

City of Saint Marys

Camden County

Not located in a MSA.

2003 Population Estimate 15,811; +7.2% change from 2000 Census.

Not a Tree City USA.

No tree board established by ordinance.

ARTICLE II. TREES AND SHRUBS

Year first adopted or last revised unknown.

Addresses public and private property.

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ARTICLE I. IN GENERAL

Secs. 102-1—102-25. Reserved.

ARTICLE II. TREES AND SHRUBS

Sec. 102-26. 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:

Diameter breast height (d.b.h.) means the diameter of a tree of 4½ feet above average ground level.

Tree means any self-supporting woody plant usually with one main stem or trunk, and which normally grows to an overall height of a minimum of 18 feet.

(Ord. of 10-18-83, § 1)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 102-27. Intent.

(a) The intent of this article is to encourage the protection of trees which the city stands to lose unless protective measures are taken. The intent is not punitive or to cause hardship to any individual, private or public company that uses every care and diligence to protect trees within the city.

(b) The intent of this article is to establish a minimum landscape development requirement in publicly and privately developed land use areas with the exclusion, however, of land zoned R-1, and including commercial plant and tree nurseries.

Sec. 102-28. Properties affected.

Except for parcels of land situated in land use districts zoned R-1 as defined by the zoning ordinance of the city and for which a preliminary plat is not required nor are the subdivision regulations of the city applicable thereto, the terms and provisions of this article shall apply to all real property lying within the incorporated area of the city.

(Ord. of 10-18-83, § 2; Ord. of 2-21-84)

Sec. 102-29. Permits.

It shall be unlawful for any person, without first obtaining a permit from the building inspector to do so as herein provided, to remove or effectively remove through damaging any tree with a trunk d.b.h. of five inches or more, for all species of trees except the pine species with a trunk d.b.h. of eight inches or more, in the zoning yard setback.

(Ord. of 10-18-83, § 3)

Sec. 102-30. Plot plan.

(a) A plot plan is required for the permit and it shall include the following:

- (1) Location of all trees and general identification of species (pine, oak, etc.).
- (2) Location of proposed structure and other planned areas.
- (3) Indication of trees to be retained, trees to be removed, diseased trees, trees endangering motor vehicle ingress and egress to right-of-way and also location of protective barriers (see section 102-33).
- (4) Grade changes which might adversely affect or endanger the trees with specifications on how to maintain the trees.

(b) The items above shall be field-checked by the building official and his approval or disapproval (with suggestions) shall be expressed in writing on the permit application.

(Ord. of 10-18-83, § 4)

Sec. 102-31. Exceptions.

The building official, utilizing such other technical assistance as it may require, shall review the application and plot plan and shall consider and determine what effect it will have upon the drainage, topography and natural resources of the area, and shall consider these factors in granting or denying the application. Exceptions are as follows:

- (1) If any tree shall be determined to be in a hazardous or dangerous condition so as to endanger the public health, welfare or safety, and requires immediate removal without delay, verbal authorization may be given by

Sec. 102-37. Appeals.

Any person adversely affected by a decision of the building official in the enforcement or interpretation of any terms or provisions of this article may appeal such decisions to the city council, by filing written notice thereof within ten days after the decision of the building official. The city council will render a final decision within 90 days.
(Ord. of 10-18-83, § 11)

Sec. 102-38. Penalty.

Any person who shall violate the provisions of this article shall be punished as provided in section 1-12. The removal or destruction of each tree under this article shall constitute a separate violation of this article.
(Ord. of 10-18-83, § 12)