPER	UNITS	CALIPER	UNITS
1	.4	8	1.3
2	.5	9	1.5
3	.6	10	1.7
4	.7	11	1.9
5	.9	12	2.1
6	1.0	13	2.3
7	1.2	14	2.5

Section 12 - Civil Penalty.

Any removal of an exceptional tree that the Camilla Building Inspector and/or the Tree Committee has deemed unnecessary shall pay a fee of \$500.00 for each exceptional tree removed.

Any exceptional tree removed without authority from the development site must be replaced with replacement trees of equal units. This is in addition to the fifteen (15) tree unit per acre requirement.

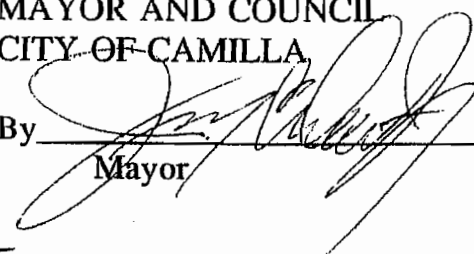
Section 13 - Criminal Penalty. Any person who shall violate the provisions of this ordinance shall be guilty of an offense against the City of Camilla punishable with the same as any other offense against the city in accordance with its charter and ordinances.

Section 14. All ordinances and resolutions in conflict with this ordinances are hereby repealed.

Section 15. The effective date of this ordinance shall be the date of its final adoption.

SO ORDAINED in regular session this 27 day of February, 1995.

MAYOR AND COUNCIL
CITY OF CAMILLA

By  (L.S.)
Mayor

Attest Brenda S. Cross
Acting Clerk
(SEAL)