

# **City of Trenton**

**Dade County**

**Chattanooga MSA**

**2003 Population Estimate 2,122; +8.4% change from 2000 Census.**

**Tree City USA for 21 years.**

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

## **Chapter 38 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES**

### **ARTICLE III. TREES**

**Year first adopted or last revised unknown.**

**Addresses public property.**

#### **TABLE OF CONTENTS**

Section 38-40.	Definitions.
Section 38-41.	City tree board—Created and established.
Section 38-42.	Same—Term of office.
Section 38-43.	Same—Compensation.
Section 38-44.	Same—Duties and responsibilities.
Section 38-45.	Same—Organization.
Section 38-46.	Tree species to be planted.
Section 38-47.	Spacing.
Section 38-48.	Distance from curb and sidewalk.
Section 38-49.	Distance from street corners and fire hydrants.
Section 38-50.	Utilities.
Section 38-51.	Public tree care.
Section 38-52.	Tree topping.
Section 38-53.	Pruning, corner clearance.
Section 38-54.	Dead or diseased tree removal on private property.
Section 38-55.	Removal of stumps.
Section 38-56.	Review by city commission.

706 335-5677

City of Trenton GA

Chapter 38

STREETS, SIDEWALKS AND OTHER PUBLIC PLACES\*

Article I. In General

- Sec. 38-1. Building numbering—System.
- Sec. 38-2. Same—Map.
- Sec. 38-3. Same—Posting.
- Sec. 38-4. Same—Unlawful to deface number.
- Sec. 38-5. Same—Penalties.
- Secs. 38-6—38-10. Reserved.

Article II. Excavations; Cuts

Division 1. Generally

- Sec. 38-20. Permit prior to underground work—Application.
- Sec. 38-21. Same—Inspection prior to granting.
- Sec. 38-22. Same—Granting.
- Sec. 38-23. Same—Denial in the future.
- Sec. 38-24. Commencement of construction; required repairs, approval.
- Sec. 38-25. Performance of work by city.
- Sec. 38-26. Payment for future work.
- Secs. 38-27—38-29. Reserved.

Division 2. Installation for Underground and Overhead Utilities

- Sec. 38-30. Permit—Required; application.
- Sec. 38-31. Same—Determination of safety precautions.
- Sec. 38-32. Same—Issuance.
- Sec. 38-33. Commencement of work; time for repair.
- Sec. 38-34. Restoration of surface.
- Sec. 38-35. Denial of permits in the future.
- Sec. 38-36. Repair and restoration by city.
- Sec. 38-37. Bearing of expense for future work.
- Secs. 38-38, 38-39. Reserved.

Article III. Trees

- Sec. 38-40. Definitions.
- Sec. 38-41. City tree board—Created and established.
- Sec. 38-42. Same—Term of office.
- Sec. 38-43. Same—Compensation.
- Sec. 38-44. Same—Duties and responsibilities.
- Sec. 38-45. Same—Organization.
- Sec. 38-46. Tree species to be planted.
- Sec. 38-47. Spacing.
- Sec. 38-48. Distance from curb and sidewalk.
- Sec. 38-49. Distance from street corners and fire hydrants.

\*Charter reference—Authority as to roadways, § 1.13(11).

CD98:1

TRENTON CODE

- Sec. 38-50. Utilities.
- Sec. 38-51. Public tree care.
- Sec. 38-52. Tree topping.
- Sec. 38-53. Pruning, corner clearance.
- Sec. 38-54. Dead or diseased tree removal on private property.
- Sec. 38-55. Removal of stumps.
- Sec. 38-56. Review by city commission.

CD3A-2

*City of Trenton*

§ 38-40

TRENTON CODE

ARTICLE III TREES

Sec. 38-40. 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 city parks having individual names and all other areas owned by the city or to which the public has free access as a park provided by the city.

*Street trees* means trees, shrubs, bushes and all other woody vegetation on land lying between rights-of-way lines on either side of all city streets, avenues or ways within the city. (Ord. of 1-7-85, § 1)

Sec. 38-41. City tree board—Created and established.

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

(Ord. of 1-7-85, § 2)

Sec. 38-42. Same—Term of office.

