

City of Colquitt

Miller County

Not located in a MSA.

2003 Population Estimate 1,909; -1.4% change from 2000 Census.

Not a Tree City USA.

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

Chapter 74 VEGETATION

Year first adopted or last revised unknown.

Addresses public property.

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Chapter 74 VEGETATION*

***Cross references:** Buildings and building regulations, ch. 18; manufactured homes and trailers, ch. 42; streets, sidewalks and other public places, ch. 54; subdivisions, ch. 58.

Article I. In General

Secs. 74-1–74-30. Reserved.

Article II. Trees and Shrubs

Division 1. Generally

Sec. 74-31. Definitions.

Sec. 74-32. Street tree species to be planted.

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Sec. 74-41. Removal of stumps.

Sec. 74-42. Arborists license and bond.

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Secs. 74-44–74-65. Reserved.

Division 2. Tree Board

Sec. 74-66. Creation and establishment.

Sec. 74-67. Terms of office.

Sec. 74-68. Compensation.

Sec. 74-69. Duties and responsibilities.

Sec. 74-70. Operation.

Sec. 74-71. Interference with.

Sec. 74-72. Review of actions and decisions by city council.

ARTICLE II. TREES AND SHRUBS

DIVISION 1. GENERALLY

Sec. 74-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Park trees means trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the city, or to which the public has free access as a park.

Street trees means trees, shrubs, bushes and all other woody vegetation on land lying between property lines on either side of all streets, avenues or ways within the city.

(Ord. of 12-13-94, § 1)

Cross references: Definitions generally, § 1-2.

Sec. 74-32. Street tree species to be planted.

The following list constitutes the official street tree species for the city. No species other than those included in this list may be planted as street trees without written permission of the city tree board.

TABLE INSET:

Small Trees	Medium Trees	Large Trees
Apricot Crabapple, Flowering (sp) Golden Rain Tree Hawthorne (sp) Pear, Bradford Redbud Soapberry Lilac, Jap. Tree Peach, Flowering Plum, Purpleleaf Serviceberry	Ash, Green Hackberry Honeylocust (thornless) Linden or Basswood (sp) Mulberry, Red (fruitless, male) Oak, English Oak, Red Pagodatree, Japanese Pecan Birch, River Osageorange (Male, thornless) Persimmon Poplar, White Sassafras	Coffeetree, Kentucky Maple, Silver Maple, Sugar Oak, Bur Sycamore Sycamore, London plantree Cottonwood (Cottonless, male)

(Ord. of 12-13-94, § 7)

Sec. 74-33. Spacing.

The spacing of street trees will be in accordance with the three species size classes listed in section 74-32, and no trees may be planted closer together than the following: small trees, 30 feet; medium trees, 40 feet; and large trees, 50 feet; except in special plantings designed or approved by a landscape architect.

(Ord. of 12-13-94, § 8)

Sec. 74-34. Distance from curb and sidewalk.

The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the three species size classes listed in section 74-32, and no trees may be planted closer to any curb or sidewalk than the following: small trees, two feet; medium trees, three feet; and large trees, four feet.

(Ord. of 12-13-94, § 9)

Sec. 74-35. Distance from street corner and fireplugs.

No street tree shall be planted closer than 35 feet of any street corner, measured from the point of nearest intersecting curbs or curblines. No street tree shall be planted closer than ten feet of any fireplug.

(Ord. of 12-13-94, § 10)

Sec. 74-36. Planting distance from utilities.

No street trees, other than those species listed as small trees in section 74-32 may be planted under or within ten lateral feet of any overhead utility wire, or over or within five lateral feet of any underground water line, sewer line, transmission line or other utility.

(Ord. of 12-13-94, § 11)

Cross references: Utilities, ch. 70.

Sec. 74-37. Public tree care.

(a) The city shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds.

(b) The city tree board may remove or cause or order to be removed any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines or other public improvements, or is affected with any injurious fungus, insect or other pest. This section does not prohibit the planting of street trees by adjacent property owners, providing that the selection and location of such trees is in accordance with sections 74-32 and 74-36.

