

City of Dalton

Whitfield County

Dalton MSA

2003 Population Estimate 30,341; +7.0% change from 2000 Census.

Tree City USA for 16 years.

Tree Board with 9 members; no meeting frequency required by ordinance.

Tree Ordinance

First adopted 1990. Last revised 1993.

Addresses public and private property.

TABLE OF CONTENTS

ARTICLE I: GENERAL

- 1-1 Title
- 1-2 Purpose
- 1-3 Definitions
- 1-4 [not included; Dalton Tree Board section]
- 1-5 [not included]
- 1-6 Landmark Trees
- 1-7 License and Bond of Arborist
- 1-8 Disease, Insects, Hazard, or Nuisance
- 1-9 Emergencies

ARTICLE II: PUBLIC PROPERTIES

- 2-1 Permit
- 2-2 Topping
- 2-3 Public/Private Utilities
- 2-4 Road Projects
- 2-5 Injuring Trees
- 2-6 Trimming Trees Adjacent to Public Lands

ARTICLE III: PRIVATE PROPERTY

- 3-1 Reserved.

ARTICLE IX: ADMINISTRATION, ENFORCEMENT, PENALTIES, APPEALS

- 4-1 Administration
- 4-2 Enforcement and Penalties
- 4-3 Appeals

ARTICLE V: LEGAL STATUS

- 5-1 Conflict with Other Laws
- 5-2 Severability
- 5-3 Effective Date

AMENDMENT 1991 [Dalton Tree Board changes]

AMENDMENT 1991 [see contents below]

Section 1. [introduction]

ARTICLE III: PRIVATE PROPERTY

- Section [3]-1. Property to be excluded from the provisions of this article.
- Section 3-2. Utility Responsibility on Private Property.
- Section 3-3. Tree Planting on Private Property.
- Section 3-4. Protection of existing trees on Private property required.
- Section 3-5. Inspection of Sites
- Section 3-6. Emergencies
- Section 2. [City of Dalton Tree Ordinance remains in full effect as amended]

AMENDMENT 1993 [Dalton Tree Board changes]

For more information, contact:

Kris Thomas

Landscape Director, City of Dalton
706.537.2843 voice / 706.278.1847 fax
kthomas.pw@citydalton.net
www.citydalton.net

AN ORDINANCE

TO ESTABLISH A PROGRAM REGULATING THE PLANTING, MAINTENANCE, AND REMOVAL OF TREES, SHRUBS, AND OTHER PLANTS WITHIN THE CITY OF DALTON; TO CREATE A CITY TREE BOARD, ESTABLISH TERMS FOR BOARD MEMBERS, THE METHOD OF APPOINTMENT, AND THE FILLING OF VACANCIES; TO DEFINE CERTAIN TERMS; TO REQUIRE LICENSING OF PERSONS ENGAGING IN THE BUSINESS OF PLANTING, CUTTING, TRIMMING, PRUNING, REMOVING, SPRAYING, OR OTHERWISE TREATING TREES, SHRUBS OR VINES WITHIN THE CITY AND TO REQUIRE INSURANCE OF LICENSEES; TO ASSURE THAT TREES ARE A PERPETUAL PART OF NEW DEVELOPMENTS; TO PROVIDE FOR TREE PROTECTION FROM DESTRUCTIVE OR COMMUNICABLE DISEASE OR OTHER PESTILENCE; TO PROVIDE FOR ENFORCEMENT, PENALTIES, AND APPEALS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Mayor and Council of the City of Dalton and by authority of the same it is hereby ordained as follows:

ARTICLE I: GENERAL

1-1 Title: This ordinance shall be known as the "City of Dalton Tree Ordinance."

1-2 Purpose: It's purpose is to provide full power and authority over all trees, plants, shrubs located within the street right-of-ways, parks, and other public places of the City; and to trees, plants, and shrubs located on private property as described hereinafter. Such power and authority shall promote and protect the public health, safety, and general welfare and, further, shall accentuate the scenic, cultural, historical, and aesthetic attributes of the City of Dalton by establishing procedures and practices for fulfilling these purposes.