The term of the five persons to be appointed to the tree board by the mayor shall be three years, except that the terms of two of the members appointed to the first board shall be for only one year and the terms of two of the members of the first board shall be for two years. In the event that a vacancy shall occur during the term of any member, such member's successor shall be appointed for the unexpired portion of the term.

(Ord. of 1-7-85, § 3)

Sec. 38-43. Same—Compensation.

Members of the tree board shall serve without compensation.

(Ord. of 1-7-85, § 4)

Sec. 38-44. Same—Duties and responsibilities.

It shall be the responsibility of the tree board to study, investigate, counsel and develop and 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 governing body and upon its acceptance and approval shall constitute the official comprehensive city tree plan for the city. The board, when requested by the governing body shall consider, investigate, make findings, report and recommend upon any special matter of question coming within the scope of its work.

(Ord. of 1-7-85, § 5)

## STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

§ 38-47

**Sec. 38-45. Same—Organization.**

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

(Ord. of 1-7-85, § 6)

**Sec. 38-46. 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.

<i>Small Trees</i>	<i>Medium Trees</i>	<i>Large Trees</i>
Apricot	Ash, Green	Coffeetree
Flowering Dogwood	Ginkgo	Bald Cypress
Weeping Cherry	Southern Magnolia	Scarlet Oak
	Yellow Poplar	White Pine
	Red Cedar	Red Maple
	Weeping Willow	Water Oak
Crabapple	Hackberry	
Flowering (sp.)	Honeylocust	Maple, Silver
Golden Rain Tree	(thornless)	Maple, Sugar
Hawthorne (sp.)	Linden or Basswood (sp.)	Oak, Bur
Pear, Bradford	Mulberry, Red	Sycamore
Redbud	(fruitless, male)	Sycamore
Soapberry	Oak, English	London plantree
	Kentucky	
Lilac, Jap Tree	Oak, Red	Cottonwood
Peach, Flowering	Pagodatre, Japanese	(cottonless male)
Plum, Purpleleaf	Pecan	Willow Oak
Serviceberry	Birch, River	Southern Red Oak
	Osageorange	
	(male, thornless)	
	Persimmon	
	Poplar, White	
	Sassafras	

(Ord. of 1-7-85, § 7)

**Sec. 38-47. Spacing.**

The spacing of street trees will be in accordance with the three species size classes listed in section 38-46, and no trees may be planted closer together than the following: small trees,

CD38:9

§ 38-47

TRENTON CODE

30 feet; medium trees, 40 feet; and large trees, 50 feet; except in special plantings designed or approved by a landscape architect.

(Ord. of 1-7-85, § 8)

**Sec. 38-48. 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 38-46 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 1-7-85, § 9)

**Sec. 38-49. Distance from street corners and fire hydrants.**

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

(b) No street tree shall be planted closer than ten feet of any fire hydrant.

(Ord. of 1-7-85, § 10)

**Sec. 38-50. Utilities.**

No street trees other than those species listed as small trees in section 38-46 may be planted under or within ten lateral feet of any overhead utility wire, or over or within five lateral feet of any underground waterline, sewer line, transmission line or other utility.

(Ord. of 1-7-85, § 11)

**Sec. 38-51. Public tree care.**

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 insure public safety or to preserve or enhance the symmetry and beauty of such public grounds. The city tree board may remove or cause or order to be removed, any tree or park 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 are in accordance with sections 38-46 through 38-50.

(Ord. of 1-7-85, § 12)

**Sec. 38-52. Tree topping.**

It shall be unlawful as a normal practice for any person 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

**STREETS, SIDEWALKS AND OTHER PUBLIC PLACES § 38-56**

where other pruning practices are impractical may be exempted from this article at the determination of the city tree board.

(Ord. of 1-7-85, § 13)

**Sec. 38-53. 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 of any street lamp 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 street light or interferes with visibility of any traffic control device or sign.

(Ord. of 1-7-85, § 14)

**Sec. 38-54. 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, 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 the 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 1-7-85, § 15)

**Sec. 38-55. 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 1-7-85, § 16)

**Sec. 38-56. Review by city commission.**

The governing body 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 governing body, which may hear the matter and make final decision.

(Ord. of 1-7-85, § 18)