

CHAPTER 36

TREES AND SHRUBS

1. **TREES, SHRUBS, AND GROUND COVERS ON CITY PROPERTY.** No trees, shrubs, or ground covers may be planted, removed or pruned on City property, including streets and rights-of-way, unless a permit therefore is obtained from the City Forester. Conditions for issuance of permits by the City Forester shall be included in the Arboricultural Specifications Manual, as adopted and amended by the Public Works Department and on file with the City Clerk. The issuance of this permit shall not grant any property rights to the holder of the permit and all property shall remain the property of the City of Decatur. Any work related to trees on city property will be in accordance with the aforementioned Arboricultural Specifications Manual.

(Amended, Ordinance No. 2009-39, May 18, 2009)

(Amended, Ordinance No. 2000-63, July 17, 2000)

2. **TREES, SHRUBS, AND GROUND COVERS ON PRIVATE PROPERTY.**

A. Trees, shrubs and ground covers on private property adjacent to a street, sidewalk, and/or alley shall not interfere with either vehicular and/or pedestrian traffic using said street, sidewalk, and/or alley or create a hazard to public safety.

B. The owner or occupant of property located at any corner formed by intersecting streets shall maintain clear sight lines across said premises within the area formed by the property lines adjacent to said corner and a diagonal line joining points on said intersecting property lines twenty-five (25) feet from the point of their intersection. Within the above stated area, no

Chapter 36

vegetation shall be allowed to grow above two (2) feet in height except trees whose branches are removed to a height of eight (8) feet or more above the ground.

C. It shall be the responsibility of the real property owner or occupant to remove any dead tree, dead part of a tree, or any healthy tree or part thereof which is a menace to public safety.

D. The City Forester shall cause notice to be served on either the owner or occupant of non-complying premises directing them to prune or remove vegetation so as to comply with the requirements hereof. Said notice shall be served either by personal service or by certified mail, return receipt requested. If the City is unable to serve the owner or occupant either by personal service or by mail, notice may be given by placing or posting on said premises a notice directing that such vegetation be pruned or removed. If, at the end of five (5) days from the date of receipt of said notice, or five (5) days from the date of posting of same, said vegetation has not been pruned or removed, the City Forester may, at his or her discretion, cause said vegetation to be pruned or removed, at the property owners' expense, so as to comply with the requirements hereof, in addition to seeking other penalties as provided herein and such other judicial relief as may be available. For purposes of this section, "owner" is hereby defined as the last owner of record of such premises as shown by the records in the Recorder's Office of Macon County.

3. **PENALTIES.** Any person, firm or corporation who shall violate any of the provisions of this Chapter shall be fined not less than One Hundred Fifty Dollars (\$150.00) nor more than Five Hundred Dollars (\$500.00) for each offense.

(Amended, Ordinance No. 2011-81; Ordinance No. 2011-69)