1-3 Definitions: The following terms when used in this Ordinance shall have the meaning set forth in this section unless the context requires otherwise:

Buffer Zone - An open or landscaped area of appropriate design providing a visual and/or noise separation between incompatible land uses.

Caliper - Diameter measurement of the trunk taken six (6) inches above ground level for trees up to and including four inch caliper size. Measurement shall be taken twelve (12) inches above the ground level for larger trees.

City - The Mayor and Council; all City Departments; the Tree Board; or their designated agent.

Contractor - One that contracts or is a party to a contract.

DBH (diameter breast height) - The diameter of a tree four and one-half (4½) feet above the average ground level.

Drip Line - The imaginary vertical lines that extend to the ground and mark the outermost edges of the tree crown.

Homeowner - A tenant or owner of an existing single-family or duplex residence.

Impervious Cover - Buildings and paved areas.

Landmark Tree - A tree which has special significance because one or more of the following criteria may apply: rare species, old age, size, location, association with an historical event or person, scenic enhancement, or unique characteristics.

Large Tree - Any tree having a height of thirty (30) feet or more at maturity.

Paved Area - Any ground surface covered with concrete, asphalt, stone, gravel, brick, or other paving material.

Person(s) - A public or private individual, corporation, company, firm, association, trust, estate, commission, board, public or private institution, utility, or other legal entity.

Planting Strip or Area - Ground surface free of paved material which is reserved for landscaping purposes.

Private Land - All lands and buildings not owned by governments.

Private Tree - A tree on non-public land.

Professional - A person or company that specializes in either planting, care and treatment, or maintenance of trees; such professional may have knowledge or training in Forestry, Horticulture, Entomology, Dendrology, Landscape Architecture, Pathology, or other related fields.

Public Land - All lands, right-of-ways, and buildings that are owned by governments.

Public Tree - A tree on any public lands.

- 1-5.3 To recommend to the City the genus and species of trees to be planted on public lands; and upon request, to advise owners of private land about the trees to be planted on private land; and further, where authorized by this Ordinance or other Ordinances review and comment on the landscaping and buffering plans of private developments.
- 1-5.4 To assist the Dalton Parks and Recreation Department in a program to protect and maintain existing trees and green areas and all City owned and recreational lands and properties; and to provide review and comments on the proposed landscaping plans of all recreational lands and properties within the City.
- 1-5.5 To accept all contributions, donations, fees, exactions, or other funds for the planting, care, and protection of trees throughout the City and recommend expenditure of said monies to the Mayor and Council.
- 1-5.6 To appoint a Professional, as defined, to act in the name and on behalf of the City carrying out certain provisions and exercising certain powers under this Ordinance.
- 1-5.7 To have the responsibility and power to promulgate rules, regulations, and specifications concerning the trimming, spraying, removal, planting, pruning, and protection of trees and other plants; and to authorize enforcement of such rules, regulations, and specifications.

1-6 Landmark Trees: The City Tree Board, or its agent, shall select, map, and identify by genus, species, and common name, all trees that qualify to be named "Landmark Trees" of the City. Such trees may be named or otherwise officially designated by the Tree Board. Landmark Trees can be designated on both public and private lands.

1-7 License and Bond of Arborist: It shall be unlawful for any person to engage in the business of planting, cutting, trimming, pruning, removing, spraying, or otherwise treating trees within the City without a business license issued under the City of Dalton Business License Code for a classification of "Arborist or Tree Surgeon."

Any "Arborist or Tree Surgeon" shall first file evidence to the Office of the City Clerk of possession of general or public liability insurance in the minimum amounts of \$300,000 (single limit) for bodily injury or death and \$100,000 property damage resulting from the pursuit of such endeavors herein described and requiring notifications of the City upon cancellation of such insurance coverage.

1-8 Disease, Insects, Hazard, or Nuisance:

1-8.1 The City shall have the power to enter upon any public or private lands in the City and to spray or otherwise treat, or cause or order to be sprayed or otherwise treated, any tree infected or infested by any parasite, insect or pest, when it

shall be necessary in the City's opinion to do so, to prevent the breeding or scattering of any parasite, insect, or pest and to prevent danger therefrom to persons or property or to trees planted on the public lands or other private lands.

