

ORDINANCE NUMBER 345

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF MONTEZUMA TO AMEND THE CODE OF THE CITY OF MONTEZUMA, CHAPTER 20.5 TREES BY ADDING A NEW SECTION 20.5 – 3.2 TO ESTABLISH A TREE BOARD & POWERS OF SAID BOARD

BE IT ORDAINED by the Mayor and Council of the City of Montezuma, Georgia and it is hereby ordained by authority of same that the Code of Ordinances of the City of Montezuma, Georgia, be amended by the addition of the following new section to Chapter 20.5, :

Sec. 20.5-3.2 Tree Board Establishment

- a) There is hereby created the Montezuma Tree Board. The Board shall consist of one member of the City Council, a member of the Montezuma Planning Commission, the City Clerk, the Public Works Chief, one member of the local garden club (if any) and any such additional members as the City Council may designate. 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 Montezuma Tree Board shall be for one year. Members may be reappointed at the discretion of the City Council.
- c) The members shall serve without compensation.
- d) The Board shall cooperate with and coordinate activities with all departments of the City of Montezuma and all departments of the City of Montezuma shall cooperate with the Board.
- e) Each year the Board shall elect a Chairman who shall be a voting member of the Board.
- f) A meeting may be called by an elected Chairman or two (2) Board members.
- g) One-half of the Board members in addition to the Chairman shall constitute a quorum.
- h) Except as otherwise provided, no person shall cut, remove, trim or in any way damage any tree on any property owned by the City of Montezuma, or shall create any condition injurious to any such tree

without having first made a written application to do so to the Board and having obtained advance written permission from the Board. The Board shall take action on the application within ten days of its receipt. The form of application shall be established from time to time by the Board, and the Board may delegate to one or more of its members or officers the power to grant such permission in accordance with standards set by it. The Board may in its discretion hold public hearings on any application and may approve all or any part of an application before it, the Board shall base its decision on whether the public and private benefit that will result from granting the application outweighs the public and private benefit that will result from denying it.

- i) Departments of the City of Montezuma are granted emergency powers, with respect to cutting, trimming or removing trees in order to restore the delivery of city services following service interruptions caused by inclement weather.
- j) The City of Montezuma, Georgia Power Co., Howard Cable Television, Alltel, Flint EMC and their agents are exempt from the provisions of Item (i) above or other emergency situations with respect to the maintenance of utility right-of-way. However, these agencies shall be required to follow procedures and tree maintenance techniques established by the Committee.

SO ORDAINED, BY THE MAYOR AND COUNCIL of the City of Montezuma, Georgia this 10th day of June, 2003. This Ordinance becomes effective upon its passage.

Willie J. Larry - Mayor

Joyce H. Hardy – City Clerk