(Ord. of 12-13-94, § 12)

Sec. 74-38. Tree topping.

It shall be unlawful as a normal practice for any person, firm or city department to top any street tree, park tree or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this article at the determination of the city tree board.

(Ord. of 12-13-94, § 13)

Sec. 74-39. 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 light from any streetlamp or obstruct the view of any street intersection, and so that there shall be a clear space of eight feet above the surface of the street or sidewalk. Such owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The city shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a streetlight or interferes with visibility of any traffic control device or sign.

(Ord. of 12-13-94, § 14)

Sec. 74-40. Dead or diseased tree removal on private property.

The city shall have the right to cause the removal of any dead or diseased trees on private property within the city, when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the city. The city tree board will notify in writing the owners of such trees. Removal shall be done by such owners at their own expense within 60 days after the date of service of notice. In the event of failure of owners to comply with such provisions, the city shall have the authority to remove such trees and charge the cost of removal on the owners' property tax notice.

(Ord. of 12-13-94, § 15)

Sec. 74-41. Removal of stumps.

All stumps of street and park trees 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.

(Ord. of 12-13-94, § 16)

Sec. 74-42. Arborists license and bond.

It shall be unlawful for any person to engage in the business or occupation of pruning, treating or removing street or park trees within the city without first applying for and procuring a license. The license fee shall be an annual amount set forth in the schedule of fees and charges, in advance; provided, however, that no license shall be required of any public service company or city employee doing such work in the pursuit of their public service company or city employee doing such work in the pursuit of their public service endeavors. Before any license shall be issued, each applicant shall first file a cash bond of \$500.00 with the city clerk to ensure

the company removes all debris. Upon removing all debris, as approved by the city, and completion of all work to be performed, the bond shall be refunded. If all debris is not removed, the bond shall be paid to the city for the cost of removal of all debris.

(Ord. of 12-13-94, § 18)

Sec. 74-43. Penalty for violation of article.

Any person violating any provision of this article shall be, upon conviction or a plea of guilty, subject to a fine not to exceed \$500.00.

(Ord. of 12-13-94, § 20)

Secs. 74-44--74-65. Reserved.

DIVISION 2. TREE BOARD*

*Cross references: Boards, commissions and authorities, § 2-106 et seq.

Sec. 74-66. Creation and establishment.

There is hereby created and established a city tree board for the city which shall consist of five members, citizens and residents of this city, who shall be appointed by the mayor with the approval of the city council.

(Ord. of 12-13-94, § 2)

Sec. 74-67. Terms of office.

The term of the five persons to be appointed shall be three years except that the term of two of the members appointed to the first board shall be for only one year, and the term of two members of the first board shall be for two years. If a vacancy shall occur during the term of any member, his successor shall be appointed for the unexpired portion of the term.

(Ord. of 12-13-94, § 3)

Sec. 74-68. Compensation.

Members of the tree board shall serve without compensation.

(Ord. of 12-13-94, § 4)

Sec. 74-69. Duties and responsibilities.

It shall be the responsibility of the tree board to study, investigate, council and develop

and/or update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas. Such plan will be presented annually to the city council and, upon their acceptance and approval, shall constitute the official comprehensive city tree plan for the city. The tree board, when requested by the city council, shall consider, investigate, make findings, report and recommend upon any special matter of question coming within the scope of its work.

(Ord. of 12-13-94, § 5)

Sec. 74-70. Operation.

The tree board shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business.

(Ord. of 12-13-94, § 6)

Sec. 74-71. Interference with.

It shall be unlawful for any person to prevent, delay or interfere with the city tree board, or any of its agents, while engaging in and about the planting, cultivating, mulching, pruning, spraying or removing of any street trees, park trees or trees on private grounds, as authorized in this article.

(Ord. of 12-13-94, § 17)

Sec. 74-72. Review of actions and decisions by city council.

The city council shall have the right to review the conduct, acts and decisions of the city tree board. Any person may appeal from any ruling or order of the city tree board to the city council who may hear the matter and make a final decision.

(Ord. of 12-13-94, § 19)