1-8.2 Whenever, in the opinion of the City, trimming or treatment or removal of any such tree located on the public or private lands shall be deemed wise, the City shall have the power to trim, treat or remove any such tree or shrub or cause or order the same to be done.

1-8.3 Prior to exercising the authority conferred by this section, the City Building Inspector shall give the owner or occupant an opportunity to correct the condition by ordering that corrective action be taken. The order shall be in writing to the owner or occupant of the property in question and shall be acted upon within ten (10) days from the date of the receipt of the order. If, after ten (10) days, the owner or occupant has not corrected the condition or undertaken action that would lead to a timely correction of the condition, then the City is authorized to enter upon the property to perform the work necessary to correct the condition and to bill the owner or occupant for the actual costs incurred.

1-9 Emergencies: In the case of emergencies such as windstorms, ice storms, fire, or other disasters, the requirements of this Ordinance may be waived by the City during the emergency period so that they would in no way hamper private or public work to restore order in the City. This shall not be interpreted to be a license to circumvent the intent of this Ordinance.

ARTICLE II: PUBLIC PROPERTIES

- 2-1 Permit: No person shall plant, remove, destroy, cut, prune (including the root system), poison, or otherwise treat any tree having its trunk in or upon any public lands, or contract with another person to perform such acts, without first obtaining a written permit from the City Building Inspector and without complying strictly with the provisions of the permit and provisions of this chapter.
- 2-2 Topping: It shall be unlawful as a normal or routine practice for any person(s); City, County, or State employee; or public/private utility employees to top any tree on public lands. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions may be exempted from this Section when other pruning practices are impractical.
- 2-3 Public/Private Utilities: All public/private utilities shall acknowledge the City's desire to protect and enhance the viability of trees and shall comply with the Tree Board's separate specifications for pruning or removal of trees on or adjacent to public lands. A utility shall not be required to obtain a permit for routine operations affecting trees, as long as such work is done in strict accordance with the approved specifications. Requests for the removal of trees or pruning in excess of specifications shall be handled on an individual permit basis. Failure to comply with the approved specifications is a violation of this section.
- 2-4 Road Projects: Individual permits will not be required for City, County, or Georgia Department of Transportation road projects as long as tree preservation and protection requirements are included in the project plans.
- 2-5 Injuring Trees:
- 2-5.1 It shall be unlawful for any person, except with written permit, to place or maintain upon public lands, any stone, cement or other impervious matter or substance in such a manner as may obstruct the free access of air and water to the roots of any tree within such public lands. This provision shall not apply to the paving, repairing or altering of the public streets, sidewalks, and other public places by the City.
- 2-5.2 No person shall perform, or contract with another to perform, construction work (including the operation or storage of equipment or materials) within the drip line of any public tree without first obtaining a permit from the City Building Inspector and complying with requirements which may include requirements that protective enclosures be erected at designated locations.
- 2-5.3 It shall be unlawful for any person to attach to any public tree or to the guard or stake intended for the protection of such tree, rope, wire, chain, sign, or other device whatsoever, except for the purpose of protecting it or the public.

2-5.4 Damages to City trees in violation of the provisions of this section shall be computed according to Section 4-2.2 of this Ordinance.

2-6 Trimming Trees Adjacent to Public Lands:

2-6.1 Trees, vines, bushes, shrubbery or flowers, standing in or upon any lot or land adjacent to any public lands and having branches, limbs, trunks, or other parts projecting into the public street or place, shall be kept trimmed by the owner or occupant of the property on which such vines, trees, bushes, shrubbery or flowers are growing, so as not to interfere with the free and safe passage along the public way by pedestrians and vehicular traffic.

2-6.2 If the owner or occupant of such property does not keep this growth from projecting into or on public land, then the City shall have the authority to order its removal. The order shall be in writing to the owner or occupant responsible for such growth and shall be acted upon within ten (10) days from the time of the receipt of the order. If, after ten (10) days, the owner or occupant has not responded or acted to remove the projecting growth from such vines, trees, bushes, shrubbery or flowers, then the City or its agent shall have the authority to enter upon the property to perform this work.

ARTICLE III: PRIVATE PROPERTY

3-1 Reserved.

ARTICLE IV: ADMINISTRATION, ENFORCEMENT, PENALTIES, APPEALS

- 4-1 Administration: The provisions of this Ordinance shall be administered by the City Building Inspector, with general oversight provided by the City Tree Board. Duties shall include issuing permits and inspecting public lands, and private lands when authorized, in fulfillment of the requirements of this Ordinance.
- 4-2 Enforcement and Penalties: The City Building Inspector shall also be considered the enforcement officer of this Ordinance and shall take the necessary actions to cause enforcement of the provisions of this Ordinance.
- 4-2.1 Fines: Any person(s) who violates any provision of this Ordinance or who fails to comply with any notice issued pursuant to provision of this Ordinance, upon being found guilty of such violation, shall be subject to a fine not to exceed five hundred dollars (\$500) for each separate offense. Each day during which the violation of the provision of this Ordinance shall occur continues to be a separate offense.
- 4-2.2 Repair or Replacement of Trees: If, as the result of the violation of any provision of this Ordinance, the injury, mutilation, or death of a public tree is caused, the cost of the repair or replacement of such tree, shall be borne by the party in violation. Replacement value of the tree(s) shall be determined in accordance with the latest revision of A Guide to the Professional Evaluation of Landscaped Trees, Speciman Shrubs, and Evergreens, as published by the International Society of Arboriculture.
- 4-2.3 Nuisances: In the event that a nuisance is not abated by the dates specified in any notice from the City Building Inspector, the City Building Inspector is authorized to cause the abatement of said nuisance. The reasonable cost of such abatement shall be filed as a lien against the property on which the nuisance was located. In addition, the owner of the property on which the nuisance was located shall be subject to prosecution in accordance with Section 4-2.1 and 4-2.2.
- 4-3 Appeals: The Zoning Board of Appeals, established and authorized by the Dalton Zoning Ordinance, shall be empowered to take appeals by any person(s) or the City affected by any decision of the City Building Inspector regarding this Tree Ordinance. Such appeal shall be taken within fifteen (15) days, as provided by the rules of the Zoning Board of Appeals, by filing with the City Building Inspector a written notice of appeal specifying the grounds thereof. All procedural requirements specified by Sections 14-3 and 14-4 of the Dalton Zoning Ordinance shall apply.

ARTICLE V: LEGAL STATUS

- 5-1 Conflict with Other Laws: Whenever the provisions of any other statute require more restrictive standards than are required by this Ordinance, the provisions of such statute shall govern.
- 5-2 Severability: Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid such declaration shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.
- 5-3 Effective Date: This Ordinance shall take effect and be in force from and after its adoption, the public welfare and scenic and aesthetic attributes of the City of Dalton requiring it.

This Ordinance shall become effective after passage by the Mayor and Council and its being published in two (2) public places within the City of Dalton for five (5) continuous days.

SO ORDAINED this 17th day of December, 1990.

The foregoing Ordinance received a first reading on 12-3-90, the second reading on 12-17-90 and upon motion of Godfrey, second Sellers and a vote of four ayes, 00 nays, received the requisite majority and does pass.

THE CITY OF DALTON, GEORGIA

By: Jim Middleton
Jim Middleton, Mayor

ATTEST:

Faye L. Martin
Faye Martin, City Clerk

This is to certify that I have caused a true and correct copy of the foregoing Ordinance to be published in two (2) public places within the City of Dalton after passage of same for five (5) continuous days and this Ordinance bears an effective date of 12-24-90.

Faye L. Martin
City Clerk

ORDINANCE

To Amend The City Of Dalton Tree Ordinance To Provide For A Board Consisting Of Seven Members With Staggered Terms; To Provide An Effective Date; And Further Purposes.

BE IT ORDAINED by the Mayor and Council of the City of Dalton and by authority of the same is hereby ordained as follows:

- I. The City of Dalton Tree Ordinance is amended §1-4 by striking the word "five" and inserting the word "seven" and further by striking subsection 1-4.1 in its entirety and inserting in lieu thereof the following:

Appointees to the City Tree Board shall have terms as follows: one member for one year; three members for three years; three members for four years. Vacancies caused by death, resignation, or otherwise shall be filled for the unexpired term by appointment of the Mayor and Council.

- II. Except as set forth above the main provision of the City of Dalton Tree Ordinance shall remain in full force and effect. This ordinance shall become effective upon its passage by the Mayor and Council and after publication to the public places for a period of five consecutive days to be certified to by the Clerk of the City of Dalton.

All ordinances of the City of Dalton which are contrary to the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SO ORDAINED this 7th day of October, 1991.

ORDINANCE

To Amend An Ordinance Enacted On December 17, 1990, And Effective From December 24, 1990, Known As The City Of Dalton Tree Ordinance, As Amended, To Provide Requirements For Tree Planting On Private Property And For Protection Of Existing Trees On Private Property; To Designate Property Excluded From The Provisions Of This Ordinance; To Provide Public And Private Utility Requirements Effecting Trees On Private Property; To Provide For Inspection Of Sites; To Provide for Emergency; To Provide For Notice And Appeal; To Provide An Effective Date; And For Other Purposes.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DALTON, and by authority of the same it is hereby ordained as follows:

Section 1.

An Ordinance of the City of Dalton adopted on December 17, 1990 and first effective on December 24, 1990 and known as the City of Dalton Tree Ordinance, As Amended by a subsequent Ordinance, is further hereby amended by providing an Article III to be captioned "Private Property" as set forth as follows:

"ARTICLE III. PRIVATE PROPERTY

Section 1. Property to be excluded from the provisions of this article.

This article shall apply to all developers and/or owners of real property involved with the erection, repair, alteration or removal of any building or structure, as well as the grading in anticipation of such development. The following are exclusions from this article. These exclusions apply to only this article and not to other provisions of this chapter or other parts of the city code, such as zoning regulations on screening;

- (1) Homeowner of a single-family or duplex residence.

Study other ordinances & make suggestions

- (2) Property to be developed for single-family or duplex residential uses.
- (3) Property which as altered requires no addition of square footage or exterior renovation to an existing structure on that property.

The city arborist/City Tree Board shall have the authority to review all requests for permits for any planting, removal and/or trimming or cutting of trees in any public right-of-way.

Section 3-2. Utility Responsibility on Private Property.

Public and private utilities which install overhead and underground utilities including CATV installations, and water and sewer by or at the direction of all utility departments shall be required to accomplish all work on property subject to this article in accordance with the company's written pruning and trenching specifications or as mutually agreeable to the property owner and the utility. Written specifications shall have been first approved by the city and reviewed by the tree commission. Specifications shall be reviewed at a minimum of every two (2) years by the commission for needed improvements and as required by modifications in this article.

Section 3-3. Tree Planting on Private Property.

(a) Perimeter planting requirements. A perimeter planting strip, exclusive of access driveways, with an average width of eight (8) feet and abutting the public right-of-way shall be required. If large maturing trees are used, the planting strip shall include two (2) trees with a minimum of two (2) inches of caliper and eight (8) feet in height in the first forty (40) feet

and one (1) tree per forty (40) feet thereafter or fraction thereof. If small maturing trees are used, the same conditions apply; but the increment drops to thirty (30) feet.

When a building permit is requested for renovation of a previously developed site and where the required perimeter strip does not exist, trees are still required. However, in lieu of an eight-foot wide planting strip, a pavement cutout of a minimum of eighty (80) square feet and with a minimum dimension of five (5) feet may be substituted. This substitution, if so agreed upon by all parties, must be constructed within the designated front setback area for the particular property as set forth in the City of Dalton Zoning Ordinance.

When a railroad or utility right-of-way separates the perimeter from a city right-of-way, the planting strip requirement and the tree planting requirements must still be met.

(b) Internal planting requirements. Whenever the impervious cover exceeds ten thousand (10,000) square feet, an area equal to five (5) percent of the total impervious surface must be provided for landscape purposes and tree planting. Internal tree planting is required at the rate of one (1) tree per ten thousand (10,000) square feet of impervious cover.

Trees must be planted within the paved area so that no parking space is more than ninety (90) feet from a tree. Minimum unpaved landscape area per tree shall be one hundred sixty (160) square feet with a minimum dimension of eight (8) feet.

When a building permit is requested for the renovation of a site previously developed, internal tree planting is still

required; and the minimum planting area shall be one hundred sixty (160) square feet per tree. Five (5) percent of the total impervious cover must be open for landscape purposes.

(c) Tree specifications. The trees to be planted must be from an approved list supplied by the city arborist. Minimum tree caliper measured six (6) inches aboveground on all trees shall be two (2) inches, and the minimum height shall be eight (8) feet.

(d) All planting areas shall be bordered by 6" stand up concrete curb per current City of Dalton Public Works Department construction specifications.

Fifty (50) percent of planted trees shall be large maturing shade trees. No trees identified as "large maturing" shall be planted within twenty (20) feet of an electrical transmission or distribution line. This does not include lowvoltage insulated or covered lines of two hundred forty (240) volts or less of telephone or cable vision lines.

Section 3-4. Protection of existing trees on Private property required.

(a) Preservation standards. No tree larger than eight (8) inches DBH may be removed from the tree protection zone without a permit. No grading in this area may proceed prior to the issuance of tree removal permit if one is required by the City.

Standards for tree preservation and protection will be published by the City of Dalton Tree Board.

(b) Tree survey required. Applications for grading, building and change of use permits on all property, except that which is excluded by Section 3-1 shall provide a tree survey which shall

include all trees of eight-inch DBH and larger within the tree protection zone and all trees over one (1) inch caliper and six (6) feet in height on the city right-of-way. Stands of southern yellow pine species may be indicated by groups with the average tree DBH.

(c) Tree protection and planting plan required. All applications for grading plans and building permits shall be accompanied by a tree protection and planting plan which includes the following:

- (1) A tree and root plate protection plan for the existing trees on the public right-of-way,
- (2) A tree and root plate protection plan for existing trees over eight (8) inches DBH in the tree protection zone.
- (3) A planting plan for required trees on public and private property. Plans that are only for required street tree planting may be in written form.

(d) Property with more than one acre in anticipation of development. Property on which more than one (1) acre of land is cleared shall be required to have a perimeter planting strip (average of eight (8) feet) abutting the public right-of-way, planted as required in paragraphs (a) and (h) of section 3-3. This requirement shall be waived if the property is developed within twelve (12) months from the date grading permits have been issued.

(e) Parking structures. A perimeter planting strip adjacent to the public right-of-way will be required for parking structures. Such planting strip will be equal to the setback requirements for

the zoning district but in no case not more than twenty (20) feet. This planting strip shall be planted as set out in paragraph (a) of section 3-3.

(f) Tree replacement and protection. When trees required by this article die, they must be replaced during the next suitable planting season. Wheel stops, curbs or other barriers shall be provided where trees might otherwise be damaged by vehicles. Trees shall be allowed to grow to their natural height and form. Topping is prohibited.

(g) Variances. The city tree board may grant a variance from the requirements of this section for the preservation of existing trees or where unusual circumstances exist. A request for a variance must be submitted in writing and be accompanied by a landscape plan noting that which is proposed in lieu of complying with this chapter. Variance requests will be reviewed, denied or approved within fifteen (15) days of their receipt. Requests for a delay in complying with this chapter, due to poor weather conditions for planting, will be approved following written request. Certificates of *occupancy* will be issued upon the completion of planting or approval of a request for planting delay. Such requests for a delay will note the time frame during which the planting will be completed. Failure to comply will result in penalties provided for in section 4-2 of this chapter.

Section 3-5. Inspection of Sites.

(a) Agents and authorized representatives of the City may periodically inspect sites subject to the provisions of this chapter.

(b) If, through inspection, it is determined that a person has failed to comply with the provisions of this chapter, a notice to comply shall be served upon that person by registered mail from the city. The notice shall set forth that which will be necessary to comply with the chapter.

(c) The city shall have the power to conduct such investigations as it may reasonably deem necessary to carry out its duties as prescribed in this chapter and, for this purpose, may enter at reasonable times upon any property, public or private, for the purpose of inspecting the sites subject to the provisions of this chapter. No person shall refuse entry or access to any authorized representative or agent of the city who requests entry for the purpose of inspection and who represents appropriate credentials; nor shall any person obstruct, hamper or interfere with such representative while in the process of carrying out his official duties.

Section 3-6. Emergencies.

In the case of emergencies such as windstorms, ice storms, fire, or other disasters the requirements of this chapter may be waived by the City during the emergency period so that the requirements of this chapter would in no way hamper private or public work to restore order in the city. This shall not be interpreted to be a license to circumvent the intent of this chapter.

(a) Any person who violates any of the provisions of this chapter shall be notified of the specific violation by certified mail."

Section 2.

Except as hereinafter provided, the City of Dalton Tree Ordinance, as amended, shall otherwise remain in full force and effect as hereinbefore enacted.

Section 3.

This Ordinance shall become effective after its passage by the Mayor and City Council upon its being published for five (5) consecutive days in two public places in the City of Dalton and the City Clerk shall certify within her minutes or journal as to the effective date hereof.

SO ORDAINED, this 4th day of November, 1991.

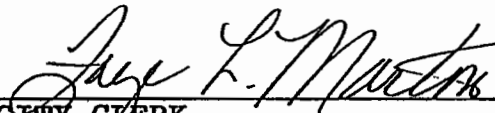
The foregoing Ordinance received its first reading on Oct. 21, 1991 and a second reading on Nov. 4, 1991. Upon second reading a motion for passage of the Ordinance was made by Alderman Godfrey, second by Alderman Powell and upon the question the vote is four ayes, zero nays and the Ordinance is adopted.

Jim Middleton
MAYOR

Attest:

Steph L. Martin
CITY CLERK

A true copy of the foregoing Ordinance has been published in two public places within the City of Dalton for five (5) consecutive days following passage of the above-referenced Ordinance and the undersigned certifies that the effective date of said Ordinance is 11-10-91.


CITY CLERK
CITY OF DALTON

ORDINANCE

To Amend The City Of Dalton Tree Ordinance To Provide For A Board Consisting Of Nine Members With Staggered Terms; To Provide An Effective Date; And Further Purposes.

BE IT ORDAINED by the Mayor and Council of the City of Dalton and by authority of the same is hereby ordained as follows:

- I. The City of Dalton Tree Ordinance is amended subsection 1-4 by striking the word "seven" and inserting the word "nine" and further by striking subsection 1-4.1 in its entirety and inserting in lieu thereof the following:

Appointees to the City Tree Board shall have terms as follows: Three members for one year, three members for three years; three members for four years. Vacancies caused by death, resignation, or otherwise shall be filled for the unexpired term by appointment of the Mayor and Council.

- II. Except as set forth above the main provision of the City of Dalton Tree Ordinance shall remain in full force and effect. This ordinance shall become effective upon its passage by the Mayor and Council and after publication to the public places for a period of five consecutive days to be certified to by the Clerk of the City of Dalton.

All ordinances of the City of Dalton which are contrary to the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SO ORDAINED this 6th day of January, 1997.

The foregoing Ordinance received its first reading on December 21, 1992 and a second reading on January 6, 1993. Upon second reading a motion for passage of the Ordinance was made by Alderman Godfrey, second by Alderman Elrod and upon the question the vote is four ayes, zero nays and the Ordinance is adopted.

James A. Middleton
MAYOR

Attest:

Ray L. Martin
CITY CLERK

A true copy of the foregoing Ordinance has been published in two public places within the City of Dalton for five (5) consecutive days following passage of the above-referenced Ordinance and the undersigned certifies that the effective date of said Ordinance is 1-13-93.

Ray L. Martin
CITY CLERK
CITY OF DALTON